

**VILLAGE OF EAST AURORA  
VILLAGE BOARD MEETING  
July 1, 2019 –7:00 PM**

**Present:**

Trustee Lazickas  
Trustee Porter-(late 7:02)  
Trustee Schoeneman  
Trustee Kimmel-Hurt  
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  
Bill Kramer, Building Inspector  
Maureen Jerackas, Clerk-Treasurer  
East Aurora Bee, East Aurora Advertiser  
15 Members of the public

A Motion by Trustee Lazickas to approve the village board minutes of June 17, 2019 as presented seconded by Trustee Kimmel-Hurt and carried with unanimous approval.

Trustee Kimmel-Hurt moved to approve the Payment of Abstract(s) for:  
Voucher # 58578, \$1517.02  
Voucher # 58578-58624, \$249,874.57

Seconded by Trustee Cameron and unanimously carried.

**PRESENTATION BY THE MAYOR**

Mayor Mercurio spoke to the service of Lt. Jack Wolff and gave a proclamation recognizing the occasion of his retirement from the East Aurora Police Department.

**PUBLIC HEARING**

- A Motion by Trustee Schoeneman to open a public hearing at 7:07PM to Consider of the Development Plan Application for Main-Hamlin, LLC, for the property at 206 Main Street, proposing to remodel the front façade of the building, was seconded by Trustee Porter and carried with unanimous approval. On a motion by Trustee Lazickas seconded by Trustee Porter the public hearing was closed at 7:15PM

- John Becker-267 Parkdale Ave-The Developer of 206 Main Street spoke to the front façade changes that would include new color of the entire building, a front sitting area with planters, and planting a tree between their property and Citizen's Bank. He spoke to the preferred conditions from the Planning Commission to be included in the changes; Signs to follow sign code, additional windows on the front facade, awnings over side windows, stamped planters, unified metal roof, one handicap parking spot, ADA men's and lady's room.
- Joseph Lawless- 524 Girard- asked if the garage doors on the front would open and Mr. Becker replied they would.

### **SPEAKERS & COMMUNICATIONS (I)**

- Joseph Spahn-58 Buffalo Rd- Joseph asked if the Village has a long range of projects to be worked on 5-10 years from now and noted that we should be preparing for those expenses starting now.
  - Matt from DPW commented that the Capital Committee has the list and they prioritize the projects and do the budgeting.
  - Mr. Spahn asked specifically about the public parking on the west end of town and if it would be leveled off and then paved.
  - Matt from DPW said 1/3 of the public parking section will be done.
  - Mr. Spahn commented that he would like more of the area to be done near the bank plus other areas and the Board said it will be looked at.

### **OFFICIAL CONSIDERATIONS**

- A Motion by Trustee Kimmel-Hurt to make a negative Determination under the State Environmental Quality Review Act (SEQRA) for the property at 206 Main Street, was seconded by Trustee Scheer was unanimously approved.
- A Motion by Trustee Cameron, to Approve the Development Plan Application for Main-Hamlin, LLC, for the property at 206 Main Street, proposing to remodel the front façade of the building, was seconded by Trustee Lazickas, was unanimously approved.
  - Mayor Mercurio asked if the resolution included the Planning Commission requirements and Attorney Bob Pierce said yes.
- A Motion by Trustee Schoeneman, to Approve a Special Permit Application for Aurora International, LLC for the property at 206 Main Street, proposing indoor and outdoor seating for a bar and restaurant serving breakfast, lunch and dinner, was seconded by Trustee Lazickas, was unanimously approved.
  - Mayor Mercurio asked if there would be breakfast served as it was in the application.
  - John Becker said at this time they do not plan to serve breakfast, but would like the ability to if their plans changed.
  - The Administrator noted there was no outdoor music asked on the application and Mr. Becker said they would not be having music either.
  - Trustee Porter asked about the cost of a permit if it was decided they wanted to serve breakfast. The Administrator replied that it would be an added cost and would have to apply for the permit again if they wanted to amend.
- Trustee Lazickas made the following motion and moved for its adoption:  
WHEREAS, the Aurora Ice Association, Inc. is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental

Protection Fund for a park project to be located at 41 Riley St., East Aurora, NY 14052, a site located within the territorial jurisdiction of this Board; and

WHEREAS, as a requirement under the rules of this program, said not-for profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved by this august body that the Board of Trustees of the Village of East Aurora hereby does approve and endorse the application of the Aurora Ice Association, Inc. for a grant under the Environmental Protection Fund for a park project known as 'Healthy Zone Rink Energy Efficient Chiller' and located within this community.

The motion was seconded by Trustee Kimmel-Hurt and unanimously approved.

