

**VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
June 3, 2019 – 5:30 PM & 7:00 PM**

Present:

Trustee Lazickas
Trustee Porter
Trustee Kimmel-Hurt
Trustee Schoeneman
Trustee Cameron
Trustee Scheer
Mayor Peter Mercurio

Also Present:

Robert Pierce, Village Attorney
Cathie Thomas, Village Administrator
Shane Krieger – Police Chief
Matthew Hoeh, Superintendent of Public Works
Liz Cassidy, Building Inspector
Maureen Jerackas, Clerk-Treasurer
East Aurora Bee, East Aurora Advertiser
16 Members of the public

EXECUTIVE SESSION

A Motion was made by Trustee Lazickas to enter into executive session at 5:30 pm for discussion about Collective Bargaining and personnel Matter of a particular person
Seconded by Trustee Scheer and unanimously carried.

A Motion was made by Trustee Schoeneman to end executive session at 6:32 pm. Seconded by Trustee Porter and unanimously carried.

A Motion by Trustee Kimmel-Hurt to approve the village board minutes of May 20, 2019 as presented seconded by Trustee Porter and carried with unanimous approval.

Trustee Cameron moved to approve the Payment of Abstract for:
Vouchers #58485-58514 \$44,209.26
Seconded by Trustee Schoeneman and unanimously carried.

Trustee Lazickas moved to approve the Payment of Abstract for:
Vouchers #TBD (58525)for Village Workers Comp \$148,618.00
Seconded by Trustee Kimmel-Hurt and unanimously carried.

PUBLIC HEARING

- A Motion by Trustee Lazickas to open a public hearing at 7:02PM to Consider of Special Permit Application from Kristin and Ed Borzillieri for adding seating for diners at the Deli at 586-#5 Main Street, was seconded by Trustee Kimmel-Hurt and carried with unanimous approval. On a motion by Trustee Scheer seconded by Trustee Cameron the public hearing was closed at 7:03PM
 - Ed Borzillieri-owner of 586 Main Street (The Deli)-commented that he was happy to be there.
- A Motion by Trustee Kimmel-Hurt to open a public hearing at 7:04PM to Consider of a Local Law to Amend the Village Code Section 249-38 – No parking in certain places, to eliminate some of the restrictions for parking on Riley Street, so that new, additional parking spaces may be created, seconded by Trustee Scheer and carried with unanimous approval. On a motion by Trustee Lazickas seconded by Trustee Porter the public hearing was closed at 7:06PM and was unanimously approved.
 - The Administrator and Mayor Mercurio met at the area to talk about elimination of some parking restrictions for Riley Street. Matt from the DPW also looked at it and said there is a potential to change some of the code.
 - Tony Rosotti-350 Oakwood-Tony commented on the original road signs that encourage people to go down Paine and Highland. Tony asked in reference to these signs if there would be additional signs. Mayor Mercurio replied to Tony that they had not thought of signs and that they would do a soft opening and if notifications were needed, that would take place in the future.
- A Motion by Trustee Porter to open a public hearing at 7:07PM to Consider of the Development Plan proposal from the Boys and Girls Club of East Aurora at 24 Paine Street, for the replacement of two storage sheds with one metal garage, seconded by Trustee Kimmel-Hurt and carried with unanimous approval. On a motion by Trustee Lazickas seconded by Trustee Porter the public hearing was closed at 7:07PM and was unanimously approved.
 - No comments
- A Motion by Trustee Porter to open a public hearing at 7:07PM to Consider of the Development Plan proposal from the Boys and Girls Club of East Aurora at 24 Paine Street, for the replacement of two storage sheds with one metal garage, seconded by Trustee Scheer and carried with unanimous approval. On a motion by Trustee Cameron seconded by Trustee Kimmel-Hurt the public hearing was closed at 7:08PM and was unanimously approved.
 - No comments

SPEAKERS & COMUNICATIONS (I)

- Randy West- 134 Buffalo Road- Randy brought up the current Zoning that prohibits drive-throughs in the Village. Randy asked the Board that we maintain our current prohibition of not allowing drive-throughs which has been in place for 14years. Randy stated his opinion that he believes if drive-throughs were allow, it would be unfair to the businesses who complied with the current Zoning of not allowing the drive-throughs.
- Judy Weidemann- 21 Nye Hill Road- Judy is speaking as the Secretary on behalf of the ACES Board and said the entire Board is opposed to changing the Zoning code for the drive-throughs.

