

July 12, 2021

A meeting of the Town Board of the Town of Aurora took place on Monday, July 12, 2021 beginning at 7:00 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:	Jolene M. Jeffe	Councilwoman
	Susan A. Friess	Councilwoman
	Luke Wochensky	Councilman
	James J. Bach	Supervisor
Absent/Excused:	Charles D. Snyder	Councilman
Others Present:	Ronald Bennett	Town Attorney
	Elizabeth Cassidy	Code Enforcement Officer
	David Gunner	Highway Superintendent
	Shane Krieger	Chief of Police
	Tony Rosati	Village Trustee/Town ZBA Member
	Paul Ernst	ZBA Chairman
	Douglas Crow	Planning Board Member
	John Hughes	Open Space Committee

Supervisor Bach opened the regular meeting at 7:00 p.m., immediately following the conclusion of the work session.

The first item on the meeting agenda was a PUBLIC HEARING on a Local Law setting a three-month moratorium on Open Development Areas as found in Chapter 99 of the Town Code. The Notice of Public Hearing was published in the East Aurora Advertiser and posted on the Town Clerk's bulletin board. Supervisor Bach opened the hearing at 7:03 p.m. and asked if anyone wished to be heard.

Eric Morrow asked if this will affect any ODA currently under review. Supervisor Bach responded, no.

Robert Aronica, Boies Road, stated that there are now flag lots on both sides of his property and that the process has been "cut and paste". Mr. Aronica noted that drainage is a problem on flag lots and that flag lot owners need to be sensitive to adjacent property owners. He stated he does not want a house being built behind his property.

Joe McCann, Glenridge Road, stated he supports what Mr. Aronica said and he is in support of the moratorium.

Hearing no further questions or comments, the Supervisor closed the hearing at 7:11 p.m.

Councilwoman Jeffe moved to approve the minutes of the June 28, 2021 work session and meeting. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four	noes – none	Action #188 6/28/21 minutes aprvd
Motion carried.		

AUDIENCE I: none

UNFINISHED BUSINESS:

At the June 28, 2021 meeting the Board voted to table a request from Maureen Miller/Soccer Shots to hold a youth soccer program at Warren Drive Park until EA Lacrosse could confirm that they did not have any events planned.

Councilman Wochensky moved to issue a Temporary Use Permit to Maureen Miller and Soccer Shots (M&M Youth Sports dba Soccer Shots Buffalo) to hold a non-competitive youth soccer skills program for children ages 2 to 7 on Wednesdays from September 15 to November 3, 2021 from 4:45 p.m. to 6:45 p.m. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four

noes – none

Motion carried.

Action #189
Soccer Shots
TUP aprvd for
Warren Dr
park

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

TOWN OF AURORA

LOCAL LAW 3 - 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, TO ESTABLISH A MORATORIUM ON THE DEVELOPMENT OR SUBDIVISION OF LAND THAT LACKS REQUIRED PUBLIC ROAD FRONTAGE IN THE TOWN OF AURORA.

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 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.

SECTION 2. PURPOSE

The Town Board of the Town of Aurora has under review amendments to Chapter 99 which governs the use of open development areas. Chapter 99 was adopted on March 13, 2017 by the Town Board. In the implementation of the said Local Law, there have been concerns in regard to various provisions and certain ambiguity of Chapter 99. The Town Board finds that it is in the best interest of the Town for a moratorium on the division and development of land provided by Chapter 99 regarding open development areas.

SECTION 3. AUTHORITY

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

SECTION 4. MORATORIUM AND DURATION

The Town Board of the Town of Aurora hereby declares a three (3) month moratorium on Open Development Area applications in the Town, with an opportunity to review and consider amendments to Chapter 99.

SECTION 5. 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 6. 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 7. EFFECTIVE DATE

This Local Law shall become effective immediately upon the adoption by the Town of Aurora Town Board and filing with the New York Secretary of State.

Upon a roll call vote being taken:

Councilman Wochensky	voting	Aye
Councilwoman Jeffe	voting	Aye
Councilwoman Friess	voting	Aye
Supervisor Bach	voting	Aye

Action #190
LL 2-2021
ODA
moratorium
adopted

ayes – four noes – none Motion carried.

NEW BUSINESS:

Councilwoman Friess moved to approve the request from Gregory Wilber to conduct his Eagle Scout project of repairing benches, cleaning the boardwalk and erecting bird houses at Majors Park, contingent upon receipt of a certificate of insurance naming the Town additional insured. Councilwoman Jeffe seconded the motion. Upon a vote being taken:
ayes – four noes – none Motion carried.

Action #191
Majors Park
Eagle Scout
project aprvd

Councilwoman Jeffe moved to authorize the Supervisor to sign the Polling Place Lease Agreements with Erie County Board of Elections for the Aurora Municipal Center, Senior Center and Highway Building for the June 22, 2021 Primary and November 2, 2021 Election Day, whereby the Board of Elections will conduct registration and voting at the locations. Councilman Wochensky seconded the motion. Upon a vote being taken:
ayes – four noes – none Motion carried.

Action #192
Supv auth to
sign polling
place lease
agreements

Councilwoman Friess moved to refer the Special Use Permit application for Rural Outreach Center (ROC), 730 Olean Road, to the Planning Board for review and recommendation. Councilman Wochensky seconded the motion. Upon a vote being taken: aye – four noes – none
Motion carried.

