

November 13, 2017

A regular meeting of the Town Board of the Town of Aurora took place on Monday, November 13, 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
	Robert Goller	Secretary to Supv./Town Historian
	William Wheeler	Engineer/GHD
	Tony Rosati	ZBA member
	Shane Krieger	Chief of Police

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

Councilwoman Friess moved to approve the minutes of the 10/17/17 Town Board work session, 10/23/17 meeting, 11/1/17 special meeting and 11/6/17 budget public hearing; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #369  
10/17; 10/23;  
11/1; 11/6  
wk sess & mtg  
min aprvd

AUDIENCE I: none

#### UNFINISHED BUSINESS:

Councilman Snyder moved to approve the following changes to the 2018 Preliminary Budget:

- Add South Wales Fire Dist. amount to be raised \$176,185.90
- Add Aurora Colden Fire Dist. amount to be raised \$319,622.20

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

Action #370  
SW & Aurora  
Colden fire dist  
amounts to be  
raised added to  
budget

Councilwoman Friess moved to adopt the 2018 Operating Budget for the Town of Aurora. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #371  
2018 Operating  
Budget adopted

The Town Board reviewed Part 2 of the Full Environmental Assessment Form for the Five Star Equipment proposal at 280 Ellicott Road and determined that there will be no adverse environmental impacts.

Councilman Harris moved that the project proposed by Five Star Equipment to demolish the existing buildings and to erect a new building, including parking lot, septic system and storm water retention at 280 Ellicott Road, PO West Falls, Town of Aurora will result in no significant adverse impacts on the environment and a negative declaration is issued. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #372  
Negative SEQR  
declaration  
issued for 280  
Ellicott Rd

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

RESOLUTION APPROVING SPECIAL USE PERMIT and SITE PLAN  
280 Ellicott Road (SBL# 186.00-00-1-27.2)

WHEREAS, Five Star Equipment/GGBDS Realty Company, Inc. (Five Star) has applied for a Special Use Permit and Site Plan Review for 280 Ellicott Road, (SBL#186.00-1-27.2) PO West Falls, Town of Aurora, NY; and

WHEREAS, Five Star plans to demolish the existing building(s) on the parcel and to construct a new 22,484 sf building, parking lot, septic system and storm water retention system; and

WHEREAS, the Aurora Town Board referred the Special Use Permit and Site Plan applications to the Aurora Planning Board for their review and recommendations; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Special Use Permit; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Site Plan; and

WHEREAS, as an Unlisted action under SEQRA requiring further review, the information was sent to interested agencies with no negative response received from the agencies; and

WHEREAS, after review of the Full Environmental Assessment Form for the project, the Town Board found that the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 116 – Zoning, Section 116-8.8 and Chapter 116 – Zoning, Article III of the Code of the Town of Aurora, the Aurora Town Board does hereby grant a Special Use Permit to Five Star Equipment to construct a 22,484 sf commercial building in an I (industrial) zone to be used as a facility for a heavy equipment dealer and service shop at 280 Ellicott Road (SBL#186.00-1-27.2), in the Town of Aurora, New York; and be it further

Action #373  
280 Ellicott  
Rd/5Star  
Equip SUP &  
site plan  
aprvd

RESOLVED, that pursuant to Chapter 95 of the Code of the Town of Aurora, the Aurora Town Board approves the site plan submitted for 280 Ellicott Road (SBL#186.00-1-27.2), in the Town of Aurora, New York.

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

The Town Board reviewed Part 2 of the Short Environmental Assessment Form for the Dean Weber/Weber Nursery proposal to construct a pole barn at 1241 Davis Road and determined that there will be no adverse environmental impacts.

Action #374  
Negative  
declaration  
issued for  
1241 Davis –  
Weber SUP

Councilwoman Friess moved that the project proposed by Dean Weber/Weber Nursery to erect a new building/pole barn at 1241 Davis Road, PO West Falls, Town of Aurora will result in no significant adverse impacts on the environment and a negative declaration is issued.

