

**AGENDA**  
**Village Board of East Aurora**  
**December 2, 2019 Regular Meeting at 7 p.m.**

**1. CALL MEETING TO ORDER**

- A. Pledge of Allegiance
- B. Roll Call
- C. Approval of Minutes of Village Board Meeting for November 18, 2019
- D. Approval of Payment of Abstract(s): Voucher Nos. 59172-59208 for a total of \$15,559.81

**2. SPEAKERS & COMMUNICATIONS (I)**

**3. OFFICIAL CONSIDERATIONS**

- A. Consideration to set a public hearing for 33 Elm Street Kornerstone Café and Juice bar expansion on January 6, 2020
- B. Consideration to Approve budget modifications on the 2019-2020 budget
- C. Consideration to Approve the Resolution as written to reopen section 384-D of retirement and Social Security Law for Dustin Waldron.
- D. Consideration to Approve a Resolution as written in support of Proposed legislation S.6844 to restore AIM Funding in Erie County

**4. DEPARTMENT HEAD REPORTS**

- A. HPC Boice Lydell property discussion

**5. OAKWOOD UPDATE**

**6. SPEAKERS & COMMUNICATIONS (II)**

**7. ADJOURNMENT**

**VILLAGE OF EAST AURORA  
VILLAGE BOARD MEETING  
November 18, 2019 –7:00 PM**

**Present:**

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

**Absent:**

Trustee Schoeneman

**Also Present:**

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

A Motion by Trustee Porter to approve the Village Board minutes of November 4, 2019, seconded by Trustee Kimmel-Hurt and carried with unanimous approval.

Trustee Cameron moved to approve the Payment of Abstract(s) for:

Voucher Nos. 59119-59171 for a total of \$1,203,792.88

Seconded by Trustee Porter and unanimously carried.

**PUBLIC HEARINGS**

- A Motion by Trustee Porter to open a public hearing at 7:02PM to Consider the development plan application from Deacon & Cassandra Tasker proposing to open an ice cream shop at 431 Main Street, was seconded by Trustee Scheer and carried with unanimous approval. On a motion by Trustee Porter seconded by Trustee Lazickas the public hearing was closed at 7:03PM.
  - The owners of 431 Main Street are happy to answer any questions. The Board asked when they would be open and the Tasker's responded to be open by late Spring.

## **SPEAKERS AND COMMUNICATIONS (I)**

- Jay Diperno-Elm Street Bakery owner- Jay apologized to the Board that he was misquoted in the Newspaper. He was referring to the Elm St and Riley St situation from 2016. On December 1<sup>st</sup> at Wallenweins from 1pm to 7pm, they will be doing an event to promote businesses that are struggling from the Oakwood Project. It will be called “Mud, Sweat and Beers.” There will be three bands and any businesses in Oakwood Plaza may participate with selling gift cards. This event is to also promote civic engagements.
- Sarah Esborn-707 Main St business owner- Sarah asked when the removal of snow on the sidewalks would begin because last week they weren’t, and kids couldn’t go to school. The Superintendent replied that they cleared the snow from the sidewalks. He said the issue with school being closed had nothing to do with the Village or the condition of the sidewalks being cleared off. He said the DPW clears the sidewalks when there are 4 or more inches of snow and the equipment and man power is available. The Mayor spoke that the sidewalks are the responsibility of the business owners.
- TJ Crow- Main Street- He walks up and down Main Street and he said businesses aren’t taking care of anything; the businesses are inconsistent. He said he doesn’t rely on the plow for clearing the sidewalks he clears his own.
- The Mayor said the sidewalk plow is an extra service provided as ultimately the sidewalks are the businesses owners responsibility.
- Mark Mann-1667 Emery- Mark told the Board that he would like his zoning changed and feels its wrong. The Mayor said this will be handled during the zoning portion.

## **OFFICIAL CONSIDERATIONS**

- **Return of Unpaid 2019-2020 Village Taxes**

Trustee Cameron offered the following resolution and moved for its adoption:

**WHEREAS** the Board of Trustees of the Village of East Aurora levied real property taxes against all assessable real property in the Village to meet local government requirements for the 2019-2020 fiscal year, and

**WHEREAS** the Village Clerk Treasurer of the Village of East Aurora has submitted a list of unpaid Village taxes for said year after servicing actions, and

**WHEREAS** the Village of East Aurora desires the Erie County Department of Real Property Tax Services to enforce the collection of delinquent Village taxes,

**NOW THEREFORE BE IT RESOLVED** that the attached list of delinquent real property taxes, representing Forty-Eight (48) parcels and totaling \$86,889.02 be submitted to the Erie County Department of Real Property Tax Services for relevy and subsequent reimbursement to the Village of East Aurora.

The foregoing resolution was seconded by Trustee Porter and unanimously carried.

