

November 27, 2017

A regular meeting of the Town Board of the Town of Aurora took place on Monday, November 27, 2017, at 7:00 p.m. in the Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York.

Members Present:	Jeffrey T. Harris	Councilman
	Jolene M. Jeffe	Councilwoman
	Charles D. Snyder	Councilman
	Susan A. Friess	Councilwoman
	James J. Bach	Supervisor
Others Present:	Ronald Bennett	Town Attorney
	David Gunner	Highway Superintendent
	William Kramer	Code Enforcement Officer
	Shane Krieger	Chief of Police
	Karl Simmeth	Community Liaison for Assemblyman DiPietro

Supervisor Bach opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the Flag.

Councilwoman Jeffe moved to approve the minutes of the 11/13/17 Town Board meeting; seconded by Councilman Harris. Upon a vote being taken: ayes – five      noes – none	Motion carried.	Action #388 11/13/17 Tw Brd meeting min aprvd
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AUDIENCE I:

Karl Simmeth, Community Liaison for Assemblyman DiPietro, wished everyone Happy Holidays on behalf of Mr. DiPietro and spoke about the Home Town Heroes Bridge and Road Name Program instituted by the Assemblyman. Applications nominating an Assembly District 147 Veteran are due by March 30, 2018.

UNFINISHED BUSINESS: none

NEW BUSINESS:

Councilwoman Friess moved to designate the Bank of Holland, 12 South Main Street, Holland, NY, as a depository for the funds of the Town of Aurora and to adopt a resolution authorizing the following to exercise all of the powers listed in the attached Corporate Authorization Resolution: <a href="#">2017 Authorization_TwnBrd_BnkHolland.pdf</a>	Supervisor James J. Bach Councilman Charles D. Snyder Councilwoman Susan A. Friess	Action #389 Bank of Holland res re: authorized personnel – Town acct
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Councilman Harris seconded the motion. Upon a vote being taken:  
ayes – five      noes – none      Motion carried.

Councilwoman Friess moved to designate the Bank of Holland, 12 South Main Street, Holland, NY, as a depository for the funds of the Town Clerk of the Town of Aurora and to adopt a resolution authorizing the following to exercise the powers listed in the attached Corporate Authorization Resolution: <a href="#">2017 Authorization_TwnClk_BnkHolland.pdf</a>	Town Clerk Martha L. Librock Deputy Town Clerk Sheryl A. Miller	Action #390 Bank of Holland res re: authorized personnel – Town Clerk acct
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Councilman Harris seconded the motion. Upon a vote being taken:  
ayes – five      noes – none      Motion carried.

Councilman Snyder moved to authorize the Supervisor to sign a Grant Writing Services Contract with Ann McDonnell Miller whereby Ms. Miller will complete an application to the NYS DEC for 50% reimbursement of composting equipment. The \$1,000 grant-writing fee will be disbursed from A6989.411. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five      noes – none	Motion carried.	Action #391 Supv auth to sign grant- writer contract re: NYSDEC grant
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Councilwoman Friess moved to adopt the following resolution; seconded by Councilman Snyder:

**RESOLUTION APPROVING SPECIAL USE PERMIT  
188 Ellicott Road (SBL# 186.00-1-44.2)**

**WHEREAS**, Daniel Cirasunda as agent for Newton Concrete, Inc., has applied for a Special Use Permit to construct a 40' by 60' building at 188 Ellicott Road, PO West Falls, Town of Aurora, NY, to be used for storage; and

**WHEREAS**, 188 Ellicott Road is located in an Industrial (I) Zone and any improvement on the parcel requires a special use permit in accordance with Town Code Chapter 116; and

**WHEREAS**, this is a Type II action under SEQRA.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Chapter 116 – Zoning, Article III of the Code of the Town of Aurora, the Town Board does hereby grant a Special Use Permit to Daniel Cirasunda and Newton Concrete, Inc., to construct a 40' by 60' pole barn building in an I (industrial) zone to be used for storage at 188 Ellicott Road (SBL#186.00-1-44.2), PO West Falls, Town of Aurora, New York, in accordance with the plans presented.

