

September 26, 2022

A meeting of the Town Board of the Town of Aurora took place on Monday, September 26, 2022, beginning at 7:20 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 streamed via Zoom and YouTube.

Present:	Charles D. Snyder	Councilman/Deputy Supervisor
	Luke Wochensky	Councilman
	James F. Granville	Councilman
	Joseph McCann	Councilman
	James J. Bach	Supervisor (via Zoom)

Others Present:	Brigid Maloney	Town Attorney
	Elizabeth Cassidy	Code Enforcement Officer
	David Gunner	Highway Superintendent
	Donna Bodekor	Senior Center Director
	Paul Ernst	ZBA Chairman
	Shane Krieger	Chief of Police
	Elizabeth Wilber	Live Stream Coordinator

Deputy Supervisor Snyder opened the meeting at 7:20 p.m., immediately after the work session. Mr. Snyder stated that Supervisor Bach was attending the session via Zoom from Fort Stewart Florida and taking part in discussions but would not be voting on any of the motions.

The first item on the agenda was a public hearing on a request for a Special Use Permit for a dwelling group at 718 West Falls Road, West Falls, NY. Deputy Supervisor Snyder opened the hearing at 7:22 p.m. and asked if anyone wished to comment.

J. Gerard Green stated that he is the property owner and applicant and would like to build a single-family residence on the property that already has four rental units on it.

Councilman Snyder noted that one of the units is listed as an Airbnb. Mr. Green stated he was not going to be doing that anymore. Code Enforcement Officer Cassidy noted that short-term rental is not defined in the Town Code and that the Town should consider a short-term rental code. Hearing no further comments, the hearing was closed at 7:24 p.m.

Councilman Wochensky moved to approve the minutes of the September 12, 2022 work session and meeting; seconded by Councilman McCann. Upon a vote being taken: ayes – four	noes – none	Action #358 9/12/2022 min aprvd
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Motion carried.

AUDIENCE I:

Kristel Dedrick, Olean Road, stated that the grant for the ROC playground was in the Buffalo News and she has a copy of that article. Frank Czerny, Director of ROC, stated that the intent was never to have a playground, just play therapy with movable equipment, not permanent. Councilman Snyder asked how many children would be there at one time. Mr. Czerny responded 30 to 35 in the summer. A discussion ensued as to the reason for the privacy fence as either to keep people from going on to the neighbor's property or to block sight and sound from a playground. Ms. Dedrick stated that the proper information needs to be presented to the Town Board and that she is looking out for herself, her family and her property.

Sam Reidy, Olean Road, stated he wants to see what trees would need to come down for a fence to go in and wants the Town to keep the 40 trees at its disposal to use at the end of the project if needed.

William Heidt, Ellis Drive, spoke to the Board as an owner of an Open Development Area property. Mr. Heidt stated that some ODA's do not meet today's ODA requirements and "grandfathering" does not seem to be the right thing to do. He noted that existing ODA parcels need to be heavily reviewed.

UNFINISHED BUSINESS:

Councilman McCann moved to approve the Special Use Permit for a Dwelling Group at 718 West Falls Road, PO West Falls, Town of Aurora, to allow a single-family home to be construction on the property in addition to the existing three houses (four rental units) as shown on the site plan submitted. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes - none Motion carried.

Action #359
SUP for
dwelling
group @
718 W Falls
Rd aprvd

NEW BUSINESS:

Councilman Wochensky moved to amend the agenda by adding item 5J – Climate Smart Community resolution. Councilman Granville seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #360
Items 5J
added to
agenda

Councilman McCann moved to refer the Open Development Area application for 757 Center Street to the Planning Board for review and recommendation. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #361
ODA
application
for 757
Center
referred to
Plnng Brd

Councilman Snyder moved to approve the following amendments to the site plan for the Rural Outreach Center, 730 Olean Road and to approve the amended site plan:

1. A four (4) feet high chain link fence will be installed on the north property line from the eastern end of the six (6) feet high wood board-on-board fence and shall extend to the east property line of 730 Olean Road.
2. A four (4) feet high chain link fence will replace the portion the six (6) feet high wood board-on-board fence on the south property line beginning at the eastern end of the parking lot and extending to the east property line of 730 Olean Road.
3. The 3'-6" split rail fence along the south property line shall be installed along the south side of the driveway.
4. The requirement for up to forty (40) additional pine trees to be escrowed for planting in areas along the south and or north lot lines as determined by the Town Board after the excavation and grading are completed is amended to be fifteen (15) trees.

Action #362
Amendment
to ROC site
plan aprvd

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

Councilman Wochensky moved to approve the following budget transfers to cover the increased electric and gas utility costs through the end of 2022:

From: A1990 Contingent	\$10,000
General Fund Balance	\$15,000
To: A1620.414 Utilities	\$25,000

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

Action #363
Utility
budget
transfer
aprvd

Councilman Granville moved to approve the request for Michael Evens to attend the Cornell University Right-of-Way Pesticide workshop in October 13-14, 2022 in Liverpool, NY. Expenses (registration \$85; hotel \$101; and meals) will be disbursed from A7110.444. Councilman McCann seconded the motion. Upon a vote being taken: ayes - four noes – none
 Motion carried.

