

October 10, 2023

A meeting of the Town Board of the Town of Aurora took place on Tuesday, October 10, 2023, 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 streamed via Zoom and YouTube.

Present:	Charles D. Snyder	Councilman
	Luke Wochensky	Councilman
	Joseph McCann	Councilman
	James F. Granville	Councilman
	James J. Bach	Supervisor
Others Present:	Brigid Maloney	Town Attorney
	Rich Miga	Asst. Code Enforcement Officer
	Paul Ernst	ZBA Chairman
	Rod Simeone	ZBA Member
	Doug Crow	Planning Board Chairman
	Tim Stroth	Planning Board Member
	Jeff Markello	Town Justice
	Shane Krieger	Chief of Police
	Elizabeth Wilber	Live Stream Coordinator

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

Supervisor Bach opened the Public Hearing on the use of Federal Community Development funds in the Town of Aurora at 7:01 p.m.. The notice was published in the East Aurora Advertiser, posted on the Town Clerk's bulletin board and posted on the Town website. The Supervisor asked if anyone wished to comment.

Hearing no one, Supervisor Bach closed the hearing at 7:02 p.m.

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The next item on the agenda was a Public Hearing on a proposed family golf center on Olean Road (600 Olean; SBL#176.00-4-25.1). Supervisor Bach opened the public hearing at 7:03p.m. The notice was published in the East Aurora Advertiser, posted on the Town Clerk's bulletin board and posted on the Town website. The Supervisor asked if anyone wished to comment.

Harrison Kelly, Grover Road, owner of the property, spoke to the Board. Mr. Kelly stated he is seeking a zoning change to C2 from RR and A to accommodate the proposed golf center. The project would be in three phases with the first phase being indoor mini golf and golf simulators. Mr. Kelly is requesting to have 10 of the 14 acres rezoned, leaving a 4-acre buffer parcel to the south.

Councilman Granville asked if there would be a buffer where the property abuts Olean Road. Mr. Kelly responded there would be green space, parking lot, green space and then the building. He also noted that a tree survey was done of all 14 acres and that less than 2% of the pine trees would be removed, but replaced with other trees in various locations and all the dead ash trees would come down.

Councilman Wochensky noted this is a two-phase decision – first is the zoning and second is the use permit for the project if the rezoning takes place. Mr. Kelly stated this golf center plan is consistent with the Comprehensive plans for Olean Road which is earmarked for business in this area and that there are businesses along that stretch of Olean Road.

Therese Campanelli, Olean Street, spoke in opposition of the rezoning.

Sam Reedy, Olean Road, spoke in opposition of the rezoning.

Tim Sonner, 480 Olean Road business owner, spoke in favor of the rezoning.

Greg Schneider, Quaker Road, spoke in favor of the rezoning.

Rod Simeone, Byeberry Court, stated he is not advocating for or against the rezoning, but offered the following points: the Comprehensive Plan designates Olean Road as commercial; since properties change hands the Board should lock in tight guidelines; a driving range has noise, and the 4-acre wooded buffer is a good idea.

Hearing no further comments, the Supervisor closed the hearing at 7:17 p.m.

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Councilman McCann moved to approve the minutes of the September 19, 2023 special meeting; September 25, 2023, work session and meeting; and September 27, 2023 special meeting. Councilman Granville seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #313  
9/19; 9/25; &  
9/27/2023  
minutes  
aprvd

AUDIENCE I:

Therese Campanelli, Olean Street, asked how a vote on the Olean Road rezoning would occur. Supervisor Bach stated it would not be at this meeting, but at a future meeting and that information would be on the agenda on the Town's website.

UNFINISHED BUSINESS: none

NEW BUSINESS:

Councilman Granville moved to approve hiring All These Wonders LLC to produce a PowerPoint for the NY Forward grant application at a rate of \$150 per hour not to exceed \$500. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #314  
PowerPoint  
for NY  
Forward  
grant aprvd

Councilman Snyder moved to authorize the Supervisor to sign the 2023-24 JCAP grant application and to adopt the following resolution; seconded by Councilman McCann:

Action #315  
Supv auth to  
sign 2023-24  
JCAP grant  
application

WHEREAS, the Town of Aurora Justice Court desires to submit a grant application to the Justice Court Assistance Program (JCAP) for funding to purchase carpeting for the Aurora Town Court room – including the judge's bench area, the judge's chambers, and the court clerk's office.

Now, therefore be it

RESOLVED, The Board of the Town of Aurora authorizes the Aurora Town Court to apply for a JCAP grant in the 2023-2024 grant cycle up to \$30,000.

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

Action #316  
Dwelling  
group at 4479  
Transit aprvd

Councilman Wochensky moved to approve a dwelling group consisting of the existing home and an in-law unit in the existing garage at 4479 Transit Road (PO Orchard Park), Town of Aurora. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

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

WHEREAS, Blakeley Corners is a County road within the Town of Aurora; and

WHEREAS, residents of the Town of Aurora have reported that the winding road and speed limit on Blakeley Corners Road pose a risk to drivers in the area and have requested that the Town investigate possible options for improving traffic safety along Blakeley Corners Road beginning at the railroad crossing and extending east to the Wales town line; and

WHEREAS, multiple motor vehicle accidents have occurred along this section of Blakeley Corners Road.