- Ellen-423 Oakwood Ave.- Ellen speaking on behalf as a citizen is against the drive-throughs as well because she believes they are not safe due to all the activity in the Plaza. Ellen said there is already one drive-through in the Plaza and she does not want any more.
- Ellen Neumaier- 284 Mill- Ellen speaking as a citizen is also against the change for drive-throughs, especially on Farmers Market days with all the traffic and congestion and the possibilities of accidents to happen.

OFFICIAL CONSIDERATIONS

- A Motion by Trustee Scheer, to Consider to Approve a Special Permit Application from Kristin and Ed Borzillieri for adding seating for diners at the Deli at 586-#5 Main Street, was seconded by Trustee Kimmel-Hurt, was unanimously approved.
- A Motion by Trustee Lazickas, to Consider to Approve a Special Permit for the Music Fest group to have the East Aurora Fire Department hang a Banner Sign on the grain elevator at 634 Main Street, was seconded by Trustee Porter, was unanimously approved.
 - Mayor Mercurio stated this application came in after the rest of the Music Fest applications.
 - The Administrator asked to include the Board approval for the banner to be hung by the Fire Department. The board agreed.
- A Motion by Trustee Porter, to Consider to Approve a Local Law to Amend the Village Code Section 249-38 – No parking in certain places, to eliminate some of the restrictions for parking on Riley Street, so that new, additional parking spaces may be created, was seconded by Trustee Schoeneman, was unanimously approved.
- A Motion by Trustee Porter, to Consider to Approve Change Order No. 1, relating to the electrical service, for an increased amount of \$6,918.16 for the new salt storage buildings on Village-owned property where the DPW is located. the Occhino Corp. contractor and recommended for approval by Steve Tanner, PE of the CPL firm acting as the Village Engineer, was seconded by Trustee Cameron, was unanimously approved.
 - Matt from DPW said this had to be relocated because the pole that was supposed to have power was not available.
- A Motion by Trustee Porter, to Consider to Authorize the Fire Chief to Sign the Agreement with University Emergency Medical Services to provide a Medical Director for an Annual Fee of \$1,500, was seconded by Trustee Kimmel-Hurt, was unanimously approved.
 - The Administrator has dealt with Dr. Bart who is on the application, and she liked him. The Administrator stated that we need one Medical Director for ourselves and that the Hospital wrote up the contract and our Attorney, Bob Pierce reviewed the contract and thought it was excellent.
- A Motion by Trustee Kimmel-Hurt to Consider to approve amending the Village's policy for employee cell phone usage, was seconded by Trustee Schoeneman, was unanimously approved.
 - The Administrator said that the Village has had a policy in place since 2010 that stated for any extra calls made, that person would have to pay for it. The Administrator said the new Policy states there is one price and there is no charge for personal calls. The Administrator stated that if there happens to be an added odd charge, then the employee must pay for this.

- Mayor Mercurio made a comment that if any employee was using their Village cell phone for personal calls, those phone calls could be FOIL-able which should discourage employees from making personal calls on their Village cell phone.
- A Motion by Trustee Porter Schedule a Public Hearing for August 19 to consider repealing the current Village Code Section 285 – Zoning, and adopting a new Section 285 – Zoning, along with a revised Official Zoning Map, was seconded by Trustee Kimmel-Hurt, was unanimously approved.
 - Mayor Mercurio asked for a final Review Workshop for the Village.
 - The Administrator commented that she and Code Enforcement Cassidy both strongly agree for the Board to have a Review Workshop.
 - Mayor Mercurio asked the Board if an alternate Monday night worked to have the Review Workshop.
 - The Board agreed to have the Review Workshop on Monday, June 24th at 6pm. The GADC meeting will need to be rescheduled.
- A Motion by Trustee Lazickas to Consider to grant permission for the Mayor to sign the CSEA Union Contract subject to the Administrator approving final language, was seconded by Trustee Porter, was unanimously approved.

