

**VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
June 17, 2019 –7:00 PM**

Present:

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

Absent:

Trustee Schoeneman

Also Present:

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

A Motion by Trustee Lazickas to approve the village board minutes of June 3, 2019 as presented seconded by Trustee Kimmel-Hurt and carried with unanimous approval.

Trustee Lazickas moved to approve the Payment of Abstract for:

Vouchers #58515-58576, \$157322.99

Seconded by Trustee Cameron 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 Porter to open a public hearing at 7:01PM to Consider of Special Permit Application for Aurora International, LLC for the property at 206 Main Street, proposing indoor & outdoor seating for a bar & restaurant serving breakfast, lunch & dinner, was 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 7:04PM

- John Becker- 267 Parkdale- owner of 206 Main Street- Mr. Becker told the Board members they would be keeping 8 of the 16 bowling lanes. They will be remodeling the front kitchen to make it larger and they would have a bar and restaurant within. Trustee Kimmel-Hurt said she was excited about the Main Street entrance.
- A Motion by Trustee Cameron to open a public hearing at 7:04PM to Consider the Application from Jane Osmond, requesting that three to four chickens be permitted to be located at 341 Center Street, seconded by Trustee Lazickas and carried with unanimous approval. On a motion by Trustee Lazickas seconded by Trustee Kimmel-Hurt the public hearing was closed at 7:05PM and was unanimously approved.
 - No comments
- A Motion by Trustee Lazickas to open a public hearing at 7:05PM to Consider the Special Permit Application for David Yager for the property at 720 Main Street, adding outdoor seating for a bar and restaurant, 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.
 - David Yager- 658 Ruie Rd- owner of 720 Main St. - Mr. Yager commented this was not going to be a bar. They were requesting for a permit for outside dining with 2 tables that would seat a total of 4 people.
- A Motion by Trustee Porter to open a public hearing at 7:07PM to Consider a Local Law, following a recommendation of the Safety Committee, removing Village Code §249-8 – School-stop intersections and adding a STOP Sign under Village Code §249-7 – Stop intersections, seconded by Trustee Scheer and carried with unanimous approval. On a motion by Trustee Porter seconded by Trustee Cameron the public hearing was closed at 7:08PM and was unanimously approved.
 - Chief Krieger commented that 20 years ago this was a pull down sign and sometimes a new sign went in but the Law has not been changed.

SPEAKERS & COMMUNICATIONS (I)

- Jennifer Brazella-50 Elmwood Ave- Jennifer is the owner and partner of Borderland Music and Art festival. She heard rumors about patrons camping at Fireman's field. Knox Farm is part of the festival but camping is not allowed. RV camping is only planned to be allowed and depending on the number of units, overnight Security and a Green Team would be provided. They would also have porta-pottys. Fires would not be allowed. She said the donation to the fire department would be everything they had after expenses but could not estimate because it would depend on what was approved.
- Karen Lee- 570 Fillmore Ave- Karen brought up her concerns about Music Fest. She is not against Music Fest but is concerned about the number of people who attend this. Karen was told of people vomiting and urinating along with broken bottles and marijuana by Beauty Organics. Karen is concerned with the open container law and the public intoxication. She is inquiring how they can control the number of people. She made a suggestion that maybe the day of Music Fest there is no open container law. Chief Krieger said he was more concerned that tailgating would be the issue and a large number of people this year had the long coolers. It was suggested that moving forward, Music Fest would have to get a Special Permit to only be able to sell a maximum of 10,000 wrist bands because this year they sold 12,000 when only 10,000 were to be sold.
- Karen Lee- She asked when the bridge would be fixed where paint had been scrapped. Matt from DPW said it would be fixed soon
- Bob Bateman- 2014 Sycamore- Bob said 42 North was selling left over wrist bands from last year's Music Fest. He said the weather was so nice that it drew more people to come out. Bob noted that you could not take other beer into an establishment.
 - Karen Lee- She knows you cannot bring outside beer into an establishment, but she heard some places were allowing that at the end of the night. If an establishment violates the Special use Permit there should be limits.