- The Clerk-Treasurer said this is the year end taxes that were not paid and now being sent to the County.
- **RESOLUTION OF THE VILLAGE OF EAST AURORA OF A DETERMINATION OF NONSIGNIFICANCE  
PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW  
ACT IN THE MATTER OF THE APPLICATION FOR DEVELOPMENT PLAN FOR A RENOVATION, ADDITIONS AND IMPROVEMENTS IN THE REMOVAL AND REPLACEMENT OF A DOOR AND WINDOW ON THE SECOND FLOOR DECK OF AN EXISTING BUILDING KNOWN AS "RICK'S ON MAIN" LOCATED AT 685 MAIN STREET IN THE VILLAGE OF EAST AURORA**

**On a Motion by Trustee Lazickas:**

WHEREAS, the applicant has filed Part I of the Short Environmental Assessment Form with this Board, a copy of which is included by reference and made a part hereof, relating to the proposed removal and replacement of the present door and window on the second-floor deck with a four panel, sliding glass door consisting of two stationary panels and two sliding panels in the existing building located at 685 Main Street, East Aurora, New York, known as "Rick's on Main" all of which are shown on development plan submitted by applicant and incorporated herein; and

WHEREAS, the Erie County Division of Planning after carefully and fully reviewing a description of the proposed project, along with application, including the Development Plan attached thereto, with any and all amendments and modifications, as submitted by the Village Clerk Treasurer, replied in writing it had "No recommendation; proposed action has been reviewed and determined to be of local concern"; and

WHEREAS, the Village Planning Commission after carefully and fully reviewing the application, including the Site/Development plan attached thereto, with any and all amendments and modifications, and considering comments and documentation presented for and against the project; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Part I of the Short Environmental Assessment form submitted by applicant including the Development Plan attached thereto, and the above-referenced amendments and modifications; and

WHEREAS, the SEQRA Intake Committee carefully and fully considered the discussions, comments and documentation presented for and against the project reflected in the minutes and attachments thereto of the Village Board meetings; and the minutes of the Village Planning Commission meetings with comments and recommendation, with conditions thereto, and the reply of Erie County Division of Planning; and

WHEREAS, the Village SEQRA Intake Committee after their review of the above prepared a draft Part II of the Short Environmental Assessment Form with a recommendation of the issuance of the Negative Declaration of environmental significance for submission to, and consideration by, the Village board; and

WHEREAS, the Village Board of Trustees upon taking an independent hard look and reasoned evaluation of the above-referenced information, comments and written documentation, including, but not limited to, Part I of the Short Environmental Assessment Form; comments and recommendations of the Planning Commission, the site/development plan; reply of Erie County

Division of Planning; minutes of the Village Board meeting and public hearing wherein the project was discussed; and the recommendation of the SEQRA Intake Committee and that Committee's completed Part II and Part II a of the Short Environmental Assessment Form concerning the potential environmental impact of the project; all of which are incorporated by reference herein; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information, comments and written documentation in regard to the project, made a finding that there are no significant environmental impacts,

NOW, THEREFORE, be it RESOLVED, that the Village Board of East Aurora as lead agency has determined that the proposed action described in the Short Environmental Assessment Form, submitted by the applicants, with regards the proposed development plan for the renovations, additions, and improvements relating to the proposed removal and replacement of the present door and window on the second-floor deck with a four panel, sliding glass door consisting of two stationary panels and two sliding panels in the existing building located at 685 Main Street, known as Rick's on Main for the development plan have been filed and are herein included and incorporated herein by reference, will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The following resolution was seconded by Trustee Porter, with unanimous approval.

- RESOLUTION OF THE VILLAGE OF EAST AURORA APPROVING THE DEVELOPMENT

PLAN REGARDING THE REMOVAL AND REPLACEMENT OF THE DOOR AND WINDOW TO THE SECOND FLOOR DECK OF THE EXISTING BUILDING KNOWN AS "RICKS ON MAIN" AT 685 MAIN STREET IN THE VILLAGE OF EAST AURORA WHEREAS, AN APPLICATION HAS BEEN SUBMITTED FOR Development Plan approval at the above referenced property, and

**On a Motion by Trustee Lazickas**

WHEREAS, the Planning Board of the Village of East Aurora having considered the application and submitted a recommendation for approval to the Village Board, with any stated conditions to that recommendation; and

WHEREAS, the Village's SEQRA Intake Committee considered the application and reviewed Part 1 of the Short Environmental Assessment Form submitted by the applicant and completed Part 2 and Part 3 thereof on behalf of the Village, and it was the determination of the SEQRA Committee that the proposed development plan would have no significant environmental impact; and

WHEREAS, the Village Board held a public meeting which were properly noticed to the public and reviewed and considered further the comments and all written materials submitted by the applicant and all other information and recommendations before the Board; including minutes of prior Village Board meetings, and minutes of the Village Planning Commission whereat the development plan was discussed, along with recommendations of approval by Planning Commission and recommendation of the SEQRA Intake Committee; and

WHEREAS, the Village Board received and considered the application for Development Plan Application with regards the above referenced renovations, additions, improvements, and any

and all amendments thereof, in the removal and replacement of the door and window to the second-floor deck of the existing building at 685 Main Street, East Aurora, New York; and

WHEREAS, The Village Board, as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA) has separately considered the environmental impacts of the project and issued a Negative Declaration of environmental significance.