Action #364
 M. Evens to attend pesticide workshop

Councilman Granville moved to add the following Orchard Park delinquent water bills for Town of Aurora customers to the 2023 Erie County Tax rolls, in accordance with Town Law Article 12 Section 198, for non-payment; seconded by Councilman Wochensky:

<u>Property Owner</u>	<u>Billing Customer</u>	<u>Service Address</u>	<u>Billing Source and Amount</u>
Adimey, Sharon	Same	1319 Jewett Holmwood Road SBL#174.13-2-1	Orchard Park \$98.77
Trejo, Adefino	Same	4727 Transit Road SBL#174.03-2-7	Orchard Park \$165.03

Action #365
 OOD Orch Park delinq water bills added to 2023 tax roll

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

Councilman McCann moved to add the following Erie County Water Authority delinquent water bills for Town of Aurora customers to the 2023 Erie County Tax rolls, in accordance with Town Law Article 12 Section 198, for non-payment; seconded by Councilman Granville:

<u>Property Owner</u>	<u>Billing Customer</u>	<u>Service Address</u>	<u>Billing Source and Amount</u>
Gerwitz, Emmett	TNGLG LLC	391 Maple Road SBL#164.11-2-3	ECWA \$14.15
Druelinger, Joshua	Druelinger, Nancy	372 Maple Road SBL#164.12-1-20	ECWA \$74.37
Bailey, Tim & Schaller, Kathryn	Jordan Keicher	421 Cook Road SBL#176.00-1-10.312	ECWA \$66.52
Childs, Rosemary	Same	2148 Davis Road SBL#199.00-4-19	ECWA \$157.12
Brooks III, James	Barnett, Aaron	127 Ellis Drive SBL#199.01-1-41	ECWA \$22.85

Action #366
 ECWA town customers delinq water bills added to 2023 tax roll

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

Quotes for new tables for the Aurora Senior Center are as follows:

- Virco \$4,634.70
- School Outlet \$5,922.06
- Worthington \$6,718.70

Councilman McCann moved to approve the purchase of six 72-inch round folding tables for the Senior Center dining room at a cost of \$4,634.70 (\$772.45 per table) from Virco, Highway 65 South, Conway, AR. Payment will be disbursed from A6772.401 with funds from the 2022 Erie County Legislative \$10,000.00 grant. Councilman Granville seconded the motion. Upon a vote being taken: ayes – four noes -none Motion carried.

Action #367
 Purch of new table for SrCtr aprvd

Councilman Snyder moved to declare the following items as surplus inventory to be recycled during the Town’s annual electronic recycling event:

- Victor 1260 adding machine (TOA #1980)
- Dell keyboards (2)
- Dell Optiplex 99 (TOA #2159)
- Dell Optiplex 9020 (TOA #2162)
- Dell monitor (1)

Action #368
Electronic
equipment
declared
surplus

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

Supervisor Bach spoke about the proposed 2023 Tentative Budget noting that the budget is under the tax cap. The A (General) fund increases by 3.96%; the B (Town Outside the Village) fund increases 1.24%; the DA (Highway Bridge) fund remains flat; and the DB (Highway outside the Village) increases .2%.

Action #369
2023
tentative
budget
received
from TwnCl

Councilman McCann moved to accept the 2023 Tentative Budget from the Town Clerk. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes -none Motion carried.

Councilman McCann moved to adopt the following Climate Smart Community resolution; seconded by Councilman Granville:

WHEREAS, the Town of Aurora (hereinafter “local government”) believes that climate change poses a real and increasing threat to our local and global environments; and

WHEREAS, the effect of climate change is occurring and may endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still need to adapt to the effects of climate change for decades to come.

IT IS HEREBY RESOLVED that the Town of Aurora, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which comprises the following then elements:

- 1) Build a climate-smart community.
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.
- 7) Enhance community resilience to climate change
- 8) Support a green innovation economy
- 9) Inform and inspire the public
- 10) Engage in an evolving process of climate action.

Action #370
Climate Smart
Community
resolution
adopted

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:

- Senior Center - August 2022 report
- Building Department – August 2022 report
- Town Clerk/Water – August 2022 report
- Town Clerk/Tax - August 2022 report

BUSINESS FROM BOARD MEMBERS/LIAISONS:

Councilman Wochensky stated that the NY Forward grant has been submitted and thanked all who helped with the grant.

Councilman McCann noted that he visited the West Falls Conservation Society and looked at the ROC trees and the South Street tennis and pickleball courts.

Councilman Snyder thanked Paul Ernst and William Heidt of FFAE Architects for all their help with the pool project.

Councilman Snyder met with contractors for a walk-thru of the Senior Center for the CDBG door replacement project.

AUDIENCE II:

Sam Reidy thanked Councilman Granville for voting against the ROC site plan amendment.

STAFF REPORTS:

Highway Superintendent Gunner stated that the Borderland event went well. Preliminary designs are in for both the E. Fillmore and Church Street bridges.

Donna Bodekor stated she is looking forward to the new doors at the Senior Center.

Paul Ernst noted that the ZBA had nine new cases in September.

ABSTRACT OF CLAIMS:

The September 26, 2022 Abstract of Claims, consisting of PCard voucher number 1137; vouchers numbered 1138 to 1176; and prepaid vouchers numbered 1177 to 1179 was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 139,650.85
Part Town	926.25
Highway DA	8,400.00
Highway DB	24,797.40
Special Districts	<u>150,629.59</u>
Grand Total Abstract	\$ 324,404.09

Councilman McCann moved to approve the 9/26/2022 Abstract of Claims and authorize payment of same. Councilman Granville seconded the motion. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #371
9/26/22
Abstract of
Claims aprvd

Councilman Mccann moved to adjourn at 8:25 p.m. Seconded by Councilman Snyder. Upon a vote being taken: ayes – four noes – none
Motion carried.

Action #372
Meeting
adjourned.