

2-1

TOWN OF AURORA

575 OAKWOOD AVENUE, EAST AURORA, NY 14052

BUILDING DEPARTMENT

(716) 652-7591

FAX (716) 652-3507

MEMO

TO: Jim Bach & Town Board Members
FROM: Don Owens, Chairman, Planning Board
DATE: April 9, 2021

=====

The following actions were taken at the April 7th, 2021 meeting of the Planning & Conservation Board:

Laurie Kutina moved to recommend approval of the ODA/Site Plan/Revised Special Use Permit application(s) at 1897 Davis Rd. as presented by Jyl and Rico Rivera. The recommended approval includes the revisions to the Short Environmental Assessment Form based on GHD's comments.

Seconded by Norm Merriman with the addition of the following condition:

1. Silt fence/silt sock/hay bales are temporarily used during construction of the parking lot to control storm water runoff.

Upon a vote being taken:

ayes – five

noes – none

Motion Carried.

5A-1

Only [If applicable]

BERRY TREE HOUSE

11-2021

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: BLUEBERRY TREE HOUSE
 Date: 4/12/2021

**Short Environmental Assessment Form
 Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

<u>TOWN OF AURORA</u>	
Name of Lead Agency	Date
<u>JAMES J. BACH SUPERVISOR</u>	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

5A-2

RESOLUTION APPROVING ODA VARIANCES

WHEREAS, Jyl and Ricardo Rivera (Petitioners) have applied for an Open Development Area (ODA) permit for property located at 1897 Davis Road, PO West Falls, (SBL# 199.03-1-9.21) in the Town of Aurora; and

WHEREAS, the 5.63± acre parcel is currently used for a U-pick Blueberry business, Outdoor Event Center (through a Special Use Permit) and Treehouse business; and

WHEREAS, the Petitioners are requesting an amendment to their current Special Use Permit for the Outdoor Event Center at this location, including the addition of a bar/deck and increased months of operation; and

WHEREAS, 1897 Davis Road has 16.09± feet of frontage, 33.91± feet less than the 50 feet required by Town Code Chapter 99 Article VI Section 99-34 B (1); and

WHEREAS, the width of the driveway is 11± feet, 9± feet less than the 20 feet required by Town Code Chapter 99 Article VI Section 99-34 B (2); and

WHEREAS, the Petitioners propose to use the driveway at 1897 Davis Road for ingress only as there will be ingress/egress to the property through 1887 Davis Road; and

WHEREAS, the Petitioners have requested a frontage width variance of 33.91± feet for the “flag pole” portion of the property and a driveway width variance of 9± feet; and

WHEREAS, these Open Development variance requests were reviewed by the Town Planning Board and said Board recommended that the Town Board approve the frontage width variance and driveway width variance; and

WHEREAS, §99-37 of Chapter 99 authorizes the Town Board to vary the strict compliance of the regulations would not cause a concern of public interest.

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Aurora does hereby grant a 33.91± feet frontage width variance and a 9± feet driveway width variance to allow for the expanded Outdoor Event Center use of the property at 1897 Davis Road, PO West Falls, Town of Aurora (SBL#199.03-1-9.21); and be it

FURTHER RESOLVED, this Resolution shall be incorporated by reference into the application and approval of the Open Development Area permit.

Adopted this ____ day of _____, 2020.

5A.3

RESOLUTION
APPROVING OPEN DEVELOPMENT AREA
1897 DAVIS ROAD, PO WEST FALLS
TOWN OF AURORA, NEW YORK

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, Jyl and Ricardo Rivera (“the Applicants”) have filed an Open Development Area application for 1897 Davis Road (SBL#199.03-1-9.21) and seek approval to expand their Special Use Permit for an Outdoor Event Center; and

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

WHEREAS, this action is considered an Unlisted action under SEQRA and upon review, the Town Board issued Negative Declaration; and

WHEREAS, according to Section 99-37 of the Code, the Town Board may modify the specifications and requirements in any Open Development Area Plan, where in the Board’s judgment, such modifications are in the public interest and/or will avoid the imposition of unnecessary hardship on the applicant.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Aurora acknowledges that compliance with all other standards, requirements and conditions, including those specified by the Town Board as noted above, is in the public interest and will substantially secure the objectives of the modified standard; and BE IT FURTHER

RESOLVED, that approval of this Open Development Area with frontage width and driveway width variances as granted by the Town Board of the Town of Aurora, any future development is 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 to expand the Outdoor Event Center use at 1897 Davis Road (SBL#199.03-1-9.21) with frontage width and driveway width variances, is approved.