- Aurora Ice Association- said this is much quieter and an energy efficient chiller
- Mayor Mercurio Appointment of Bruce Mitchell to the Zoning Board of Appeals to finish a term ending the first Monday in April 2021, was unanimously approved
- A Motion by Trustee Porter, to Approve a Resolution setting fees relating to Village Code Chapter 285, Article IX, Section 285-34 entitled "Wireless Telecommunication Facilities", was seconded by Trustee Schoeneman, was unanimously approved
  - The Administrator said for the adopted ordinance we did not adopt the fees at that time and these are the maximum fees suggested by Hodgson Russ.
- A Motion by Trustee Cameron, to Approve East Aurora Fire Department Assistant Chief 9-2 Appointment Mark Hartley, was seconded by Trustee Kimmel-Hurt, was unanimously approved.
- A Motion by Trustee Kimmel-Hurt, to Approve New East Aurora Fire Department East End Member Cliff Pyne, was seconded by Trustee Lazickas, was unanimously approved.
- A Motion by Trustee Cameron, to Approve Budget Adjustments for the 2018-19 Fiscal Year was seconded by Trustee Porter, was unanimously approved.
- A Motion by Trustee Porter, to advertise BID for police vehicles, was seconded by Trustee Schoeneman, was unanimously approved.
  - Chief Krieger said this is a traditional bid and the plan is to auction the cars for more money.
- Mayor Mercurio Appointment of Charles Case to the Historic Preservation Commission to finish a term ending the first Monday in April 2021, was unanimously approved
- A Motion by Trustee Lazickas, to Approve SBL# 175.00-2-8.1 11 Beach Road to obtain municipal water as an out of district user, was seconded by Trustee Kimmel-Hurt, was unanimously approved.
  - Trustee Lazickas noted this is the odd lot at the corner of Beech and Center.

#### **DEPARTMENT HEAD AND TRUSTEE REPORTS**

- Police – Chief Krieger said they are doing interviews to replace their 16<sup>th</sup> position. The Department is also getting ready for July 3<sup>rd</sup> for the fireworks and the parade on July 4<sup>th</sup>.
- Code- Code Enforcer Bill Kramer said the clean up at 41 Hamlin is done and there have not been many complaints. He also talked about the goat issue and that they sent a notice of violation to the property owners. The property owners then filled out an application for a goat permit to be approved. If the permit is not approved at the next Village Board on July 15<sup>th</sup> then they will send out another notice of violation.
- DPW- Matt said they are set to pave July 15<sup>th</sup> and July 16<sup>th</sup>. The DPW put flower boxes out this past week and they hope to clean up tree beds, so business owners can plant

flowers. Mayor Mercurio noted all the hard work Karen Lee has done to help get this done with volunteers and business owners.

- Administrator – The Administrator had another cyber training with FEMA and the Village will be looking at what we will do to get better Cyber Security Insurance. On 7.31.19 there will be a renewal meeting with Vanner and she mentioned the cost savings of Disability Insurance. The Administrator attended a “4<sup>th</sup> of July” meeting and said there would be ten designated recycling bins. She has been working with the DPW of the Town who is also working with ACES to make sure those recycle bins are emptied during the day. She has also talked to AMR to provide an Ambulance for the event.
- Clerk -Treasurer – None
- Trustee Lazickas – None
- Trustee Kimmel Hurt – None
- Trustee Cameron – None
- Trustee Scheer – Trustee Scheer asked who removes the garbage on Main because he had a concern of the garbage cans over flowing. The Administrator said it is Modern and they collect it on Tuesday’s and Friday’s. Trustee Scheer also noted that his out of town family from Germany had commented on how much they loved East Aurora.
- Trustee Schoeneman- Trustee Schoeneman gave a personal thank you to Lt. Dustin Waldron who helped assist her onto the Ambulance on Monday morning. She commented on how professional he was, and that AMR was wonderful as well.
- Trustee Porter – Trustee Porter asked for an update on the goats on the property on South Grove. Mayor Mercurio replied that the public discussion for the goats would happen at the next Village Board meeting.
- Mayor Mercurio- The Mayor spoke about the Zoning Meeting from last Monday that lasted over 3 hours. The Mayor commented on the Roycroft festival being great. He talked to the Tennis Courts being worked on to get them up and running again. Hamlin Park will be worked on and early next week they will put down top soil for the parking. The Mayor spoke about Modern and concerns from patrons about the garbage pickup time change. The Administrator commented that Joe Hickman has been putting in a good effort to make Modern aware as issues have risen. Lastly, he brought up Friends of Hamlin Park is being worked on to get that set up and will schedule a meeting in early August.

## **SPEAKERS & COMUNICATIONS (II)**

- John Becker-267 Parkdale Ave- Mr. Becker brought up the Boy Scouts as a suggestion for help with the work along Main Street. The Mayor commented the Boy Scouts would be there.
- Joe Lawless- 524 Girard- Mr. Lawless recently moved back to EA and bought a house that needs work on but wants to add a 2-car garage. They need to remove a tree and have worked with Matt from DPW, Village Arborist and Bill from the Town. It is a recommendation that the town should be taken down and has been brought to the Village Tree Board who voted against it. He noted that taking this one tree down will help reserve three other trees plus be able to plant another one. Mr. Lawless is asking the Board to keep this on their radar to try and earn their support for the removal of the tree. Trustee Schoeneman asked Mr. Lawless if the removal of this tree was to widen his driveway. Mr. Lawless responded that they cannot park their car in the current driveway and easily open their car doors to get themselves and their children out. The

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Administrator asked Mr. Lawless to give his information to her and that she was aware of this and will put it on the next Agenda for July 15<sup>th</sup>.

**ADJOURNMENT**

A Motion was made by Trustee Cameron to adjourn the meeting at 7:55pm. Seconded by Trustee Schoeneman and unanimously carried.

Respectfully submitted,

Maureen Jerackas  
Clerk-Treasurer