

September 8, 2014

A meeting of the Town Board of the Town of Aurora took place on Monday, September 8, 2014, at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Susan A. Friess	Councilwoman
	Jolene M. Jeffe	Councilwoman
	James J. Bach	Supervisor
Absent/Excused:	Charles D. Snyder	Councilman
	Jeffrey T. Harris	Councilman
Others Present:	Ronald Bennett	Town Attorney
	David Gunner	Highway Superintendent
	William Adams	Planning Board
	William Wheeler	CRA/Engineer

Supervisor Bach opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the Flag. Mr. Bach asked those present to join him in a moment of silence in memory of Nancy W. Underhill, former Aurora Town Clerk who served from 1980 to 1998.

Councilwoman Jeffe moved to approve the minutes of the August 19, 2014 Town Board work session; seconded by Councilwoman Friess. Upon a vote being taken: ayes – three noes – none Motion carried.

Action # 275
8/19/14 work session minutes apprvd

Councilwoman Friess moved to approve the minutes of the August 25, 2014 Town Board meeting; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – three noes – none Motion carried.

Action #276
8/25/14 TB mtg minutes apprvd

AUDIENCE I: none

UNFINISHED BUSINESS:

The Board reviewed Part 2 – Impact Assessment of the Short Environmental Assessment form for the proposed 4485 Transit Road Open Development Area.

Councilwoman Jeffe moved that the proposed one-lot Open Development Area at 4485 Transit Road, SBL#174.00-1-42, in the Town of Aurora will not result in any significant adverse environmental impacts and a negative declaration is issued. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – three noes – none Motion carried.

Action #277
Negative declaration for SEQR determined for 4485 Transit Road ODA

Councilwoman Jeffe moved to adopt the following resolution; seconded by Councilwoman Friess:

**RESOLUTION
APPROVING OPEN DEVELOPMENT AREA PLAN
4485 TRANSIT ROAD SBL#174.00-1-42
TOWN OF AURORA, NEW YORK**

WHEREAS, Chapter 79 of the Code of The Town of Aurora establishes standards for landowners who wish to develop or subdivide land that lacks required public road frontage for standard lot development (known as “open development area”); and

WHEREAS, the Applicant, David Schwing, has filed a single-lot Open Development Area application for 4485 Transit Road (SBL# 174.00-1-42), located along the east side of Transit Road between Jewett Holmwood Road and Route 20A, which lacks required public road frontage; and

WHEREAS, the Aurora Town Board granted out-of-district water customer status to the Applicant to become a water customer to the Town of Orchard Park for this parcel; and

WHEREAS, the Zoning Board of Appeals of the Town of Aurora granted a width variance of twenty feet to allow a portion of the ingress/egress to be thirty feet wide rather than required fifty feet; and

WHEREAS, the Aurora Planning Board reviewed this ODA application and recommended that it be approved with the addition of a vehicle pull-off near the driveway entrance to the parcel; and

WHEREAS, the Town Board has reviewed the SEQRA Short Environmental Assessment Form, submitted as part of the application, determining that the proposed use (single family residence) will not have a significant impact on the environment, and

WHEREAS, the Applicant has made every reasonable attempt and all necessary effort to comply with specifications of Chapter 79 of the Code of the Town of Aurora; and

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Aurora approves the Open Area Development application for 4485 Transit Road (SBL# 174.00-1-42), located along the east side of Transit Road, between Jewett Holmwood Road and Route 20A, which lacks required public road frontage with the following conditions: (1) the proposed residential home shall be equipped with a sprinkler system, designed with Building Department approval; (2) vehicle access will be in accordance with NYS Fire Code, appendix D; and (3) a vehicle pull-off be constructed on the property near the driveway entrance; and be it further

RESOLVED, that approval by the Town Board of the Town of Aurora is expressly for 4485 Transit Road (SBL#174.00-1-42) located along the east side of Transit Road, between Jewett Holmwood Road and Route 20A; and be it further

Action #278
4485 Transit
Rd ODA
approved with
conditions.

RESOLVED, that said Open Development Area Plan for the 4485 Transit Road (SBL# 174.00-1-42) is approved.