5A-4

RESOLUTION APPROVING SITE PLAN
1887, 1895 and 1897 Davis Road

WHEREAS, Jyl and Ricardo Rivera (“Applicants”) have applied for a Site Plan Review for 1887 and 1897 Davis Road, PO West Falls, Town of Aurora, NY; and

WHEREAS, the Applicants plan to expand their current Special Use Permit for an Outdoor Event Center, including the construction of a non-residential commercial improvement at 1897 Davis Road and expansion and use of the parking lots at 1887, 1895 and 1897 Davis Road (SBL#199.03-1-9.1, 199.03-1-10.1 and 199.03-1-9.21); and

WHEREAS, the Aurora Town Board referred the Site Plan application to the Aurora Planning Board for their review and recommendations; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Site Plan; and

WHEREAS, as an Unlisted action under SEQRA requiring further review, the Town Board completed Part 2 of the SEQR short form and found that the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 95 Site Plan Review, Section 95-2 C, the Aurora Town Board does hereby approve the Site Plan submitted for 1887, 1895 and 1897 Davis Road to expand the Outdoor Event Center to include a treehouse lounge and other improvements and to expand and improve the parking areas.

5A-5

SPECIAL USE PERMIT

Pursuant to Chapter 116 Article III of the Zoning Code of the Town of Aurora, a Special Use Permit is hereby granted by the Town Board of the Town of Aurora in accordance with the following:

- APPLICANT:** Ricardo and Jyl Rivera
The Blueberry Treehouse Farm

- PROPERTY ADDRESS:** 1887 Davis Road, PO West Falls; SBL#199.03-1-9.1
1895 Davis Road, PO West Falls; SBL#199.03-1-10.1
1897 Davis Road, PO West Falls; SBL#199.03-1-9.21

- PROPERTY OWNER:** Ricardo and Jyl Rivera

- CODE:** Chapter 116 – Zoning §116-8.7
B2 Business; Paragraph B

- USE:** Principal Use: U-Pick Blueberry Farm and treehouse design/construction business
Auxiliary Use: Outdoor Event Center

The Town of Aurora received an application to amend a Special Use Permit granted to the Applicants August 10, 2020.

Background. Applicants operate a u-pick blueberry farm and treehouse construction business on the Property, which is Zoned Business 2. The Property is also adjacent to the Applicants’ primary residence. The Applicants were granted a Special Use Permit on August 10, 2020 to hold out-door concerts on Thursdays to attract more berry pickers and to use the Property as a venue for small weddings and private parties and to provide alcohol for these functions.

Additional conditions and safeguards are deemed necessary by the Town Board to implement the purpose and intent of the Amended Special Use Permit. This permit is contingent and subject to the following:

1. CODE REQUIREMENTS: Full compliance with all sections of the Aurora Code as presently codified or as may be amended from time to time.

2. APPLICATION AND PLANNING BOARD: Subject to all plans and specifications submitted with the application, recommendations of the Planning Board and additional conditions and terms as adopted by the Town Board.

3. VIOLATION: Any violation of the provisions of the Permit or any other applicable law, code, rule or regulation of any government or department shall

subject this Permit to suspension or revocation in the discretion of the Town Board.

- 4. AMENDMENT: This Special Use Permit is subject to amendment or modification by the Town Board at any time in its sole discretion.
- 5. ATTACHMENT: This permit is subject to any and all special conditions attached hereto.

ACKNOWLEDGEMENT: the undersigned as applicant for this Amended Special Use Permit for an outdoor event center at 1897 Davis Road, PO West Falls, Town of Aurora, NY, including parking at 1895 and 1887 Davis Road, does hereby acknowledge receipt of a copy of this Amended Permit, agrees, and accepts the provisions herein. The applicant further acknowledges that a violation or breach of any covenants, provisions or conditions of this Special Use Permit will result in suspension or revocation of this Special Use Permit. The undersigned agrees to all terms and provisions of this Special Use Permit as herein stated or as hereafter may be amended.