Action #392  
Spec Use  
Permit aprvd  
for 188  
Ellicott –  
Newton  
Concrete

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

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

**RESOLUTION  
APPROVING OPEN DEVELOPMENT AREA PLAN  
FOR  
1049 WILLARDSHIRE ROAD  
SBL#163.00-1-2.1  
TOWN OF AURORA, NEW YORK**

**WHEREAS**, Chapter 99 of the Code of The Town of Aurora establishes standards for landowners who wish to develop or subdivide land that lacks adequate public road frontage for standard lot development (known as “open development area”); and

**WHEREAS**, the Applicant has filed an Open Development Area application for 1049 Willardshire Road, PO Orchard Park, Town of Aurora, SBL# 163.00-1-2.1 and seeks approval to construct a single family residence on the 4.2± acre parcel; and

**WHEREAS**, the Applicant has made every reasonable attempt and all necessary effort to comply with specifications of Chapter 99 of the Code of the Town of Aurora; and

**WHEREAS**, a narrative description of the private right-of-way, including but not limited to, ownership of the right-of-way and a maintenance plan for the right-of-way, is required under Chapter 99 Section 99-29 (4) (a)(b)(c) and shall be filed with the Erie County Clerk; and

**WHEREAS**, the Zoning Board of Appeals has issued a width variance of 20 feet for the ingress/egress easement to the parcel; and

**WHEREAS**, this action is considered a Type II under SEQR and no further review under SEQR is required; and

**WHEREAS**, according to Section 99-37 of the Code, the Town Board may modify the specifications and requirements in any Open Development Area Plan, where in the Board's judgment, such modifications are in the public interest and/or will avoid the imposition of unnecessary hardship on the applicant.

**NOW THEREFORE BE IT**

**RESOLVED**, that the Town Board of the Town of Aurora acknowledges that compliance with all other standards, requirements and conditions, including those specified by the Town Board as noted above, is in the public interest and will substantially secure the objectives of the modified standard; and BE IT FURTHER

**RESOLVED**, that approval of the Open Development Area with a variance by the Zoning Board of Appeals for a 20 foot width variance for the ingress/egress easement is expressly for 1049 Willardshire Road, SBL#163.00-1-2.1, for the construction of a single family dwelling, and any future development will be subject to the standards and requirements of Chapter 99 of the Code of the Town of Aurora without modification, variance or waiver. Action #393  
ODA for  
1049  
Willardshire  
approved

Upon a vote being taken: ayes – five    noes – none    Motion carried.  
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Councilwoman Friess moved to approve the request from Patrick Blizniak and William Kramer to attend the Niagara Frontier Building Officials Conference on January 22-24, 2018 at the Millennium Hotel, Buffalo, NY. Funds (registration \$275 each and mileage reimbursement) will be disbursed from 2018 Budget line A3620.404. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five    noes – none Action #394  
P. Blizniak  
W. Kramer  
to attend  
NFBO conf  
Motion carried.

Councilwoman Jeffe moved to approve the purchase of a 2018 Kenworth T370 truck with Petersen TL-3 grapple loader body through Kenworth Northeast Group, Inc., 100 Commerce Drive, Buffalo, NY 14218, off the Onondaga County bid #7974. The \$134,542.00 purchase price will be disbursed from 2018 Budget line DB5130.217. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five Action #395  
Purchase of  
Kenworth  
truck and  
grapple  
body aprvd  
noes – none    Motion carried.

Councilwoman Friess moved to declare a 1970 Tarco Leaf Vacuum, Town inventory ID #1176, as surplus inventory due to a blown engine. The leaf vacuum will be auctioned through Auctions International. Councilman Snyder seconded the motion. Upon a vote being taken: Action #396  
1970 Tarco  
Leaf vac  
declared  
surplus  
inventory  
ayes – five    noes – none    Motion carried.

Councilman Snyder moved to authorize Justice Court action against Cynthia Kurk, 1288 Quaker Road, East Aurora, NY, for a violation of Aurora Town Code Chapter 65 Fire Prevention and Building Construction; Section 65-8 Building Permit required; and violation of Chapter 65 Article II – Enforcement of the State Code including International property Maintenance Code sections 302.4 Weeds and 308.1 Accumulation of Rubbish and Garbage. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five    noes - none Action #397  
Justice  
Court action  
auth for  
1288  
Quaker Rd  
Motion carried.

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

- Dog Control - October 2017 report
- Work requisitions - October 2017 report
- EAPD – October 2017 report
- Supervisor - October 2017 report

BUSINESS FROM BOARD MEMBERS: none

AUDIENCE II: none

STAFF REPORTS: none

ABSTRACT OF CLAIMS

The November 27, 2017 Abstract of Claims, consisting of vouchers numbered 1750 to 1813, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 181,970.66
Highway	86,395.74
Trust & Agency 2	332.75
Special Districts	<u>2,085.19</u>
Grand Total Abstract	\$ 270,784.34

Councilwoman Friess moved to approve the November 27, 2017 Abstract of Claims and to authorize payment of same. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #398  
11/27/17  
Abstract aprvd

Councilwoman Jeffe moved to adjourn at 7:15 p.m. Councilwoman Friess seconded the motion. Upon a vote being taken:  
ayes – five noes – none  
Motion carried.

Action #399  
Mtg adjourned

Martha L. Librock  
Town Clerk