NOW, THEREFORE, be it RESOLVED, by the Village Board as follows:

1. The recommendations of the Planning Board; and the Findings of Fact of the SEQRA Intake Committee; and the site/development plan including the above referenced improvement rendering filed with the Village; all information included in the minutes taken in relation to the above-mentioned Village Board meetings, are attached and incorporated herein by reference.
2. The resolution of the Village Board, acting as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA), and upon the determination said application for Development Plan approval is an unlisted action, after considering the environmental impacts of the project and the issuance of a Negative Declaration of non-significance is attached and incorporated herein by reference.
3. Approval is granted for the Development Plan Application made by the applicant to remove and replace the door and window to the second-floor deck of the existing building at 685 Main Street, East Aurora, New York, as written and submitted. Should any part of the application and Development Plan approval be in conflict with any segment of the underlying Village Code (i.e. Zoning, etc.), adherence shall be with the Village Code provisions. The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Development Plan and its conditions. The nature, duration and intensity of the operations which are involved in, or conducted in connection with, this Development Plan shall not be increased or expanded without the approval of the Village Board. This Development Plan approval shall expire if meaningful construction has not been commenced within one year, and has not been completed within two years, of final Development Plan approval. This Development Plan approval may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the approved Development Plan. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the grantee who received Development Plan approval has violated the terms and conditions of the Development Plan or if any Village Code violations have occurred. The public hearing shall be held only after the grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the grantee by certified mail, return receipt requested, directed to the last known address of the grantee.

The following resolution was seconded by Trustee Porter, with unanimous approval.

- A Motion by Trustee Porter, to refer to the Application for Demolition of 273 Girard Ave, Neusty Development, to the Historic Preservation Commission, was seconded by Trustee Scheer, with unanimous approval.
- A Motion by Trustee Porter, to set a public hearing for the Special use permit for 695 Main Street, the Main Street Bakery, for December 16, 2019, was seconded by Trustee Lazickas, with unanimous approval.

- A Motion by Trustee Kimmel-Hurt, to grant a Temporary Use Permit to have an outdoor Holiday Vendor Market on 12.21.19 from 5PM-9PM by the MUSEJAR, was seconded by Trustee Lazickas, with unanimous approval.
- A Motion by Trustee Cameron, to approve the development plan application from Deacon & Cassandra Tasker proposing to open an ice cream shop at 431 Main Street, was seconded by Ernie Scheer, with unanimous approval.

## **DEPARTMENT HEAD AND TRUSTEE REPORTS**

### **A. Safety Committee**

- The Chief of Police reviewed his report with the questions regarding safety.
- The Mayor asked about eliminating one parking spot in front of The Boys and Club where vehicles can't see kids until the last minute, which could help improve safety. The Chief advises the children to cross with crossing guards.
- The Chief referred to the question about the cross walk at East Fillmore and Riley Street. He said this area is not well lit and would give a false sense of security at this area. People should be walking down to the light a little farther down on Main St. to cross.
- The Chief spoke to the topic from the Fire Department about the width of Linden where the median is only 16' feet which allows for 8ft of parking. The fire truck is 11.5' wide. The 11.5' plus 8' is not enough room to allow a fire truck to get down there. The Fire Chief, Greg Egloff spoke that snow and trees become an issue for the fire trucks. The town radians are also an issue especially for the ladder truck. The Safety Committee plans to look more into this.

### **B. Zoning Committee – received a letter for 200 and 210 Pennsylvania Ave about the rezoning of the property from MI to LCR in the new code.**

- Code Enforcement Officer Kramer said there are several properties that had a zoning change west of the tracks.
- The Mayor suggested the zoning for the properties be referred to Planning Commission.
- Mark Mann- was upset that he was not personally notified about the Zoning update. Code Enforcement Officer Kramer said the entire process for the Zoning update was posted as public notices in the Advertiser. The Mayor commented that there were three public meetings for the Zoning Code. Mark Mann feels that it was all wrong.
- DPW- The Superintendent said they have been picking up leaves, but the snow hindered them being able to finish yet.
- Police Chief- Chief Krieger said they have tried to help out with parking on Oakwood with 15-minute parking signs for voting tomorrow. There will be no parking on King St as it will be for any emergency vehicles if needed.
- Code- None
- Administrator- The Administrator spoke that they received a notice from the Town for Zoning of Building which will be across from Village properties. The intent is to be a party and wedding venue. The application is going through the process with the Town. Those who live on Mill to Fairlawn were notified. This is a very residential area and there

may not be enough space for parking. The Public Hearing is at 730 on Thursday at the Town.