DATED: _____

By: _____
Ricardo Rivera

DATED: _____

By: _____
Jyl Rivera

ACKNOWLEDGED AND APPROVED AS TO FORM AND SUBSTANCE

DATES: _____

JAMES J. BACH, Supervisor
Town of Aurora

SPECIAL CONDITIONS FOR
SPECIAL USE PERMIT GRANTED TO
RICARDO AND JYL RIVERA
FOR
1887 and 1897 DAVIS ROAD
PO WEST FALLS, TOWN OF AURORA

- 1. USE: In addition to a treehouse design and construction business and a U-pick blueberry farm, the current uses on the property, the site will be used for an Outdoor Event Center.
- 2. SIGN(S): Shall be in accordance with Section 116.34 of the Town Code of the Town of Aurora.

3. PARKING: On-site parking is limited to a total of 95 vehicles on the 1987 Davis Road parcel and the adjacent parcels at 1895 and 1897 Davis Road, which is currently leased by the Applicant, as shown on the attached drawing. If off-site parking is necessary, Applicant shall provide transportation to and from off-site parking. Parking is not permitted on Davis Road.

4. ATTENDEES: The maximum number of attendees at any one event is 380 based on the proposed number of parking spaces (95) and the Town Code of 4 occupants per vehicle.

5. EVENTS – Applicant shall not hold more than three events per week. Applicant shall not hold events Mon.-Wed. and shall limit the hours of events as follows:

- Thurs.: 5:00pm – 9:00pm

- Fri.: 10:00am – 10:00pm

- Sat.: 10:00am – 10:00pm

- Sun.: 12:00pm – 7:00pm

Events include, but are not limited to, concerts, weddings, receptions, and private parties.

Events are limited to the months of June through October.

6. OTHER CONDITIONS:

- Applicant shall not permit more than two food trucks per event.
 - Sound application systems are not permitted after 9:00pm.
 - There shall be a minimum of two portable toilets. New York State Building and Plumbing code will dictate the number of portable toilets and hand washing/sanitizing stations based on the number of attendees at any particular event.
 - Alcoholic beverages are permitted subject to a license from the New York State Liquor Authority. Alcoholic beverages may only be served within the location marked on the attached drawing.
 - Alcoholic beverages are permitted only within the area marked on the attached drawing.
 - Applicant will ensure adequate lighting for security, safety, and traffic circulation.
 - Applicant shall receive approval of a traffic circulation, signage and safety plan from the East Aurora Police Chief and West Falls Fire Chief.
 - This permit shall be reviewed annually by the Town Board during the month of May, or before, each year beginning in 2021. Town of Aurora may terminate the Special Use Permit at any time.
 - Applicants must be the venue operator and the Property must remain under the Applicants' ownership.
 - Applicant shall at all times comply with applicable regulations, including liquor authority requirements, health department codes, and Town of Aurora Codes.
 - Overnight accommodations of guests are prohibited.
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2-II 5B-2

TOWN OF AURORA

LOCAL LAW INTRO. No. 1

LOCAL LAW NO. -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 a 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 a 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 subject to the adoption of a Special Use Permit:

1. Assembly Hall or auditorium with the intended building to include offices, a chapel and a multi-purpose room;
2. A recreation area or building including camps and camp sites serving the public;
3. Customary accessory uses;
4. 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

If any portion, subsection, sentence, clause, phrase or portion thereof contained in this Local Law is for any reason held to be invalid or unconstitutional by any Court of competent jurisdiction,

such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 5. EFFECTIVE DATE

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

Supervisor Bach	Voted _____
Councilman Snyder	Voted _____
Councilwoman Jeffe	Voted _____
Councilwoman Friess	Voted _____
Councilman Wochensky	Voted _____

5B-1

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 Town Zoning map by rezoning 730 Olean Road from RR and A to R3; 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 relating to rezone 730 Olean Road and hereby determines that the proposed action is a Type II action that will result in no significant environmental impact and no further review will be undertaken.

2-III

5C-2

TOWN OF AURORA

LOCAL LAW INTRO. No. 2

LOCAL LAW NO. ____-2021

A LOCAL LAW IMPOSING A SIX-MONTH MORATORIUM ON ZONING DISTRICTS
B-1, B-2 and I.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

SECTION 1. TITLE

This Local Law is referred to as the “Local Law Imposing a Six-Month Moratorium on Zoning Districts B-1, B-2 and I.”

SECTION 2. PURPOSE

The purpose of this Local Law is to protect the public health, safety, and welfare of Town of Aurora residents by assuring that any future developments comply with the general community plan and to preserve the rural character of the Town of Aurora. The Town Board intends to address, in a careful manner, the uses set forth in the Zoning Code for Districts B-1, B-2 and I on a comprehensive Town-wide basis rather than on an ad hoc basis, and to adopt new Land Use Local Law provisions to specifically provide for uses within the Districts of B-1, B-2 and I and/or within new zones.

