

TOWN OF AURORA
TOWN BOARD WORK SESSION
September 27, 2021

The following members of the Aurora Town Board met on Monday, September 27, 2021 at 6:00 p.m. for the purpose of holding a 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
	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
	Elizabeth Deveso	Highway Secretary
	Shane Krieger	Police Chief
	Tony Rosati	ZBA member/Village Trustee

Supervisor Bach opened the work session at 6:00 p.m. with the recitation of the Pledge of Allegiance to the Flag and noted the regular meeting would begin immediately after the work session.

1) 420 Maple Road Open Development Area (ODA) - Russo:

Frank Russo Jr. was in attendance representing his father. Councilman Snyder noted that this ODA request requires numerous variances – lot size, front yard setback, side yard setback, driveway separation distance and driveway width. The issue of an accessory building in the front yard is an area variance that would go before the Zoning Board of Appeals.

CEO Cassidy stated that this was in front of the Planning Board in August. Supervisor Bach noted that the Planning Board voted to recommend that the Town Board not approve the ODA. Councilman Snyder asked Mr. Russo if there is any chance to mitigate any of the variances.

Supervisor Bach asked if the Board wanted to send this back to the Planning Board. Councilwoman Jeffe stated, no, codes are in place for a reason and she is not comfortable with five variances. Councilman Wochensky, Councilman Snyder, Councilwoman Friess and Supervisor Bach agreed with Councilwoman Jeffe.

Mr. Russo asked what is next and how to remediate the variances. Councilwoman Jeffe responded they could move the house for example and they should look at the code to see what the requirements are.

Supervisor Bach stated at this point the Town Board agrees with the recommendation of the Planning Board.

2) ODA Moratorium Extension – LL Intro:

In July 2021, the Town Board adopted a local law setting a three-month moratorium on Open Development Areas (ODA). The Board has been working on updating the code and would like an extension to the moratorium to finalize the changes. The Board will consider setting a public hearing for the extension.

3) Cannabis Opt-Out – LL Intro:

New York State legalized the use, sale, and growing of marijuana. Municipalities across the State have the option to opt out of allowing dispensaries and on-site consumption sites in their jurisdictions. The opt out needs to be done through a local law that would have to be adopted by December 31, 2021. If a municipality does not opt out by that date, they have lost the opportunity to ever opt out, but if they opt out they retain the ability to opt in at a later date.

Supervisor Bach state he would like to have the Town opt out to give us time to see what is going on. Mr. Bach stated it may be another 18 months before any licensing will be done by the State. Councilwoman Jeffe stated she would like to see a permanent opt out.

Councilwoman Friess stated that we need to determine where to put the dispensaries, etc., should the Town opt in. We should send it to the Planning Board.

Councilman Wochensky stated he disagrees and it would be better for the Town if we have a legal dispensary, as we may be opting out forever. Mr. Wochensky discussed the possible revenue from the sites and studies from states like Colorado who have already legalized cannabis.

Councilwoman Friess asked how much funding would we get...\$1,000....\$10,000? Mrs. Friess wants to see exactly where they dispensaries and/or consumption sites would go and how much sales tax they would generate.

Councilman Snyder stated there are many things we don't know and we need time to figure them out.

Councilwoman Jeffe stated that anyone on either side can find information to justify their position.

Supervisor Bach stated that a committee consisting of himself, member of the Zoning and Planning Boards and the Police Chief, met and discussed the New York State cannabis law and unanimously came to the conclusion that the Town should initially opt out.

Police Chief Krieger stated that the more you encourage something the more it will be utilized and used the Village of East Aurora's lack of an open container law as an example.

Supervisor Bach stated you cannot base this decision solely on a tax basis – we can always opt in in the future.

Councilwoman Friess said it does not make sense not knowing where the facilities would go and that if she were a neighbor of a proposed location she would want to know.

4) Gas Boy Fuel Management Software upgrade:

Highway Superintendent Gunner and Highway Secretary Liz Deveso spoke to the Board about the requested upgrade to the Gas Boy fuel management software and fuel control system for the gas pumps at the highway garage. The current software is not compatible with the Windows 7 operating system in their office. They are requesting to purchase new cloud based software. The Pump Doctor has submitted an estimate of \$17,807.12 for material, labor and training. There is an \$80 monthly software support cost, also. This will be disbursed from A1680.401.

5) Cross Country Event at KFSP – Temporary Use Permit:

Walt McLaughlin, East Aurora School District, submitted an application for a temporary use permit to use the Town managed portion of Knox Farm State Park in conjunction with the State managed side of the park for the Section 6 Cross Country Championships 5K Races. The event will be held on November 5, 2021 with set up on November 4th. Mr. McLaughlin a traffic and parking management plan with his application. Highway Superintendent Gunner stated Erie County has given permission to close a portion of Knox Road for the event. Supervisor Bach noted that the last cross country event was very well run.

6) Hamlin Park Intermunicipal Agreement with Village of East Aurora:

Village Administrator Cathy Thomas gave the Town an Intermunicipal Agreement outlining the use and responsibilities for Hamlin Park. Councilman Wochensky stated there needs to be an opt out clause stating that either party may terminate for the following year. Mr. Wochensky also mentioned that the Town pays electric bills for the park. Supervisor Bach asked the Board to forward their comments regarding the agreement to him.