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

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

**RESOLUTION APPROVING SPECIAL USE PERMIT  
1241 Davis Road (SBL# 186.00-5-22)**

WHEREAS, Dean Weber has applied for a Special Use Permit for a 24' by 40' accessory building (pole barn) at 1241 Davis Road, PO West Falls, Town of Aurora, NY, to be used as a storage building in conjunction with the nursery business at that location; and

WHEREAS, Chapter 116-8.6 states that this type of development in a B1 (business) zoned district requires a Special Use Permit from the Town Board; and

WHEREAS, the Town Board of the Town of Aurora referred the Special Use Permit application to the Town of Aurora Planning Board for their review and recommendation; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Special Use Permit contingent upon no adverse comments being received from the Erie County Planning Department; and

WHEREAS, the Erie County Planning Department had no recommendation regarding the project and that the proposed action was reviewed and determined to be of local concern; and

WHEREAS, based on a recommendation from the Superintendent of Building based on the size and use of the structure, the Town Board voted unanimously to waive the requirement for Site Plan Review; and

WHEREAS, according to the National Wetland Inventory, a portion of this property contains land identified as potential for wetlands; and

WHEREAS, as an unlisted action under SEQRA the Town Board found that the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 116 – Zoning, Article III of the Code of the Town of Aurora, the Town Board of the Town of Aurora does hereby grant a Special Use Permit to Dean Weber to construct a 24' by 40' commercial building to be used for storage in a B1(business) zone at 1241 Davis Road (SBL#186.00-5-22), PO West Falls, Town of Aurora, New York; and be it

Action #375  
SUP for  
Weber –  
1241 Davis  
Rd aprvd

RESOLVED, that the building approved by this resolution will not be erected in those areas of the property identified as having a potential for wetlands.

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

#### NEW BUSINESS:

During a review of the water main on Aurora-Porterville Road, it was discovered that the 4-inch main that was thought to have been replaced many years ago with an 8-inch main still existed. The current agreement with the Erie County Water Authority (ECWA) states that water mains cannot be 4-inches in diameter for ECWA to take them over as part of the direct service proposal.

ECWA forwarded an agreement to the Town that states the Town will replace the 4-inch water main on Aurora-Porterville Road and will install an interconnection, meter pit and an additional 150-200 feet of water main to connect the Town water line with the Village of East Aurora water main on Pine Street. This interconnection would allow water to this area to come from the Village instead of the Town of Elma. Since ECWA is requiring the interconnection, they will reimburse the Town for that portion of the project for a sum not to exceed \$56,086.25.

Councilwoman Friess moved to authorize the Supervisor to sign an agreement with the Erie County Water Authority that addresses the replacement of 1,800 linear feet of water main along Aurora-Porterville Road and an additional 150-200 linear feet of water main with interconnection and meter pit. The ECWA will reimburse the Town for the interconnection, meter pit and 150-200 linear feet of water main necessary to connect to the Village of East Aurora water main for a sum not to exceed \$56,086.25. Councilwoman Jeffe seconded the motion. Upon a vote being taken: ayes – five      noes – none      Motion carried.

Action #376  
Supv auth to  
sign  
agreement w/  
ECWA re  
Aurora -  
Porterville  
water line

Councilwoman Jeffe moved to amend the 2017 Budget as follows to record receipt of funds from the sale of highway equipment:

- Increase revenue line DB2665 Sale of Equipment by \$34,600.00
- Increase appropriation line DB5130.217 Truck purchase \$34,600.00

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

Action #377  
2017 budget  
amendment  
aprvd re hwy  
equipment

Councilwoman Friess moved to amend the 2017 Budget as follows to record receipt of CDBG funds as reimbursement for new carpeting at the Senior Center:

- Add revenue line A4910 Community Development Act
- Increase revenue line A4910 by \$4,520.77
- Increase appropriation line A1620.422 Op Bldg R&M by \$4,520.77

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

Action #378  
2017 budget  
amendment  
aprvd re  
CDBG funds

Quotes for construction fencing with privacy screen, including installation, for 575 Oakwood Avenue were received from:

Fences by Precision, Orchard Park, NY	\$1750.00
Fox Fence, Niagara Falls, NY	\$1850.00
Woodsmith Fence Corp., Lockport, NY	\$2180.00