SECTION 2. AUTHORITY

This Local Law is enacted under the provisions of Article 16 of the New York Town Law and Section 10 of the New York Municipal Home Rule Law.

SECTION 3. MORATORIUM AND DURATION

For a period of six months following the date of adoption of this Local Law, the Code Enforcement Officer shall not grant any building permit for construction that would result in a non-

residential commercial improvement either in the form of an addition to an existing structure or the construction of a new structure with the size of 2,500 square feet or larger within Districts B-1, B-2 and I.

For a period of six months following the date of adoption of this Local Law, the Town Board shall not accept any special use permit application that would result in a non-residential commercial improvement either in the form of an addition to an existing structure or the construction of a new structure with the size of 2,500 square feet or larger within Districts B-1, B-2 and I.

For a period of six months following the adoption of this Local Law, the Town Zoning Board of Appeals shall not grant any variance or other permit for the use of a Special Use Permit within the Districts of B-1, B-2 and I which has not been applied for as of the effective date of this Local Law.

The provisions of this Local Law do not apply to site plans, special use permits, and building permits under review by the Town Board as of the effective date of this Local Law.

The Town Board reserves the right to direct the Building Inspector/Code Enforcement Officer to revoke or rescind any Building Permits or Certificates of Occupancy issued in violation of this Local Law.

SECTION 4. EXTENSION OF MORATORIUM

This moratorium may be extended for up to two additional periods of up to three months each by resolution of the Town Board upon a finding of necessity for such extension.

SECTION 5. PENALTIES

~~Any person, firm or corporation that establishes, places, constructs, enlarges or erects any buildings or use requiring a building permit in violation of the provisions of this Local Law or that violate any provisions of this Local Law is subject to:~~

- a. Penalties as may otherwise be provided within the Codes of the Town of Aurora for violations;

- b. Injunctive relief in favor of the Town of Aurora to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction that may have taken place in violation of this Local Law.

SECTION 6. VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION 7. HARDSHIP

A. Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Town Board, in writing, for a variation from strict compliance with this Local Law upon submission of proof of such unnecessary hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a variance, special permit, site plan, subdivision or other permit during the period of the moratorium imposed by this Local Law.

B. Procedure. Upon submission of a written application to the Town Clerk by the property owner seeking a variation of this Local Law the Town Board shall, within thirty (30) days of receipt of said application, schedule a Public Hearing on said application upon five (5) days written notice in the official newspaper of the Town. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Town Board shall, within fifteen (15) days of the close of said Public Hearing, render its decision by duly adopted resolution either granting, modifying, or denying the application for a variance from the strict requirements of this Local Law. If the Town Board determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property then the

Town Board shall vary the application to this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with this Local Law.

SECTION 9. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Office of the New York State Secretary of State in accordance with §27 of the Municipal Home Rule Law.

Supervisor Bach	Voted _____
Councilman Snyder	Voted _____
Councilwoman Jeffe	Voted _____
Councilwoman Friess	Voted _____
Councilman Wochensky	Voted _____

5C-1

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 declare a moratorium on certain development in Business (B1 and B2) and Industrial (I) zones 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 relating to a moratorium on certain development in Business (B1 and B2) and Industrial (I) zones in the Town of Aurora and hereby determines that the proposed action is a Type II action that will result in no significant environmental impact and no further review will be undertaken.

6B

TOWN OF AURORA

575 OAKWOOD AVENUE, EAST AURORA, NY 14052

BUILDING DEPARTMENT
(716) 652-7591
FAX (716) 652-3507

MEMO

TO: Supervisor Bach and Town Board
FROM: Elizabeth Cassidy, Code Enforcement Officer
DATE: March 18, 2021

=====

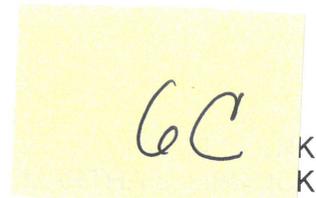
I respectfully request approval for a civil service title change for Jennifer Calkins from Clerk PT to Clerk PT Seasonal effective April 19, 2021 through September 6, 2021. This allows her to work up to 39.5 hours to accommodate the Building Department during the busy season.