- Clerk Treasurer– The Clerk Treasurer spoke about working on a shared service records grant with the Town.
- Trustee Lazickas – None
- Trustee Kimmel Hurt – None
- Trustee Cameron – None
- Trustee Porter-None
- Trustee Scheer- Trustee Scheer has spoken with some residents and has heard some positives and negatives about Oakwood Ave. He took out an add in the Advertiser for to encourage people to go to the businesses in the Oakwood Plaza. He is trying to communicate in his own way to hear how residents are feeling about the situation. Trustee Scheer attended the awards ceremony at the Roycroft.
- Mayor Mercurio- None

**OAKWOOD UPDATE-MAYOR spoke:**

- Added parking at end of Elm near Oakwood
- Mayor negotiated with property owner Todd Stine and made an agreement for lease at no cost to Village. The Clerk/Treasurer prepared a draft lease. This draft lease was reviewed by the Administrator and Attorney and then provided to Todd Stine.
- The Village Administrator worked with insurance broker, Vanner, to secure necessary insurance and signatures of Mayor and Todd Stine are secured to execute lease. The Lease agreement is effective Tuesday, November 12<sup>th</sup>
- DPW Superintendent Matt Hoeh obtains and installs signs in the lot denoting public parking
- Local business owner Ben Holmes works with local sign creator Tim Francis for large sign placed in lot urging persons to patronize Oakwood businesses, which the Village paid for this sign
- All persons on email and text alert list receive information that the new lot is available for parking
- The Administrator spoke: about the new system of providing email and text alerts with Oakwood updates is launched
- Postcards are sent via USPS mail to property owners on Oakwood and other surrounding streets in the construction area offering that persons can sign up to receive email and text alerts with updates on the Oakwood Project
- Oakwood Plaza businesses are included on email list and emails are sent to the Senior Center and Aurora Adult Day services asking that all patrons are alerted to the email and text alert system so that anyone interested may sign up
- As requests come in, the Village builds the email blast and text alert lists
- The first email blast and text alert is sent with information about the status of the construction project, the new parking area available and inviting all interested persons to the Village Board meeting on November 16<sup>th</sup> for further Oakwood updates
- Signage- The Administrator spoke:
  - Local business owner Ben Holmes works with local sign creator Tim Francis designing temporary signs to be placed around the Village, urging persons to patronize Oakwood businesses, which the Village paid for these signs
  - Village Administrator places signs in various strategic locations around the Village

- Village Administrator confirms that in-house signs made for detours to Oakwood Plaza and Wallenwein's and other area business remain in-place and intact – these were installed on Friday, November 1<sup>st</sup>
- Additional highway-style signs are ordered for detours to businesses in construction area and will be installed now and can be reused in the future
- Jerry Thompson's Oakwood Plaza signs remain in various locations to assist persons on a variety of route to get to the Oakwood Plaza.
- The Administrator also thanked the person who suggested the email and texting notice.
- GINO-Safety
- State safety officials inspected the construction area and cited a number of items needing to be addressed
  - The Administrator asked if this was the fencing and Gino said yes it went up.
  - Steve, the Engineer said his understanding from Gino was that there were 9 violations. 7 of them were minor taken care that day of inspection, and 2 were major that took another day to install the fencing. The inspectors told Gino they do a follow up inspection which happened, and the State was satisfied. The Mayor asked if all 9 were done.
- STEVE- Construction contract and segments of the bid plans and specs
  - Steve said in the contract, it indicates one-way traffic needs to be maintained. A pre-construction occurred after this, and they discussed there is no possible way between Olean and King St. to have an open lane. He said there are a number of utilities going in there which is the most complicated. Gino said sometimes they need to dig up the area multiple times. Gino said having a lane open would have prolonged the project, specifically if there was a lane open between Sycamore and Olean because of the large storm sewer that was installed. The Engineer said for the project in the Spring, they will be able to have one-lane open.
- GINO-Project update
  - Gino said they are boxing out the road and putting in water connections. Two water connections were done today, one at Elm St and the other at Savage Pl. There are three more minor connections to finish which are at Paine St, Sycamore Ave. and Park Pl. These will all be scheduled within the next week. There is curb being installed starting either Wednesday or Thursday, which they hope to have installed all the way to King St and completed by the end of this week.
  - There was a question asked about the intersection of Elm St. for the curb for the benefit on December 1<sup>st</sup> at Wallenwein's. Gino said there will probably be curbs up and roads grated but there will still be fencing up.
  - The Administrator asked what is coming up next. Gino said the curb should be done by the end of next week heading westward, and paving should happen the 1<sup>st</sup> week of December. He said this project was supposed to have lasted till December 20<sup>th</sup>. The Engineer corrected Gino and said it was supposed to be the 27<sup>th</sup> of November. The Engineer said not having sidewalks was a concession during the pre-construction meeting to see that they had provisions to get a grant through the State. Steve said this pushed back 3 weeks to the time when Gino could have started the project. Gino said this was his decision to not install or try to install sidewalks because of how late they started with the project.