OFFICIAL CONSIDERATIONS

- A Motion by Mayor Mercurio to Appoint Police Lieutenant O'hara, was seconded by Trustee Cameron was unanimously approved.
- A Motion by Trustee Lazickas, to Consider to Approve the Application from Jane Osmond, requesting that the maximum of four chickens be permitted to be located at 341 Center Street, was seconded by Trustee Kimmel-Hurt, was unanimously approved.
- A Motion by Trustee Scheer, to Consider to Approve a Special Permit Application for David Yager for the property at 720 Main Street, adding outdoor seating for a bar and restaurant, was seconded by Trustee Porter, was unanimously approved.
 - Special condition Prompt removal of snow and ice must be removed on the sidewalks
- A Motion by Trustee Porter, to Consider to Approve a Temporary Use Permit for Baker Memorial United Methodist Church at 345 Main Street to hold a Strawberry Festival on June 29th from 8 a.m. to 4 p.m., was seconded by Trustee Cameron, was unanimously approved.
- A Motion by Trustee Lazickas, to Consider to Approve a Temporary Use Permit for Hamlin Park for the Bateman family to put up a tent in Hamlin Park during a graduation party on Sunday, June 30, was seconded by Trustee Kimmel-Hurt, was unanimously approved.
- A Motion by Trustee Porter, to Consider to Approve the Aurora Town Courts to install a secure bench in the Court/Board room in the Village Hall, was seconded by Trustee Lazickas, was unanimously approved

- **Chapter 249. Vehicles and Traffic**

- **Article V. Stop and Yield Intersections**

- **§ 249-7. Stop intersections.**

- The following described intersections are hereby designated as stop intersections, and stop signs shall be installed as follows:

Name of Street	At Intersection of
<i>South Street</i>	<i>Geneva Road</i>

- **§ 249-8. School-stop intersections.**

- The following intersection is hereby designated as a school-stop intersection, and a stop sign shall be erected so as to stop traffic in the first named street at its intersection with the second named street, which sign shall be in place in said intersection between 6:30 a.m. and 4:30 p.m. on each day that the public schools are in session in the Village of East Aurora:

Name of Street	At Intersection of
<i>South Street</i>	<i>Geneva Road</i>

BE IT FURTHER RESOLVED, that this Resolution enacting Local Law No. 5 shall take effect immediately and Local Law No.5 of 2019 shall take effect immediately and shall be added to the text of the Local Laws of the Village of East Aurora thereafter.

The following resolution was seconded by Trustee Porter, and duly put to a roll call vote which resulted in the following:

Trustee Lazickas	Aye
Trustee Porter	Aye
Trustee Kimmel Hurt	Aye
Trustee Cameron	Aye
Trustee Scheer	Aye
Mayor Mercurio	Aye

The Local Law was, therefore,

 X Approved

- A Motion by Trustee Porter to Schedule a Public Hearing on July 15th to consider an Application for chickens, ducks and goats to be kept at a residential property at 277 S. Grove Street, was seconded by Trustee Lazickas was unanimously approved.
- A Motion by Trustee Porter for a Resolution to Advertise for Bids for the Oakwood Avenue project, including waterline replacement, storm sewer work and full-depth road reconstruction, was seconded by Trustee Lazickas was unanimously approved.
- On motion of Trustee Kimmel-Hurt, seconded by Trustee Porter, the following resolution was adopted unanimously by the Board of Trustees of the Village of Aurora, New York: Resolution Authorizing Application for a New York State Climate Smart Communities Grant

Whereas, the Village of East Aurora hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54 Title 15.

Whereas, the Village of East Aurora certifies that it has identified and secured \$1,250,000.00 of matching funds from the general fund and a BAN which has already been authorized (February 19, 2019), pursuant to the requirements of Environmental Conservation Law Article 54 Title 15.

Therefore, be it resolved, that the village of East Aurora hereby authorizes Maureen Jerackas, an official or employee, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$1,250,000.00 to be used for Tannery Brooks Culvert Project Adopted this 17 day of June, 2019.