Thank you,



Elizabeth Cassidy

SUPERVISOR
JAMES J. BACH
(716) 652-7590
jbach@townofaurora.com



(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

MEMO

TO: Town Board
FROM: Kathleen Moffat
RE: Use of Debt Reserve Funds
DATE: 4/12/21

I respectfully request approval to use Debt Reserve funds to make the \$45,000 principal payment and the \$3,503.75 interest payment to the Greene County Bank for the Glead Avenue HVAC and parking lot bond. The payment is due 4/15/21.

SUPERVISOR
James J. Bach
(716) 652-7590
jbach@townofaurora.com



Town Clerk
Marlene ...
(716) 652-3233
townclerk@townofaurora.com

GD

TOWN OF AURORA

Aurora Municipal Center

575 Oakwood Avenue, East Aurora, NY 14052

www.townofaurora.com

April 7, 2021

To: Town Board

Re: Request to Hire Jason Buranich as a Highway Laborer

Please approve promoting Jason Buranich to Highway Laborer. His promotion date will be May 1, 2021 and his hourly rate will be \$18.48, as per the union contract. Jason has proven that he is a competent and reliable laborer and he is an asset to our department.

Thank you,

A handwritten signature in blue ink, appearing to read 'David Gunner', written over a faint, illegible typed name.

David Gunner, Highway Superintendent

SUPERVISOR
James J. Bach
(716) 652-7590
jbach@townofaurora.com



6F

TOWN CLERK
Martha L. Librock
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

To: Aurora Town Board
From: Martha Librock, Town Clerk
Date: April 9, 2021
Re: Affirmative Action Officer

Please appoint Elizabeth Cassidy as the Town's Affirmative Action Officer to replace Bill Kramer.



TOWN OF AURORA SENIOR CENTER
DIRECTOR'S REPORT
MONTH OF March 2021

The mission of the Town of Aurora Senior Center is to help older adults remain healthy and active through participation in recreational pursuits and to provide leadership and advocacy to ensure the availability of leisure and recreational opportunities for seniors.

ADMINISTRATION:

On March 9th we held our monthly director's meeting. Our director's meetings continue to be held via Zoom with great communication and ideas. We are looking to hold the April meeting in person along with Zoom at the Orchard Park Senior Center. I also had the opportunity to attend via Zoom the National Council on Aging: Aging Well for All – 2021 Public Policy Priorities for Older Adults. They talked about future funding, health care and a variety of topics. The Live Well Erie task force met via Zoom on March 18th. The subcommittees gave updates on nutrition, transportation, mental health, and financial security. The Erie County Health Department inspected our kitchen and dining room. We again passed with no deficiencies or problems. They sporadically drop in unannounced to inspect and temp foods. Jenn along with our volunteers do an excellent job in the kitchen maintaining a high level of cleanliness. We have been working with Vaspian to rectify the many issues that have occurred with our new phone system. I have spoken with Vice President Denise Carlson several times in the past month along with many of the technicians. Our needs were very different from the town hall needs so it has taken considerable time and effort on everyone's part to adjust the technology and the overall system. I think we finally have a light at the end of a very long tunnel. The AFP Group replaced our fire extinguishers after a recent inspection.

REVENUE & EXPENDITURES: See Supervisor's Report

PROGRAMS:

- Title: WORKOUT ROOM
- Day & time: M-F 8:00am- 4:00pm
- Participants: Approximately 45 per day
- Title: LINE DANCING
- Day & time: Mondays, 9:00 – 10:00 (beginners) 10:15 – 1:15 (advanced)
- Participants: 58 people
- Supervisors: Nance Baranowski
- Title: SENIOR NOTES
- Day & time: Mondays, 12:45 – 2:30pm
- Participants: 23 people
- Supervisor: Kathy Almeter
- Title: EUCHRE
- Day & time: Mondays, 1:00 – 4:00pm
- Participants: 24 people
- Title: PINOCHLE
- Day & Time: Fridays, 1:00 – 4:00pm
- Participants: 20 people
- Title: CERAMICS
- Day & time: Tuesdays, 10:00am – 4:00pm
- Participants: 35 people
- Supervisor: Elaine Schiltz
- Title: EXERCISE CLASS
- Day & time: Tuesdays & Wednesdays 8:30 – 9:30am
- Participants: 14 people
- Title: TAI CHI
- Day & time: Tuesdays & Thursdays 3:00 beginners 3:30veterans
- Supervisor: Judy Augustyniak & Susan Ott
- Participants: 15 people
- Title: TAI CHI – advanced
- Day & time: Mondays 10:00 & Thursdays 9:00am
- Supervisor: Dennis Desmond
- Participants: 15
- Title: YOGA
- Day & time: Wednesdays, 9:45 – 11:00am
- Supervisor: Irene Kulbacki
- Participants: 22 people
- Title: BOWLING
- Day & time: Wednesdays, 1:00pm
- Supervisor: Barb D'Amato
- Participants: 48 people
- Title: PAINTING
- Day & time: Wednesdays, 1:00 – 3:30pm
- Supervisor: Walt Carrick
- Participants: 8-10 people
- Title: BRIDGE
- Day & time: Wednesdays, 9:30am – 2:00pm
- Supervisor: Dave Lorcom
- Participants: 40 people
- Title: SENIOR CLUB
- Day & time: Thursdays, 10:00am – 3:00pm
- President: Joyce Salansky