DEPARTMENT HEAD AND TRUSTEE REPORTS

- Police – The Chief said they are preparing for the Music Fest that takes place this Saturday 6/8/19. Chief Krieger said there would be extra security this year; some would be off duty Police. The Chief also hopes the extra fencing in front of Riley Station will help with the Elm Street congestion.
 - Trustee Kimmel-Hurt asked the Chief, on behalf of a resident about overnight parking and the Chief said the rule was only for winter and there would be no issue with overnight parking.
 - Trustee Cameron asked Chief Krieger about last year and the overcrowding at the Rink and if anything has been done to address that.
 - Chief Krieger replied they were looking into that issue and how they could correct that.
 - Chief Krieger spoke about the previous Monday night incidents of two group homes, along with a take home (non- East Aurora) police vehicle that had been egged and then American flags that were ripped off of a few front porches. The Chief asked the public that if anyone knew who was a part of this, that they need to let the Police Dept. know immediately.
- Code- Code Enforcement Cassidy spoke to the Demo Permit for 41 Hamlin was issued this week. She said the air sampling would be set up on Tuesday.
 - Trustee Kimmel-Hurt commented she was over near 41 Hamlin and she saw some resident's happy about what was going on.
- DPW –Matt said they have done some tree trimming and they were getting for the road reconstruction.
- Administrator – The Administrator said on June 10th at 1pm, it will be the joint Village Town hall building ground breaking. The Administrator attended a PERMA Conference which was a great training and also training for Cyber training. She mentioned that new technology can do a lot.
- Clerk -Treasurer – The Clerk-Treasurer talked about taxes that had just been sent out and are due by July 1st. She spoke to looking into getting the tax information online for the

public to view. The Clerk-Treasurer said that if someone did not receive a tax bill, they could call and get a duplicate copy because not receiving a bill doesn't allow for removal of penalties.

- Trustee Lazickas – None
- Trustee Kimmel Hurt – Trustee Kimmel-Hurt complimented The Administrator on the new Modern flyer in the mail.
 - The Administrator noted on our contract that it has started off well with Modern. She spoke about the Saturday trash pick-up that should have been picked up from Waste Management, but because their contract ended on Friday, Modern was wonderful and started pick-up on Saturday.
- Trustee Cameron – None
- Trustee Scheer – Working on contract with CSEA with the Clerk-Treasurer and the Administrator. Trustee Scheer for was impressed by their professionalism, and commented on the CSEA /DPW being just as great. He also compliments the Clerk-Treasurer and the Administrator on all their great efforts.
- Trustee Schoeneman- None
- Trustee Porter – None
- Mayor Mercurio- The Mayor complimented the Clerk-Treasurer on introducing the Agenda as a hyperlink in an effort to save trees, which in return will save time and money not having to do all the printing. The Mayor attended a Veteran Memorial Ceremony where he placed a wreath and the event all around was very impressive. The Mayor also went to an HPC Landmark discussion at the Senior Center where they had a speaker to talk about all that goes into the HPC. He also attended a GADC meeting and the meeting touched on some more issues. The Mayor said that Trustee Cameron volunteered to be an additional member for the GADC, and he appointed Trustee Cameron to the GADC immediately.

SPEAKERS & COMMUNICATIONS (II)

- Karen Lee-570 Fillmore- Karen asked if there was additional First Aid added to Music Fest for this Saturday. Chief Krieger responded that the Fire Department is having two First Aid stations. One of the stations will be at Main and Elm and the second will be at Bar Bill. The Fire Department will have a dedicated ambulance as well.
- Margaret Potter- 114 Park Place- Margaret posed a question regarding the recycling of plastic that is accepted by Modern. She feels as though they only accept 1-3 opposed to what previously was accepted by Waste Management which was 1-7. Trustee Schoeneman said yes waste management started with 1-7 but as we found out they were not recycling all of 1-7. Others agreed who were at the meeting.

ADJOURNMENT

A Motion was made by Trustee Schoeneman to adjourn the meeting at 7:48 pm. Seconded by Trustee Cameron and unanimously carried.

Respectfully submitted,

Maureen Jerackas
Clerk-Treasurer