Action #193
ROC spec use
permit referred
to Plnng Brd

Councilwoman Friess moved to table the Willardshire Road Open Development Area application (ODA) submitted by Eric Morrow to allow the Town Attorney to prepare the necessary SEQR, variance and ODA resolutions. Councilwoman Jeffe seconded the motion. Upon a vote being taken: aye – four noes – none Motion carried.

Action #194
Willardshire
ODA
(Morrow)
tabled

Councilman Wochensky moved to accept a \$100 donation for the Senior Center from Lions Club of East Aurora to be deposited to TA1000.0090 for use towards the purchase of a picnic table for the Senior Center. Councilwoman Friess seconded the motion. Upon a vote being taken: aye – four noes – none Motion carried.

Action #195
\$100 donation
from Lions
Club for SrCtr
accepted

Supervisor Bach requested a moment of silence in memory of Tim Bailey who passed away on June 19, 2021. Mr. Bach noted that Tim was a Town Planning Board member for over 20 years, past president of the East Aurora Kiwanis, former business owner and a good friend.

Councilman Wochensky moved to appoint Alice Brown to fill the unexpired term of Tim Bailey on the Town Planning Board, term ending 12/31/2022. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #196
Alice Brown
apt to Plnng
Brd thru
12/31/2022

Councilwoman Jeffe moved to approve the hiring of the following as Season PT Lifeguards at an hourly rate of \$12.80. Orientation will be considered their first day worked:

Alexander Herr	1764 Grover Road, E Aurora
Edward Randall	1100 Center Street, E Aurora
Δ Grady Regan	9276 Burlingham Rd., Holland
Δ Natalie Kassirer	102 Greystone Ln., Orchard Park

(Δ non-resident)

Action #197
Hiring of 4
seasonal PT
lifeguards
aprvd

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

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

- Town Clerk/Tax – June 2021 report
- Water Clerk – June 2021 report
- Dog Control – Municipal Shelter Inspection Report
- Town Clerk – June 2021 report
- Building Department – June 2021 report
- Proposed Cemetery Mergers*
- Supervisor’s Report – June 2021 report

*Supervisor Bach noted that the letters were sent to notify the Town about the proposed Plans of Merger for the Oakwood Cemetery and the Griffins Mills Cemetery to merge with Buffalo City Cemetery, Inc. d/b/a Forest Lawn Cemetery. In his letter, the president of Buffalo City Cemetery states that the proposed mergers will improve the quality, efficiency, and ongoing capital and maintenance needs at each cemetery, and will be beneficial to the lot owners of the cemetery and the welfare of the community.

BUSINESS FROM BOARD MEMBERS AND LIAISONS:

Councilman Wochensky stated he and Councilman Snyder are working on zoning amendments. Mr. Wochensky also spoke about the proposed West Falls sign being placed in a Town right-of-way instead of a State right-of-way. Highway Superintendent Gunner said the Town would be able to maintain it. Councilwoman Jeffe asked for a diagram, drawing and details (specs) for the sign. Mrs. Jeffe wants to know what actual materials are being used for the sign.

Councilwoman Jeffe stated that the letters regarding the cemetery mergers are great news. Mrs. Jeffe attended a Rails to Trails Meeting. She stated that the Town Board’s stand on this topic is still under the “not approving” resolution. More protection is needed for the West Falls Conservation Society and the residents along the trail in Aurora.

Highway Superintendent Gunner stated that flooding and drainage issues also need to be addressed by the trail organization.

Councilman Wochensky stated he would support the trail if these issues are resolved and these criteria are met.

Councilwoman Jeffe wants documentation/proof of what funding is available for the trail.

Councilwoman Friess thanked Mr. Aronica for taking time to speak at the ODA moratorium public hearing.

AUDIENCE II:

Robert Aronica, Boies Road, stated the trail is a wonderful situation, but is concerned with liability. Mr. Aronica noted he is also concerned with liability for the cemeteries. Councilwoman Jeffe responded that the trail is approved by the State and monitoring, maintaining and policing are issue the State and trail organization need to address

STAFF REPORTS:

Police Chief Krieger stated that Andrew Kurtzhalt started today as the newest East Aurora police officer.

Code Enforcement Officer Cassidy noted that Assistant Code Enforcement Officer Kevin Glover resigned effective 7/2/2021 and that former CEO Bill Kramer offered his services if needed.

Highway Superintendent Gunner stated that he had been contacted by Walt McLaughlin regarding a cross country meet at Knox Farm State Park and Mr. McLaughlin will be submitting a Temporary Use Permit application in the near future. Supervisor Bach stated they will need a written parking/traffic plan. Mr. Gunner noted that he also met with the County regarding the culvert on Knox Road. He stated the County received permission to remove the “bump” on Behm Road.

ABSTRACT OF CLAIMS:

The 2021 Abstract of Claims dated July 12, 2021, consisting vouchers numbered 678 to 738 and prepaid voucher 739, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 35,277.93
Part town	3,298.07
Highway/DA	2,500.00
Highway/DB	20,372.15
Special Districts	<u>25,926.72</u>
Grand Total Abstract	\$ 87,374.87

Councilman Wochensky moved to approve the 7/12/2021 Abstract of Claims, and authorize payment of same. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #198
7/12/21
Abstract of
Claims
approved.

Councilwoman Jeffe moved to adjourn at 7:55 p.m.; seconded by Councilwoman Friess. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #199
Meeting
adjourned

Martha L. Librock
Town Clerk