Title: PACE (people with arthritis can exercise)
 Day & time: Fridays, 9:00 – 10:00am
 Supervisor: Donna Bodekor
 Participants: 12 people
 Title: SEWING & QUILTING
 Day & time: Tuesday 10-2pm
 Supervisor: Terry Piper
 Participants: 12 people
 Title: WOOD CARVING
 Day & time: Fridays, 1:00 – 4:00pm
 Supervisor: Walt Carrick
 Participants: 10 people
 Title: 55 ALIVE – Defensive driving classes
 Day & time: 1st Monday & Wednesday of the month – June 2021
 Supervisor: AARP trained teachers
 Participants: 34 people max.
 Title: SCRABBLE
 Day & time: Wednesdays 9:30-11:00am
 Supervisor: Dianne Bender
 Participants: 8+ people
 Title: FIBER ARTS
 Day & time: Tuesdays 1st & 3rd
 Participants: 12 people
 Title: MAHJONG
 Day & time: Mondays 2:00pm
 Supervisor: Lou Plotkin
 Participants: 12
 Title: MEXICAN DOMINOS
 Day & time: Thursdays 9:30 am
 Supervisor: Laurie Smith
 Participants: 8+
 Title: BOOK CLUB
 Day & time: 2nd Wednesday of the month
 Supervisor: Barb Dadey
 Participants: 8-10
 Title: Chess Club
 Day & time: Thursdays 10:00am
 Supervisor: Roberto Gesualdi
 Participants: 10
 Title: Wii Bowling
 Day & time: Tuesdays 12:30pm
 Supervisor: Jerry Young
 Participants: 12
 Title: Portrait Sketching
 Day & time: Fridays
 Supervisor: Kurt Almond
 Participants: varies 4-8

TRIPS

EVENTS & OTHER ACTIVITIES

March 17 – We offered a virtual Healthy Blue Seminar – Quick Meals presented by Jennifer Johnston.

NUTRITIONAL LUNCH PROGRAM

Lunches are offered daily at a donation of \$3.00. Our weekly count for the program averaged 259 per week. Lunch totals for the month of March 2021 are 1295. We continue to distribute frozen meals along with our inhouse lunches.

	<u>Frozen Meals</u>	<u>In house</u>		<u>Frozen Meals</u>	<u>In house</u>
Week of March 1	99	180	Week of March 8	121	180
Week of March 15	127	175	Week of March 22	121	158
Week of March 29	108	147			

Submitted by: Donna Bodekor

TOWN OF AURORA DEPARTMENT OF PARKS & RECREATION
DIRECTOR'S REPORT
MONTH OF: MARCH 2021

7B

ADMINISTRATIVE:

Reports:

- We have 13,742 members registered in our recreation system
- We had 330 individual program registrations in the month of March
- We generated \$7,799 in sales for March
- Credit card purchases totaled 96% (97% on-line, 3% office)
 - 2020 to 2021 comparison:

▪ Total sales from 1/1/20 – 3/31/2020	\$17,606
▪ Total sales from 1/1/21 – 3/31/2021	\$11,258

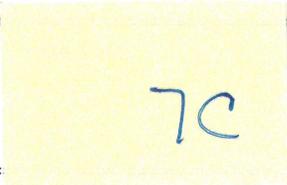
Summer preparation continues in the office! We finished uploading our programs on our website and will have them open for registration in April. Also, we have received numerous applications for our programs this summer. However, we are still searching for a tennis instructor.