NOW THEREFORE BE IT

RESOLVED, that the Aurora Town Board hereby requests a traffic safety study by Erie County Department of Public Works, Division of Highways to assess the safety concerns arising along Blakeley Corners Road between Olean Road and the Wales town line and to consider better signage and other traffic calming devices for this section of roadway; and

Action #317  
Blakeley Rd  
resolution for  
EC traffic  
study adopted

RESOLVED, that the Aurora Town Board directs the Town Clerk to submit a certified copy of this resolution to the Erie County Department of Public Works, Division of Highways.

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

\* \* \* \* \*

Councilman Snyder moved to approve the following changes to the 2024 Tentative Budget:

- Increased A Fund Appropriated Fund Balance from \$130,000 to \$138,100
- Increased A 1220.102 Assistant to the Supervisor from \$48,481 to \$49,718
- Increased A 1410.100 Town Clerk from \$72,908 to \$74,158
- Increased A 3620.100 Code Enforcement Officer from \$71,223 to \$72,459
- Increased A 5010.100 Highway Superintendent from \$72,908 to \$74,158
- Increased A 6772.100 Senior Center Director from \$55,000 to \$56,236
- Increased A 7020.100 Director of Recreation from \$58,835 to \$60,072
- Increased A 9030.800 Social Security from \$130,000 to \$130,600

Resulting in the following Budget Impacts:

- \$36,364 under the tax cap
- A Fund: 2.97% tax increase
- B Fund: .47% tax decrease
- DA Fund: 5.6% tax increase
- DB Fund: 1.73% tax decrease

Action #318  
2024  
Tentative  
Budget  
changes  
aprvd

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

Councilman Wochensky moved to approve the amended 2024 Tentative Budget which becomes the 2024 Preliminary Budget. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five  
noes – none        Motion carried.

Action #319  
2024  
Tentative  
budget aprvd  
– becomes  
Preliminary

Councilman Wochensky moved to set Monday, October 23, 2023 at 7:00 p.m. at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, NY, as the date, time and place for a public hearing on the 2024 Town of Aurora Preliminary Operating Budget. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five        noes – none  
Motion carried.

Action #320  
Public hrg set  
for 2024  
Preliminary  
Budget

Councilman Granville moved to authorize the Supervisor to sign, submit and execute contracts with the Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of the ECCDBG:

- 1) Continuation of the Rural Transit Services, Inc. program

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

Action #321  
Supv auth to  
sign CDBG  
contracts for  
continued  
Rural Transit  
Services

Councilman Granville moved to approve the following budget amendment to record the receipt of FEMA funds for the December 2022 blizzard:

- Add and increase revenue line DB4960 Federal-Aid FEMA by \$31,417.35
- Increase appropriation line DB5142.412 Dec. Snowstorm by \$8,767.97
- Increase appropriation line DB5142.449 Snow materials by \$22,649.38

Councilman Snyder seconded the motion. Upon a vote being taken:

ayes – five                      noes – none                      Motion carried.

Action #322  
Budget amendment for 12/2022 FEMA funds aprvd

Councilman Snyder moved to approve the following budget amendment to record the receipt of funds from NY State for a portion of FEMA Disaster 4694 (Severe Winter Storm & Snowstorm):

- Increase revenue line DB4960 Federal Aid-FEMA by \$5,236.23
- Increase appropriation line DB5142.449 Materials/supplies by \$5,236.23

Councilman Wochensky seconded the motion. Upon a vote being taken:

ayes – five                      noes - none                      Motion carried.

Action #323  
Budget amendment for NYS funds (FEMA) aprvd

Councilman McCann moved to approve the following budget amendment to record the receipt of insurance recovery funds for damages caused to the Aurora Town Library by an Amazon truck:

- Increase revenue line A2680 Insurance Recoveries by \$1,275.00
- Increase appropriation line A1620.422 Op Bldg repairs by \$1,275.00

Councilman Granville seconded the motion. Upon a vote being taken:

ayes – five                      noes - none                      Motion carried.

Action #324  
Budget amendment for library damage insurance aprvd

Councilman McCann moved to approve the following highway budget transfer:

From: DB5112.433 Permanent Improvements materials	\$30,000.00
DB5142.449 Snow Removal materials/supplies	\$55,678.73
To: DB5130.217 Equipment Purchase (pickup trucks)	\$85,678.73

Councilman Snyder seconded the motion. Upon a vote being taken:

ayes – five                      noes - none                      Motion carried.

Action #325  
Hwy budget transfer for pickup trucks aprvd

Councilman McCann moved to approve the following budget transfer to cover the cost of a new overhead door at the highway garage (using funds approved by the Supervisor from a budget line outside the purview of the highway department):

From: A1620.414 Op Building Utilities	\$7,302.00
To: A1620.422 Op Building Repairs	\$7,302.00

Councilman Snyder seconded the motion. Upon a vote being taken:

ayes – five                      noes - none                      Motion carried.