- MAYOR-Proposal for shuttle for Small Business Saturday
  - The Mayor discussed an idea of Trustee Paul Porter for the Village to fund a shuttle for Small Business Saturday that will shuttle persons to many Village businesses, including the Oakwood area
  - The Administrator commented that if we use the same shuttle service that the Chamber of Commerce used in 2017, it was from Frist Student Short Bus. There is a \$50 cleaning fee and then it costs \$60 an hour.
  - Trustee Porter thinks this would be a smart idea for us because the route can go around the detour for Oakwood. If they agree this is a good idea, then they will need to figure out the hours.
  - The Mayor asked the opinion of any small business's owners attending the meeting. He suggested adding the Oakwood Plaza to the route.
  - Lynn Buss- Lynn said that if the shuttle bus was to happen, it needs to be highly publicized. She was also concerned on where people will park in order to take the shuttle if they shorten the route.
  - Trustee Kimmel-Hurt asked if they could negotiate with Fisher Price to open their parking lot.
  - The Administrator noted Gary Grote from the Chamber said Fisher Price does permit people to park in their lot for Small Business Sunday. They could also ask the Moose for parking on that day.

MAYOR-First meeting on Phase II construction

- The first public information meeting for Phase II beginning construction in 2020 is scheduled for 6 p.m., Monday, December 16<sup>th</sup> at the Middle School cafeteria. This is the same day as a Board meeting which will also take place at the Middle School at 7pm. Jason and Gino will both be there.

MAYOR-Open to floor for comments from the public

- David Torke-130 Geneva- David has seven points to make.
  1. First, he asked if there was a copy of violation from OSHA. The Administrator responded that the State Inspector would not give the list of the 9 violations. The Mayor asked Gino if he had the list of violations and he responded he did not.
  2. David talked about the contract with the Village and NOVA and he put it online on Facebook. He read page 8 of the contract. David asked Attorney, Bob Pierce if there was an addendum. The attorney said he didn't know and would need to look into that as soon as he can.
  3. David said the other night he walked by the old Fire Hall and spoke to the towing company who said two cars a day are being pulled out of the mud.
  4. Then he commented about Wallenwein's about a patron who had fallen and hurt his head the other night and was being taken to the hospital. He wanted to know how long the process takes. The Chief responded that it takes 17 minutes from the call to getting to the person and in route to the hospital.
  5. David asked if millings are supposed to be put in during a certain temperature. Gino Responded and said at 45 degrees.
  6. David asked who pays for the new asphalt.
  7. Lastly David asked about sidewalks and asked if the Village is paying for sidewalk snow removal or is NOVA.

- The Mayor asked Gino about the proper access to household driveways. Gino said during the course of construction it is not a possibility for access to driveways.
- Gino said the hotel up the road agreed to let people use their driveway for a couple weeks and the hotel had told him it was not a problem. The Mayor responded that this is a business that has an additional entrance, but what about the residents who only have one driveway. The Mayor asked if there is anything they can do.
- The Engineer spoke about plans and specific specifications from the government.
- The Mayor asked Gino about curbs and when can residents plan to access their driveways. Gino said after the paving which is the 1<sup>st</sup> week of December. There is a 6" lip right now hindering them from paving.
- The Mayor asked whose responsibility it is for the removal of snow on the sidewalks. The Engineer replied that the additional insure for the Village will allow for the Village to plow or do anything else in that area. He said standard practice is if the road or sidewalks are paved, then the Village plows and if not paved then the contractor does it. The Mayor said he spoke with the Superintendent who will make sure the guys at the DPW stayed on top of the plowing from Olean to Savage Place. The Mayor asked about the 1-2 lanes being accessible. Steve, the Engineer, said there are three different utilities in one small section. Steve said they need to do all this at once in this section. Gino commented that he's never had a contract where they had to plow a paved road during a project.
- The Mayor asked who is responsible for replacing the asphalt if it turns cold and something happens to it. Steve replied that they are putting down a binder and, in the spring, Gino can roll the tack coat or fill if needed before the final coat. Steve said there is some additional cost to fix it.
- John Trendell-6 Woodbrook Drive- John had two questions regarding the contract and the schedule. Per the contract it was to take place from Olean to Walnut, not to Park Pl. Liquidated damages per the contract were pertaining to every day not business days. Regarding the schedule, the project is designed for 30 years and doesn't agree that the asphalt plan is correct needing 45-degree weather. He said there is no way the subbase will be compacted properly. The Mayor asked Steve to share the email from Jason on detail concerning subbase. Steve shared how they test with subbase gravel. Steve said the mud pit hasn't had subbase put in yet. John said the \$500 a day should start on Saturday morning.
- Sherry Mendola-550 Oakwood Ave- Sherry said she hasn't seen the road so bad. She has not been in her driveway for 6 weeks. She challenged everyone to carry their groceries for 5-6 houses every day. She also has a hard time to find a place to park on Sycamore. She sees cars going down the road even though there are "road closed" signs put up and then they get stuck. Garbage pickup is a disaster and last week the Village came to pickup her garbage. The orange fencing hinders her to be able to rake leaves and be picked up along with her brush. The Mayor commented that Sherry could park in the overflow parking at Immaculate and he would talk to Father Bob to help her situation. Sherry asked about emergency vehicles being able to access the road in an emergency. The Chief of Police spoke that they are prepared for any emergency. The Superintendent spoke to the