The Aurora Community Pool is getting a major facelift here in April. We will be replacing the concrete around our wading pool! A big Thank You goes to Deputy Supervisor Chuck Snyder and Superintendent of Highways Dave Gunner for spearheading this

EAST has concluded our practices at the University of Buffalo. We are truly thankful to Aquatic Director Nate Bourke for allowing us and many other nomad teams practice at their facility. We are looking forward to getting back into our Community Pool and enjoying the great weather we have coming up!

Submitted by: Chris Musshafen, Director of Recreation and Aquatics

Month Year Reported: ----> March 2021 CLERK'S MONTHLY REPORT
 Town Name: -----> Town of Aurora
 Prepared By: -----> Martha L. Librock
 Date Submitted: -----> Apr, 01 2021



TO THE Supervisor:

Pursuant to Section 27, Subd. 1, of the Town Law, I hereby make the following statement of all the fees and monies received by me in connection with my office, during the month above stated, excepting only such fees and monies the application and payment of which are otherwise provided for by law.

RSC Code	Revenue Description	Item Count	Total Revenue	Town Portion	Other Disburses
100	SPORTING LICENSE REVENUE	10	225.00	12.44	212.56
200	DOG LICENSE REVENUE	302	3,842.00	3,481.00	361.00
301	MARRIAGE LICENSE	4	160.00	70.00	90.00
303	CERTIFIED MARRIAGE CERTIFICATE	4	60.00	60.00	0.00
602	DEATH CERTIFICATE	4	200.00	200.00	0.00
605	BIRTH - GENEALOGY	1	11.00	11.00	0.00
606	DEATH - GENEALOGY	2	22.00	22.00	0.00
Report Totals:		327	4,520.00	3,856.44	663.56

REVENUES TO SUPERVISOR - CLERK FEES	375.44
REVENUES TO SUPERVISOR - DOG FEES	3,481.00
TOTAL TOWN REVENUES TO SUPERVISOR:	3,856.44

Amount paid to NYS DEC REVENUE ACCOUNTING	212.56
Amount paid to DEPT. OF AG. AND MARKETS	361.00
Amount paid to STATE HEALTH DEPARTMENT FOR MARRIAGE LICENSES	90.00
TOTAL DISBURSED TO OTHER AGENCIES:	663.56

TOTAL DISBURSED: 4,520.00

April 5 20 21 JAMES J BACH Supervisor,
 State of New York, County of Erie, Town of Aurora

Martha L. Librock being duly sworn, says that she/he is the Town Clerk of the Town of Aurora that the foregoing is a full and true statement of all Fees and Monies received by her/him during the month stated, excepting only such Fees the application and payment of which are otherwise provided for by law.

Subscribed and Sworn to before me
 this 5th day of April 20 21

Martha L Librock
 Town Clerk

Sheryl A. Miller Notary Public

SHERYL A. MILLER
 Reg. #01MI6128663
 Notary Public, State of New York
 Qualified in Erie County
 Commission Expires June 13, 2021



7D

TOWN OF AURORA
Southside Municipal Center
300 Gleed Avenue, East Aurora, NY 14052

From: Martha L. Librock, Town Clerk

Monthly Statement – Tax Collection

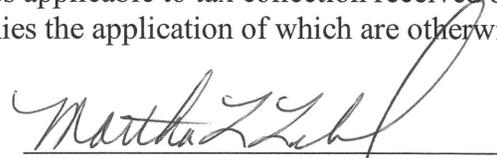
To: James J. Bach, Town of Aurora Supervisor

Pursuant to Section 27 Subd. 1 of the Town Law, I hereby make the following statement of all fees and monies received by me during the month of Mar, 2021 in connection with the collection of taxes, excepting only such fees the application and payment of which are otherwise provided for by law:

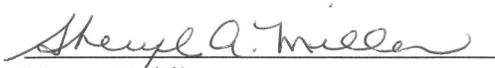
Received From	Type of Receipt	Amount
Taxes	Town/County tax	\$ 258,628.13
Taxes	Penalties	7,311.11
Taxes	Interest	0
Taxes	NOW Acct Interest	468.23
Taxes		
	Total Received	266,407.47

State of New York
County of Erie
Town of Aurora

Martha L. Librock, being duly sworn, says that she is the Town Clerk of the Town of Aurora; that the foregoing is a full and true statement of all fees and monies applicable to tax collection received by her during the month stated excepting only such fees and monies the application of which are otherwise provided for by law.


