

May 24, 2021

A meeting of the Town Board of the Town of Aurora took place on Monday, May 24, 2021 beginning at 7:10 p.m. immediately after the work session. The Board met in-person at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, New York. Public attendance was allowed at this meeting. The meeting was live-streamed via Zoom and YouTube.

Members in attendance:	Jolene M. Jeffe	Councilwoman
	Susan A. Friess	Councilwoman
	Charles D. Snyder	Councilman
	Luke Wochensky	Councilman
	James J. Bach	Supervisor
Others Present:	Ronald Bennett	Town Attorney
	Elizabeth Cassidy	Code Enforcement Officer
	David Gunner	Highway Superintendent
	Donna Bodekor	Senior Center Director
	Kathleen Moffat	Asst. to Supervisor/Bookkeeper
	Shane Krieger	Chief of Police
	Tony Rosati	ZBA member/Village Trustee

Supervisor Bach opened the regular meeting at 7:10 p.m., immediately following the conclusion of the work session.

The first item on the agenda was a Public Hearing for Site Plan Review, Special Use Permit and Dwelling Group for 1158 Davis Road, PO West Falls, NY.

Supervisor Bach opened the hearing at 7:10 and asked if anyone wished to comment.

Gary "Jake" Dellaneve stated he is looking to construct a 40' by 80' building to hide his business equipment and that a 40' by 20' two story apartment would be included at the rear of the building.

Hearing no other comments, Supervisor Bach closed the hearing at 7:12 p.m.

Councilman Snyder stated that there are issues with the site plan presented that need to be addressed, such as fences, lighting, signs, buffers, and greenspace at the road. Mr. Snyder also asked what are we approving – a warehouse?

Supervisor Bach asked if Code Enforcement Officer Cassidy should look at the site plan.

Councilman Snyder stated he believes it should be referred back to the Planning Board for a thorough review.

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The next item on the agenda was a presentation on the FY 2020 Audit by Carl Widmer, Partner, of the accounting firm of Drescher & Malecki, LLP. Mr. Widmer was accompanied by Senior Manager, Erica Handley.

Mr. Widmer explained the auditing process, noting that the financial are reviewed, department audits completed, AUD compiled, and a management letter issued. He went on to address the revenue, expenses, and fund balances in the major funds. Mr. Widmer stated that Drescher & Malecki is ready to release the final reports.

Councilwoman Friess stated that when she came into office the B (Part town) fund balance was \$0 and with the work of this Board, it has taken 12 years to get to this point where the B fund balance for YE 2020 is just over \$1.7 million. Mrs. Friess hopes that future Boards will continue this trend.

Councilwoman Jeffe moved to approve the minutes of the 5/10/2021 work session and meeting; seconded by Councilwoman Friess. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #135
5/10/21
minutes aprvd

AUDIENCE I:

Brian Stiller, 426 Maple Road, spoke to the Board about the Open Development lot at 430 Maple Road. Mr. Stiller requested that the Board walk the lot as photos and surveys do not capture the wetland monuments or the slope of the land. Mr. Stiller believes that a third driveway at that location would be too close to existing driveways and that many accidents have occurred in this area. He noted that the property was filled with millings from Oakwood Avenue and the house, as proposed on the site plan submitted by the property owner, could be within 20 feet of his front porch and digging into the hill would require a retaining wall as his property is already showing signs of erosion.

Conor Schneider, 249 Old Glenwood Road, West Falls, spoke to the Board as Chairman of the West Falls Advisory Committee. Mr. Schneider noted that there is unanimous support for the Hamlet of West Falls sign that is being proposed.

NEW BUSINESS:

The Open Development Area proposed for 1875 Boies Road is considered an Unlisted Action under SEQR guidelines. The applicant submitted part 1 of the SEAF and the Town Board reviewed part 2, answering No, or small impact may occur to the eleven questions on the form.

Councilwoman Friess moved to declare that, for the purpose of SEQR, the Open Development Area plan for 1875 Boies Road will not result in any significant adverse environmental impacts and therefore a Negative Declaration is issued. Councilman Snyder seconded the motion. Upon a vote being taken: Upon a vote being taken: ayes – five
noes – none Motion carried.

Action #136
Negative
Declaration for
1875 Boies
ODA

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

**RESOLUTION
APPROVING OPEN DEVELOPMENT AREA
1875 BOIES ROAD (SBL# 200.00-4-9.112)
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, Keith Marquis (“the Applicant”) has filed an Open Development Area application for a 6.75± acre parcel at 1875 Boies Road (SBL#200.00-4-9.112) and seeks approval to construct a single family residence on the parcel; 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, 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, this is considered an unlisted action under SEQR and further review by the Town Board determined that the proposed action will not result in any significant adverse environmental impacts; and

WHEREAS, the Applicant has not applied for, nor were any variances granted pertaining to this Open Development Area request; and

WHEREAS, the Town of Aurora Planning Board moved to recommend that the Town Board approve the Open Area Development application/proposal for 1875 Boies 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 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 a single-family residence at 1875 Boies Road SBL#200.00-4-9.112 is approved.

Action #137
1875 Boies
Road ODA
aprvd

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

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The Open Development Area proposed for 535 Jewett Holmwood Road is considered an Unlisted Action under SEQR guidelines. The applicant submitted part 1 of the SEAF and the Town Board reviewed part 2, answering No, or small impact may occur to the eleven questions on the form.