Action #326  
Budget transfer for hwy garage door aprvd

Councilman McCann moved to approve the use of debt reserve funds to make a \$1,665.00 interest payment to Greene County Commercial Bank for the Glead Avenue parking lot bond payment due October 15, 2023.

Councilman Granville seconded the motion. Upon a vote being taken:

ayes – five                      noes - none                      Motion carried.

Action #327  
Use of debt reserve for Glead parking lot bond aprvd

Councilman McCann moved to add the following Erie County Water Authority delinquent water bills for Town of Aurora customers to the 2024 Erie County Tax rolls, in accordance with Town Law Article 12 Section 198, for non-payment; seconded by Councilman Snyder:

<u>Property Owner</u>	<u>Billing Customer</u>	<u>Service Address</u>	<u>Billing Source and Amount</u>
Dawkins, Dion	Hughes, Jerry	100 Stewart Ct. SBL#163.03-1-2	ECWA \$66.01
Boland, Shaun Boland, Sarah	VanLeaven, Lee	615 Porterville Rd SBL#165.10-2-16	ECWA \$41.97
Kowalczewski, E.	Ansari, Sharique	2150 Lapham Rd SBL#176.00-1- 10.311	ECWA \$18.37
Henry, Heather	Eckert, Ronald	1731 Mill Rd SBL#186.00-2-31	ECWA \$53.66
Rogers, Nathan Rogers, Jamie	Krol, Henry J	760 West Falls Rd SBL#199.03-2-39	ECWA \$112.83
Christ, Sidney	Guard, Matthew	2081 Cornwall Rd SBL#201.00-2-1.1	ECWA \$130.56

Action #328  
 ECWA  
 delinquent  
 water bills to  
 be added to  
 2024 tax roll

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

Councilman Snyder moved to add the following Town of Aurora delinquent water bills for Town of Aurora customers to the 2024 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>
Lutterbein, Craig	Same	35 Mary Jane Ln SBL#164.16-4- 33.112	Aurora \$208.53
Corp, Robert	Same	14 South Herrick Dr SBL#165.10-2-1.1	Aurora \$421.42

Action #329  
 Town of  
 Aurora  
 delinquent  
 water bills to  
 be added to  
 2024 tax roll

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

Quotes for power skylight blinds for the Aurora Senior Center were received from:

Colvin Draperies, Inc., Kenmore, NY	\$3,800.00
Ethan Allan, Amherst, NY	\$2,990.00

Action #330  
 Purchase of  
 skylight  
 blinds for  
 SrCtr aprvd

Councilman Granville moved to approve the purchase and installation of Hunter Douglas skylight blinds with remote from Ethan Allan, Sheridan Drive, Amherst, NY for \$2,990.00. Funds will be disbursed from A6772.401 with funds received from Erie County Legislator Malczewski. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes -none Motion carried.

Councilman Granville moved to accept a \$250.00 donation from the Kiwanis Club of East Aurora for the Senior Center. Funds will be deposited to TA1000.0090 Senior Center donations. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #331  
 Donation to  
 SrCtr  
 accepted

COMMUNICATIONS AND REPORTS:

- Town Clerk – September 2023 report
- Town Clerk/Tax – September 2023 report
- Town Clerk/Water – September 2023 report
- Senior Center – September 2023 report
- Dog Control – September 2023 report
- Work Requisitions – September 2023 report
- EAPD – August 2023 report
- Erie County Ambulance Service press release
- Supervisor – September 2023 report

BUSINESS FROM BOARD MEMBERS/LIAISONS:

Councilman McCann stated that the AED has been installed at Community Pool Park in one of the new restrooms and will be available during spring, summer and fall when the park is open. There is a sign posted on the outside of the building noting where the AED is located.

Councilman Granville noted that the West Falls Fallfest has been cancelled this year.

Councilman Snyder attended the Erie County Governments meeting.

Councilman Wochensky stated that the Town received Climate Smart Community bronze status and will continue to work towards silver status. The NY Forward grant presentation/interview is 10/16/2023.

AUDIENCE II:

Pat Hanley, Main St., East Aurora, wished a Happy Birthday to Supervisor Bach.

STAFF REPORTS: none

ABSTRACT OF CLAIMS:

The October 10, 2023 Abstract of Claims, consisting of vouchers numbered 1165 to 1232 and prepaid voucher numbered 1233, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 33,378.62
Part Town	1,023.25
Highway/DB	238,473.70
Trust/Agency	192.50
Special Districts	<u>32,508.06</u>
Grand Total Abstract	\$305,576.13

Councilman Snyder moved to approve the 10/10/2023 Abstract of Claims and authorize payment. Councilman McCann seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #332  
10/10/25  
Abstract of  
Claims aprvd

Councilman McCann moved to adjourn at 8:15 p.m. Seconded by Councilman Granville. Upon a vote being taken: ayes – five noes - none Motion carried.

Action #333  
Meeting  
adjourned