- garbage pickup and said it was easiest for them to come and pick up garbage than having Modern trucks get down the road. Sherry asked the timeline from King St to Park Pl. Gino said this would be completed by December 1<sup>st</sup>.
- Mark Mann-1667 Emery- Mark asked what the completion date is. The Engineer said July 31<sup>st</sup>, 2020 as substantial completion. Mark is worried about the concrete curbs and asphalt, so he asked the Attorney what the recourse is. Attorney, Bob Pierce answered that each situation has to be looked at and then decided. The Engineer said if there are cracks everywhere, this is not acceptable, and this is why the Engineer is there to inspect it. He also said that concrete can be poured at 40 degrees down to 32 degrees.
  - Kurt Almond-11 Walnut- Kurt is concerned about the weather and putting in concrete.
  - Jerry Thompson-Asked about when the asphalt goes in, will it be drivable? Gino said it will be.
  - Shaun- He spoke about the Boys and Girl's club and asked if the bus can pull down Paine to unload kids. The Chief responded that this is not a safe idea and spoke about the bus company policy.
  - David Torke-130 Geneva- David's questions regarding when he asked for the list of violations and was told no, he wants to know what the Mayor will do. The Mayor responded that he will speak to his Legal representation and see if it is something he can inquire and share.
  - Tony Rosati-350 Oakwood- Tony asked about the circle at Mill Road and when the DOT is supposed to respond. The Administrator will follow up to see when we will find an answer.
  - Ed Smith-578 Oakwood- Ed asked about the water and what the subcontractor was looking for last week. He would like to know if his section is done with water shutoff. Gino responded yes. Ed asked about signs and how they can block off roads. Gino responded that some of the driveways that have been put in which can be used.
  - Sarah Ashborn- She asked if the road is closed or open. The Mayor asked Gino if the road was closed completely, will it go faster? Gino said he believes it would. Sarah and other residents have seen the barricades that close off the street being moved by people. The Chief responded that if the street completely closes with no access, then the police officers will write tickets for any cars that go down that road or get stuck.
  - Jerry Thompson- asked if there would be another meeting for Oakwood. The Mayor said this would continue at the next Board meeting on December 2<sup>nd</sup>.
  - Brian Grace-42 Paine- Brian spoke about the Boys and Girls club said the busses are always an issue on Paine St. The busses turn in the driveways and they need to go elsewhere. The Mayor asked Brian for his contact information.
  - David Torke- asked if the streets are open or closed. The Mayor responded that they will review if the road should be closed permanently during the construction.

## **EXECUTIVE SESSION**

- On a motion by Trustee Lazickas Seconded by Trustee Cameron an Executive Session on a pending legal matter was opened at 8:56 pm in order to discuss a legal matter with the Attorney.
- On a motion by Trustee Lazickas, seconded by Trustee Porter the Executive Session was closed at 9:53pm.

The board agreed to get the bus for the Small Business Saturday and discussed a route for the hours of 10Am-5PM. The Village will also try to publicize.

It was noted that Clerk-Treasurer spoke with the Applicant for Rosie's 431 Main Street and they are aware that they still need approval from planning and will come back before the board for SEQRA and official resolution of approval.

**ADJOURNMENT**

A Motion was made by Trustee Schoeneman to adjourn the meeting at 10:15pm. Seconded by Trustee Kimmel-Hurt and unanimously carried.