* * * * *

Donald Pressing Jr. and his attorney, Peter Sorgi, presented a revised site plan for 992 Olean Road prior to tonight's meeting, along with a letter dated 9/3/14 noting the following:

- 1) Entrance way widened to 20 feet;
- 2) Location of proposed 50' by 64' building unchanged;
- 3) All surface water from proposed building will be directed to the drainage ditch to the north;
- 4) Lights will be properly shielded;
- 5) The large piece of equipment/machinery known as "Big Red" will be stored in the new building, or if it cannot be, then a carport/lean-to will be constructed as shown on the amended site plan;
- 6) Mr. Pressing intends to commence construction, depending on weather, after all governmental approvals are attained.

In his letter, Mr. Sorgi referred to a revised SEQR EAF. Supervisor Bach noted that a negative declaration was given by the Town Board on this matter at their July 14, 2014 meeting.

Supervisor Bach asked Mr. Pressing when he plans to start construction on the building. Mr. Pressing responded he plans to start this fall and finish by June 2015.

Councilwoman Jeffe asked Mr. Pressing if he would be able to get the dealership for equipment. Mr. Pressing responded that he will have the dealership before the building is done.

Councilwoman Jeffe moved to approve the Site Plan (drawn by Nussbaumer & Clarke, Inc., dated 3/14/14 and revised 8/26/14) for 992 Olean Road (SBL#188.01-2-11.11) with the conditions noted in the letter dated 9/3/14 from Hopkins & Sorgi, PLLC on behalf of Donald Pressing. Councilwoman Friess seconded the motion. Upon a vote being taken:

eyes – three noes – none

Motion carried.

Action #279
992 Olean site
plan approved
with
conditions.

NEW BUSINESS:

Jewett Holmwood LLC, (JH,LLC) owner and project sponsor of the Reed Hill Heights Subdivision, is looking to improve the aesthetics of the westerly cul-de-sac on Creekview Court where the sewer pump station and generator are located. They are proposing that the existing six feet high fence be securely placed on top of a four feet high (at its highest point) stone wall. JH, LLC has already presented the plan to the Erie County Department of Environment and Planning (ECDEP). The ECDEP is requesting a resolution stating that the Town does not object to the proposal. Highway Superintendent Gunner raised the question of who will be maintaining the wall and fence. Peter Sorgi, attorney for JH,LLC, stated he will be contacting the ECDEP to see if they would maintain the wall and fence.

Councilwoman Friess moved to adopt the following resolution contingent upon the Town not having to maintain the wall and fence surrounding the sewer pump station and generator located in the westerly cul-de-sac on Creekview Court; seconded by Councilwoman Jeffe:

Action #280
Wall & fence
at Reed Hill
Hgts sewer
pump station
approved

The Aurora Town Board does not object to Jewett Holmwood LLC's request to the Erie County Department of Environment and Planning to allow the raising of the existing six feet tall fence around the sewer pump station and generator at the western cul-de-sac on Creekview Court by securely placing the fence upon a four feet high stone wall.

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

Action #281
Special 2015
budget
meetings set

Councilwoman Jeffe moved to set Wednesday, September 17, 2014 at 3:00 pm and Wednesday, October 1, 2014 at 3:00 pm as special meetings for the 2015 budget. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – three noes – none Motion carried.

The Town is currently in discussions with the Erie County Water Authority (ECWA) to have Town water districts transferred to the ECWA. A memorandum of understanding has been written that outlines the water districts involved, improvements that would need to be made, etc.

It was noted that corrections to some of the water district numbers listed in the MOU are needed.

Councilwoman Friess moved to authorize the Supervisor to sign the Memorandum of Understanding (MOU) with the Erie County Water Authority for the transfer of Town water districts to the ECWA, contingent upon corrections being made to the water district numbers.

Action #282
Supv. to sign
MOU with
ECWA re:
direct service

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

Councilwoman Friess moved to approve the following Civil Service titles:

- Elizabeth Deveso from Clerk Seasonal PT to Clerk PT effective 9/13/14
- James Kitner from Laborer Seasonal PT to Laborer PT effective 9/1/14
- Elizabeth Cassidy from Clerk Seasonal PT to Clerk PT effective 9/13/14

Action #283
Civil service
title changes
approved

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

Councilwoman Jeffe moved to approve the request for Michael Evens to attend the Category 6 Pesticide training classes to be held in Auburn, NY, October 16-17, 2014. The \$235 cost (registration - \$60; hotel - \$83; meals - \$46 max. per diem x 2 days) will be disbursed from A7110.434 Parks – landscaping materials. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – three noes – none Motion carried.