- A Motion by Trustee Lazickas to Consider to set a public hearing on July 1st, 2019 for the Development Plan Application for B&P 206 Main, LLC for the property at 206 Main Street, proposing to remodel the front façade of the building, was seconded by Trustee Scheer was unanimously approved.
- A Motion by Mayor Mercurio to Appoint PT Dispatcher John Wilger, was seconded by Trustee Kimmel-Hurt was unanimously approved.
- A Motion by Mayor Mercurio to Appoint the Grant Master Maureen, was seconded by Trustee Lazickas was unanimously approved.
 - The Clerk – Treasurer said she was working on the Tannery Brook grant and that is priority but found another grant for a storm sewer vac and would be working with Matt and Christine from the DPW to try to get that done. Just went to training with Cathie for these and verified we are on the right path. We were able to attend different sessions to review more information. The Administrator noted looking at a possible Grant for Hamlin Park.

DEPARTMENT HEAD AND TRUSTEE REPORTS

- Police – The Chief said the Police Department will be at the shooting range in two weeks and has to take back any old guns.
- Code- Code Enforcement Kramer talked about the environmental cleanup at Hamlin.
 - Trustee Scheer asked about the fumes and Code Enforcement Kramer said fumes just happen and for residents to keep their windows closed.
- DPW –Matt said they would be milling starting this Thursday or Friday. They would grind first and then pave. Matt said if anyone noticed any pot holes needing to be filled, they should call the DPW.
- Administrator – The Administrator talked about the grant training.
- Clerk -Treasurer – None
- Trustee Lazickas – None
- Trustee Kimmel Hurt – None
- Trustee Cameron – Trustee Cameron spoke that she went to the unveiling for the Alice Hubbard marker. She also thanked the Police officers for all their work at Music Fest.
- Trustee Scheer – Trustee Scheer talked about Music Fest saying he helped to pour the beer and he said it was so busy that they couldn't pour fast enough.
 - Chief Krieger made a comment that in the future he would like more construction lights for when it gets dark. It was believed that Security all left when the tickets sold out. Chief Krieger would reach out to Music Fest to have a meeting and it was brought up to consider ending the event at 9 pm in the future.
 - Trustee Scheer thanked Trustee Kimmel-Hurt for bringing up the lane back up for the Tim Horton's drive through. Matt from DPW said he asked the Engineer to do a full third lane by Tim Horton's and as per Matt, a right away is wide enough to have.
- Trustee Schoeneman- Abs
- Trustee Porter – Trustee Porter asked Matt from DPW about Hamlin tennis courts being filled. Matt replied they would be done after July 3rd.
- Mayor Mercurio- Mayor Mercurio thanked Chief Krieger and Matt from DPW for Music Fest. He said the recycling was not done as expected.
 - Chief Krieger said the Garbage men were great and the Village was all cleaned up by 9:00 am on Sunday.

SPEAKERS & COMMUNICATIONS (II)

- Tony Rosati- 350 Oakwood- wanted to know about the special districts and the parking lot behind the bank. He asked the board to look at doing that again, as he believes that the businesses should be paying more. The three tier system was talked about.
- John Suto-291 South Grove- Mr. Suto brought up his concerns with the goats/ducks/chickens. He said they are loud and their quality of life is an issue and the goats are kept in a garage. It was also reported that Foxes were said to be in the area by the resident.
 - Code Enforcer Kramer said he could not remove the goats, they have to follow the process till they come to court.

- Nancy Suto-291 South Grove- Nancy wanted to know the recourse and that farm animals should be outside of the Village. She also commented on the quality of life for keeping goats in the garage.
 - Trustee Porter asked who would be in charge for complaints of animal cruelty. Code Enforcer Kramer said he would call the home owner.
- Margaret Potter- 225 Park Place- She thanked the Police Department for the site lines for the Senior Center. She also commented on Music Fest and commented that it needs to be done to make Music Fest more manageable.
- Karen Lee- commented on Music Fest again speaking about the garbage left on private property.
- Judge Jeffery Markel - Apologized for being late. Asked if the Board had questions on the bench. He noted that it was a result of the Jcap grant.

ADJOURNMENT

A Motion was made by Trustee Lazickas to adjourn the meeting at approximately 8:55pm. Seconded by Trustee Kimmel-Hurt and unanimously carried.

Respectfully submitted,

Maureen Jerackas
Clerk-Treasurer