Respectfully submitted,

Maureen Jerackas  
Clerk-Treasurer



**Village of East Aurora  
12/2/19 Abstract Report Nova**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	59179	ACCELA, INC.	11/20/2019	INV-ACC49322	\$788.00	Oracle Forms and Reports- Termdate: 6/1/19-5/31/2020	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	Oracle Forms and Reports	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS	\$475.00					
		2	Oracle Standard Edition One	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS	\$313.00					
<b>Total vouchers for ACCELA, INC.: 1</b>					<b>\$788.00</b>						
BANK OF HOLLAND GEN CHECK - 00100	59173	ARNOLD MARY ANN	12/02/2019	11141519	\$60.40	Mileage reimbursement for NYGFOA Accounting Workshops at GCC November 14-15, 2019	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	Mileage reimbursement for NYGFOA Accounting Workshops at Genesee Community Collage on November 14-15, 2019. 30.2 miles each day x \$0.58	A.5.1325.0440	VILLAGE ADMINISTRATOR - TRAINING, TRAVEL & DUES	\$60.40					
<b>Total vouchers for ARNOLD MARY ANN: 1</b>					<b>\$60.40</b>						
BANK OF HOLLAND GEN CHECK - 00100	59195	BARTON & LOGUIDICE	11/19/2019	107207	\$581.25	Services provided thru October 26, 2019	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	Edits to the draft zoning code and map; project communication & coordination.	A.5.8020.0410	PLANNING COMMISSION - CONTRACT SERVICES	\$581.25					
<b>Total vouchers for BARTON &amp; LOGUIDICE: 1</b>					<b>\$581.25</b>						
BANK OF HOLLAND GEN CHECK - 00100	59182	Blue Tarp Financial Inc.	10/30/2019	43555196	\$1,899.97	Garage Heaters	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1		A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS	\$1,899.97	2020000181	10/30/2019			
<b>Total vouchers for Blue Tarp Financial Inc. : 1</b>					<b>\$1,899.97</b>						



**Village of East Aurora  
12/2/19 Abstract Report Nova**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	59206	CREATIVE PRODUCT SOURCING	12/02/2019	129166	\$904.75	DARE items	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	DARE items		A.5.3120.0495	POLICE DEPARTMENT - DARE PROGRAM		\$904.75			
Total vouchers for CREATIVE PRODUCT SOURCING: 1					\$904.75						
BANK OF HOLLAND GEN CHECK - 00100	59186	CUSTOM TRUCK ONE SOURCE	10/29/2019	922710	\$711.97	Bucket Truck Inspection	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$711.97	2020000180	10/29/2019	
Total vouchers for CUSTOM TRUCK ONE SOURCE: 1					\$711.97						
BANK OF HOLLAND GEN CHECK - 00100	59187	CYNCON EQUIPMENT INC	11/12/2019	81951	\$423.33	#512 motor/solenoid	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$423.33	2020000200	11/07/2019	
Total vouchers for CYNCON EQUIPMENT INC: 1					\$423.33						
BANK OF HOLLAND GEN CHECK - 00100	59185	DELACY FORD	10/25/2019	FOCS216040/214553	\$127.82	tire pressure monitor/EAPD vehicle service-alignment	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$127.82	2020000201	11/07/2019	
Total vouchers for DELACY FORD: 1					\$127.82						
BANK OF HOLLAND GEN CHECK - 00100	59191	EAST AURORA AUTO PARTS	11/20/2019	502237-505738	\$1,482.05	Nov 2019- DPW/EAPD/EAFD	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	



**Village of East Aurora  
12/2/19 Abstract Report Nova**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
				1	A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$409.18	2020000185		11/01/2019
				2	A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$710.60	2020000185		
				3	A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$362.27	2020000185		
Total vouchers for EAST AURORA AUTO PARTS: 1					\$1,482.05						
BANK OF HOLLAND GEN CHECK - 00100	59188	EAST AURORA LOCKSMITH	11/14/2019	6582	\$104.85	DPW garage keys and padlocks	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	DPW garage keys and padlocks	A.5.1490.0420	PUBLIC WORKS ADMINISTRATION - MAINTENANCE & REPAIRS	\$104.85					
Total vouchers for EAST AURORA LOCKSMITH: 1					\$104.85						
BANK OF HOLLAND GEN CHECK - 00100	59184	FLEETPRIDE, INC.	10/21/2019	38225187	\$68.82	leaf machine cable	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1		A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$68.82	2020000174	10/21/2019			
Total vouchers for FLEETPRIDE, INC.: 1					\$68.82						
BANK OF HOLLAND GEN CHECK - 00100	59183	GENERAL WELDING &	11/20/2019	224662/224102 /223006	\$336.60	#511 bumper rebuild; Plow repair parts	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1		A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$336.60	2020000158	10/02/2019			
Total vouchers for GENERAL WELDING &: 1					\$336.60						
BANK OF HOLLAND GEN CHECK - 00100	59194	IBS OF GREATER BUFFALO	08/29/2019	182866-182867	\$357.85	DPW batteries/core charges & returns	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	DPW batteries/core charges & returns	A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$357.85					