Martha L. Librock, Town Clerk

Subscribed and Sworn to before me
this 5th day of April, 2021


Notary Public
SHERYL A. MILLER
Reg. #01MI6128663
Notary Public, State of New York
Qualified In Erie County
Commission Expires June 13, 2021



7E

TOWN OF AURORA
Southside Municipal Center
300 Gleed Avenue, East Aurora, NY 14052

From: Barbara A. Halt, Water Clerk

Monthly Statement – Water Fee Collection

To: James J. Bach, Town of Aurora Supervisor

Pursuant to Section 27 Subd. 1 of the Town Law, I hereby make the following statement of all fees and monies received by me during the month of March, 2021_ in connection with the collection of water fees, excepting only such fees the application and payment of which are otherwise provided for by law:

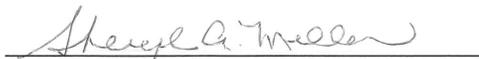
Received From	Type of Receipt	Amount
Water Billing	Water Bills	\$0
	Total Received	\$0

State of New York
County of Erie
Town of Aurora

Barbara A. Halt, being duly sworn, says that she is the Water Clerk of the Town of Aurora; that the foregoing is a full and true statement of all fees and monies applicable to water fee collection received by her during the month stated excepting only such fees and monies the application of which are otherwise provided for by law.


Barbara A. Halt, Water Clerk

Subscribed and Sworn to before me
this 1st day of April, 2021


Notary Public
SHERYL A. MILLER
Reg. #01MI6128663
Notary Public, State of New York
Qualified In Erie County
Commission Expires June 13, 2021



7F

**East Aurora / Town of Aurora
Police Department
Interdepartmental Correspondence**

To: Mayor Mercurio & Village Board; Supervisor Bach & Town Board

From: Shane Krieger, Chief of Police

Date: 03262021

Re: Monthly Report – February 2021

General Information

- We continued working on the NYS mandate Police Reform, which needs to be completed by April.
- A substantial snowstorm hit the southern part of our town, with close to 30” of snow falling in West Falls and areas south of Blakely Rd.
- Long time EA Crossing Guard and Town resident Dennis Ryan passed away this month.
- Several members of our staff, including myself, received Covid-19 vaccinations.
- Continued Covid-19 protocols still in place and updated when needed.

Meetings:

In addition to Village Board, Town Board and Staff meetings I also attended the following:

- Police Reform meetings
- Meeting w/ Councilman & SWFC & EAFC Chiefs
- 26 Pistol Permit interviews
- Erie County association of Police Chiefs monthly meeting
- Met with 1 members of the community re: various issues



East Aurora / Town of Aurora Police Department Interdepartmental Correspondence

Special Events:

- No Events

Training:

- PERMA Monthly training- De-Escalation: Common Sense Tips for All Cops”. The training consisted of a video along with a written test. All officers received passing grades.
- Officer Denz participated in a webinar training titled “Recognizing impaired Persons”



**East Aurora / Town of Aurora
Police Department
Interdepartmental Correspondence**

Statistics

Activity	Village	Outside of Village	Total (YTD)
Police calls	940(2,065)	763(1,592)	1,703(3,657)
Fire/EMS calls			206(611)
Response Time	1.6 minutes	2.4 minutes	
Property Damage Acc	8	24	32(57)
Injury Accidents	2/0 Fatal	1/0 Fatal	3(8)0(Fatal)
Leaving Scene Acc	1	0	1 (4)
Arrests-Individuals	12	6	18(34)
Crimes-Persons	1	3	4(13)
Crimes-Drugs	0	0	0(1)
Crimes-Property	18	13	31(46)
Burglary/Trespass	1	1	2(6)
S&R-Lic/Reg	8	3	11(17)
DWI	3	2	5(10)
Warrant Arrests	0	1	1(3)
Traffic Tickets	55(129)	27(67)	82 (196)
Parking Tickets			90 (200)
Domestics	2(5)	5(13)	7(18)
9.41 Mental Health Charge	2 (5)	1 (4)	3(9)



**East Aurora / Town of Aurora
Police Department
Interdepartmental Correspondence**

Arrests / Investigations

- Besides the arrests and reported crimes in the above chart, Officers also investigated the following:
 - Numerous reports of false NYS Unemployment benefit filings.