Councilwoman Friess moved to declare that, for the purpose of SEQR, the Open Development Area plan for 535 Jewett Holmwood Road will not result in any significant adverse environmental impacts and therefore a Negative Declaration is issued. Councilwoman Jeffe seconded the motion. Upon a vote being taken: Upon a vote being taken:
ayes – five noes – none Motion carried.

Action #138
Negative
Declaration for
535 Jewett
Holmwood
ODA split

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

**RESOLUTION
APPROVING OPEN DEVELOPMENT AREA PLAN
PARCEL TO BE SPLIT FROM 535 JEWETT HOLMWOOD ROAD
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, Robert and Joan Erickson (“the Applicants”) have filed an Open Development Area application for a 4.73± acre parcel to be split from 535 Jewett Holmwood Road (SBL#174.00-3-27.2) and seek approval to construct a single family residence on the new parcel; and

WHEREAS, the Applicants have 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, 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, this action is considered an Unlisted Action under SEQR and further review by the Town Board determined that the proposed action will not result in any significant adverse environmental impacts; and

Councilman Snyder moved to authorize the Supervisor to sign the 2020 Stormwater report (MS4 Annual Report) for the period ending March 9, 2021. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #145
Supv auth to
sign 2020
Stormwater
(MS4) report

Councilwoman Jeffe moved to approve the hiring of the following persons as Rec. Attendant PT Seasonal employees for sports/day camp/special programs (orientation date will be considered first day worked):

Kameron Kmicinski	853 Oakwood Ave., EA	\$12.70/hr.
Audrey Biggs	780 Warren Dr., EA	\$12.95/hr.

Action #146
Seasonal PT
rec attendant
hiring aprvd

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

Action #147
\$500 donation
for SrCtr
accepted

Councilman Wochensky moved to accept a \$500 donation from Lillian Morgan of East Aurora to be deposited to TA1000.0090 Senior Center Donations and used toward the purchase of a picnic table for the Senior Center/AMC outdoor patio area. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #148
Standard work
day &
reporting resol
for Historian
adopted

Councilwoman Jeffe moved to adopt the Standard Work Day and Reporting Resolution establishing standard workday for the Town Historian (appointed position) and moved that the Town will report this information to the NY State and Local Retirement System. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #149
HP printer
declared
surplus

Councilman Snyder moved to declare an HP Color LaserJet 2600n printer (Town ID tag#2048) as surplus inventory to be recycled during the Fall 2021 Highway electronic recycling event. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Councilwoman Friess moved to approve the following Highway budget transfer for additional funds needed to purchase the new loader:
From: DB5142.449 Snow removal materials/supplies \$10,074.36
To: DB5130.217 Truck purchase \$10,074.36
Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #150
Hwy budget
trans re: loader
purchase
aprvd

Councilwoman Friess moved to adopt the New York State and CDC mask and social distancing guidance for (Covid) vaccinated people: *Unvaccinated individuals and those with compromised immune systems are still required to wear a mask in Town of Aurora buildings and facilities.* Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #151
NYS & CDC
Covid mask
wearing
guideline
adopted

Councilman Snyder moved to submit a TE-9 form requesting a speed study for Knox Road beginning at the Village of East Aurora line and ending at Gypsy Lane. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #152
TE9 for Knox
Road
authorized

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

- Recreation – April 2021 report

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilman Wochensky stated that the Open Space Committee met on May 21 and discussed the possible update of the Open Space Plan, a kayak/canoe corridor on Cazenovia Creek and the Rails to Trails project.

Supervisor Bach stated that the Independence Day fireworks will have to be cancelled this year, as there is still a 500-person limit to outdoor gatherings due to Covid restrictions.

AUDIENCE II: none

STAFF REPORTS:

Highway Superintendent Gunner stated he is happy about the speed study for Knox Road and noted it is dangerous to walk along there. He noted that his department took down part of a dying tree at the Pioneer Cemetery. Mr. Gunner also met with Borderland Festival staff regarding parking and traffic control

Donna Bodekor stated she is happy with the facemask policy and the Senior Center will continue to request participant sign-in for contact tracing.

Elizabeth Cassidy stated the ROC site plan was received.

Chris Musshafen (via Zoom) stated the pool will be open for programming beginning June 5. His department has a job posting for a part-time clerk. Mr. Musshafen also commented on the restroom cleaning situation at the pool and the use by the baseball organization. Highway Superintendent Gunner offered to his employee(s) clean at 6:00 a.m.

ABSTRACT OF CLAIMS:

The 2021 Abstract of Claims dated May 24, 2021, consisting of vouchers numbered 483 to 529, prepaid voucher 530, and PCard voucher 531, was presented to the Board for audit and authorization of payment from the following funds:

General	\$123,286.10
Highway/DB	2,739.47
Special Districts	<u>1,178.91</u>
Grand Total Abstract	\$127,204.48

Councilwoman Friess moved to approve the 5/24/2021 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 #153
5/24/21
Abstract of
Claims
approved.

Councilwoman Jeffe moved to adjourn at 8:22 p.m.; seconded by Councilman Snyder. Upon a vote being taken: ayes – five noes – none
Motion carried.

Action #154
Meeting
adjourned