Action #284
M. Evens to
attend
pesticide
training

Councilwoman Friess moved to approve the following budget transfer:

From: SR8189.200 rubbish equipment \$1,325
 To: SR8189.401 recycling services \$1,325

Action #285
 Rubbish
 budget transfer
 approved.

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

Councilwoman Friess moved to add item 6H – Sale of 44 Jewett Holmwood Road – to tonight’s agenda. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – three noes – none Motion carried.

Action #286
 Item 6H – sale
 of 44 JH Road
 added to
 agenda

Councilwoman Jeffe moved to add the following to the 2015 Erie County Tax Rolls, in accordance with Town Law Article 12 Section 198, for non-payment of water bills; seconded by Councilwoman Friess:

<u>Property Owner</u>	<u>Billing Customer</u>	<u>Service Address</u>	<u>Billing Source and Amount</u>
Sharon Adimey	Sharon Adimey	1319 Jewett Holmwood Rd. PO Orchard Park, NY 14127 SBL# 174.13-2-1	Orchard Park \$84.05
Mark & Roxanne Carrow	Mark Carrow	4551 Transit Road PO Orchard Park, NY 14127 SBL#174.00-1-36.2	Orchard Park \$159.77
Ali Saleh	Ali Saleh	4155 Transit Road PO Orchard Park, NY 14127 SBL#163.00-1-16	Orchard Park \$3.78
Jeffrey & Brittany Price	Jeffrey & Brittany Price	4483 Transit Road PO Orchard Park, NY 14127 SBL#174.00-1-43	Orchard Park \$15.96

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

Action #287
 Delinq. wtr
 bills added to
 2015 tax roll

Councilwoman Friess moved to approve the sale of Town property at 44 Jewett Holmwood Road (SBL#175.00-1-32.1) for \$40,500 and to authorize the Supervisor to sign the sales contract and to execute the closing documents for this sale. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – three noes – none Motion carried.

Action #288
 Sale of 44 JH
 approved &
 Supv. auth to
 sign contract
 & closing
 docs.

COMMUNICATIONS – The following communications were received by the Board and filed:

- Town Clerk – August 2014 report
- Town Clerk/Tax – August 2014 report
- Water Clerk – August 2014 report
- Senior Center – August 2014 report
- Building Department – August 2014 report
- Work Requisitions – August 2014 report

BUSINESS FROM BOARD MEMBERS:

Councilwoman Friess attended a surprise party at the West Falls Fire Hall honoring Wayne Herbst for 60 years of volunteer service with the West Falls Fire Company. Mrs. Friess thanked Mr. Herbst for his service to the community.

Supervisor Bach noted that the Town is currently going through the process of interviewing candidates for the recreation/aquatic director position.

AUDIENCE II: none

STAFF REPORTS: none

The September 8, 2014 Abstract of Claims, consisting of vouchers numbered 1543 to 1600, was presented to the Board for audit and authorization of payment from the following funds:

General	\$14,793.00
Highway	1,007.22
Gleed/Enterprise	4,418.89
Special Districts	<u>65,141.68</u>
Grand Total Abstract	\$85,360.79

Councilwoman Friess moved to approve the September 8, 2014 Abstract of Claims as presented and to authorize payment of same. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – three noes – none Motion carried.

Action # 289
9/8/14 Abstract
of Claims aprvd

Councilwoman Friess moved to enter into executive session for a personnel matter, with no action being taken during the session; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – three noes – none Motion carried.

Action #290
Board enters
executive
session.

Councilwoman Jeffe moved to come out of executive session; seconded by Councilwoman Friess. Upon a vote being taken: ayes – three noes – none Motion carried.

Action #291
Board exits
executive
session.

Councilwoman Friess moved to adjourn the meeting at 8:20 pm; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – three noes – none Motion carried.

Action #292
Meeting
adjourned.

Martha L. Librock
Town Clerk