Councilman Snyder moved to approve the purchase and installation of construction fencing from Fences by Precision, Orchard Park, NY, in the amount of \$1750.00 for the west line of the parking lot at 575 Oakwood Avenue (former fire hall). Funds will be disbursed from the capital construction budget for the fire hall renovation. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #379  
Fence for 575  
Oakwood aprvd

Councilman Snyder moved to authorize the Supervisor to sign and send a letter of support for the Erie County Emergency Services Division of EMS for their efforts to obtain a Certificate of Need from the NYS Health Department to continue to serve in the areas that they have been providing service to in the County of Erie. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #380  
Supv auth to  
sign/send ltr of  
support re  
certificate of  
need for ECES  
EMS svc

Councilwoman Jeffe moved to authorize the Supervisor to sign the 2016 STOP-DWI Memorandum of Understanding, which allows Erie County to pay the Town for supplying data on DWI cases disposed in Aurora Town Court during 2016. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #381  
Supv auth to  
sign 2016  
STOP DWI  
MOU

Councilman Snyder moved to approve the request from Town Assessor Richard Dean to close his office on December 5, 2017 from 11:30a.m. to 3:30p.m. to allow him and his office staff to attend the Erie County Assessors Association luncheon. Councilwoman Friess seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #382  
Assessor office  
to close 4 hours  
on 12/5/17

Councilwoman Friess moved to declare a Ricoh Aficio SP C320 printer (Town ID#2180) as surplus inventory to be recycled during a local electronics-recycling event. Councilman Harris seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #383  
Ricoh printer  
declared  
surplus  
inventory

Councilman Harris moved to authorize the Supervisor to sign a lease agreement with the Erie County Board of Elections for the Board of Elections use of the Highway Garage and Aurora Senior Center as polling places for the 2017 primary and general elections. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none  
Motion carried.

Action #384  
Supv auth to  
sign lease  
agreement with  
ECBOE re:  
polling sites

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

- Town Clerk - October 2017 report
- Water Clerk - October 2017 report
- Town Clerk/Tax – October 2017 report
- Building Department - October 2017 report
- Senior Center - October 2017 report
- Recreation – October 2017 report
- EA Chamber of Commerce proclamation re: Small Business Saturday 11/25/17

**BUSINESS FROM BOARD MEMBERS:**

Councilwoman Jeffe met with Kathleen Moffat on several occasions regarding the 2018 Budget.

Councilman Snyder congratulated all who won re-election.

Supervisor Bach thanked all who worked on the 2018 Budget. Mr. Bach noted that he attended the Veterans Day doings at the American Legion.

**AUDIENCE II:**

Paul Porter asked if there are plans for the court at the new Town Hall. Supervisor Bach responded, yes, the courts will be moved to the new Town Hall and we are currently in the design stages for the project.

**STAFF REPORTS:**

William Wheeler, GHD, gave an update on the MWIA project. The Castle Hill pump station upgrade will take place 11/14/17 and the Ellis Drive pump station should be installed by February 2018. There has been a delay in the delivery of the pump station. Mr. Wheeler noted that the Aurora-Porterville water main design will go out for review this week with construction anticipated to begin after Thanksgiving.

**ABSTRACT OF CLAIMS**

The October 24, 2017 Prepaid Abstract of Claims, consisting of vouchers numbered 1649 to 1657, was presented to the Board for audit and authorization of payment from the following funds:

General	\$6,879.33
Special Districts	<u>5,577.95</u>
Grand Total Abstract	\$12,457.28

The November 13, 2017 Abstract of Claims, consisting of vouchers numbered 1658 to 1749, was presented to the Board for audit and authorization of payment from the following funds:

General	\$ 16,235.70
Part Town	1,572.40
Highway	10,114.29
Capital/MWIA	38,687.91
Capital/Firehall	9,342.00
Special Districts	<u>59,927.06</u>
Grand Total Abstract	\$135,879.36

Councilwoman Friess moved to approve the October 24, 2017 Prepaid and the November 13, 2017 Abstracts of Claims and to authorize payment of same. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #385  
10/24 &  
11/13/17  
Abstracts  
aprvd

Councilwoman Jeffe moved to adjourn at 7:35 p.m. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #386  
Mtg adjourned

Martha L. Librock  
Town Clerk