**Village of East Aurora  
12/2/19 Abstract Report Nova**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
Total vouchers for IBS OF GREATER BUFFALO: 1					\$357.85						
BANK OF HOLLAND GEN CHECK - 00100	59178	JERACKAS, MAUREEN	11/15/2019	Mileage	\$42.92	Mileage reimbursement for M. Jerackas; Advanced Financial reporting GFOA Training	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	Mileage reimbursement for M. Jerackas; Advanced Financial reporting GFOA Training	A.5.1325.0440	VILLAGE ADMINISTRATOR - TRAINING, TRAVEL & DUES	\$42.92					
Total vouchers for JERACKAS, MAUREEN: 1					\$42.92						
BANK OF HOLLAND GEN CHECK - 00100	59193	LAKESHORE EMPLOYEE	11/11/2019	42982	\$800.00	Yearly drug testing contract for DPW	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	Yearly drug testing contract for DPW	A.5.1490.0440	PUBLIC WORKS ADMINISTRATION - TRAINING, TRAVEL & DUES	\$800.00					
Total vouchers for LAKESHORE EMPLOYEE: 1					\$800.00						
BANK OF HOLLAND GEN CHECK - 00100	59196	LOGICS	12/01/2019	19118	\$1,237.00	January 2020 monthly HOSTED fee.	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	January 2020 monthly HOSTED fee.	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS	\$1,237.00					
Total vouchers for LOGICS: 1					\$1,237.00						
BANK OF HOLLAND GEN CHECK - 00100	59197	MARTYN PRINTING & GRAPHICS, INC.	11/22/2019	31258	\$361.00	Village stationary.	2020	7	12/02/2019		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	2500 window envelopes and Letterhead paper.	A.5.1670.0403	CENTRAL PRINTING & MAILING - CENTRAL PRINTING AND MAILING	\$361.00					
BANK OF HOLLAND GEN CHECK - 00100	59204	MARTYN PRINTING & GRAPHICS, INC.	12/02/2019	00031233	\$12.00	15 minute parking signs	2020	7	12/02/2019		



**Village of East Aurora  
12/2/19 Abstract Report Nova**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
BANK OF HOLLAND GEN CHECK - 00100	59205	MARTYN PRINTING & GRAPHICS, INC.	12/02/2019	00031149	\$120.00	EAPD 2020 Day Book	2020	7	12/02/2019		
		1	15 minute parking signs		A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES		\$12.00			
		1	365 "Daily Sheets" for EAPD's 2020 Day Book, 1-Color Black on 1-side, plus laser dating each sheet. (Jan. thru Dec. 2020) & 2 predrilled holes, Each 5/16" diameter, spaced 8-1/4" apart.		A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES		\$120.00	2020000168	10/15/2019	
Total vouchers for MARTYN PRINTING & GRAPHICS, INC.: 3					\$493.00						
BANK OF HOLLAND GEN CHECK - 00100	59192	MUNICIPAL EMERGENCY SERVICES INC.	11/06/2019	1394966/13886 81/1891970	\$2,702.65	EAFD #2- HOSES/MASS REGULATORS & respirator pads	2020	7	12/02/2019		
		1			A.5.3410.0200	FIRE DEPARTMENT - EQUIPMENT		\$2,702.65	2020000163	10/07/2019	
Total vouchers for MUNICIPAL EMERGENCY SERVICES INC.: 1					\$2,702.65						
BANK OF HOLLAND GEN CHECK - 00100	59172	NOVA HEALTHCARE ADMINISTRATORS, INC.	12/02/2019	HRA Agreement- Nov2019	\$175.50	Monthly Administrative Fee of \$4.50 per Enrollee - 39 Enrollees	2020	7	12/02/2019		
		1	General Fund Active Enrollees - 26		A.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE		\$117.00			
		2	General Fund Retired Enrollees - 12		A.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIRES		\$54.00			
		3	Water Fund Retiree Enrollee - 1		F.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIRES		\$4.50			
Total vouchers for NOVA HEALTHCARE ADMINISTRATORS, INC.: 1					\$175.50						
BANK OF HOLLAND GEN CHECK - 00100	59207	NY ACADEMY FIRE SCIENCE	12/02/2019	V0032901	\$55.00	Course registration and Material fee for LT Welch Fire/Arson investigation.	2020	7	12/02/2019		
		1	Registration-NYS Resident--Course 01-		A.5.3120.0440	POLICE DEPARTMENT - TRAINING,		\$25.00	2020000137	09/25/2019	



Village of East Aurora  
12/2/19 Abstract Report Nova

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
			01-0018	Fire/Arson Investigation Seminar at NY State academy of Fire Science, 600 College Ave, Montour Falls NY		TRAVEL & DUES					
	2			Materials Fee	A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES		\$10.00	2020000137		09/25/2019
	3			Commuter Fee	A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES		\$20.00	2020000137		

Total vouchers for NY ACADEMY FIRE SCIENCE: 1 \$55.00

BANK OF HOLLAND GEN CHECK - 00100	59175	NYSEG	11/14/2019	1001-111-531	\$19.67	21 Elm St Signal; 10/11-11/8/19	2020	7	12/02/2019		
-----------------------------------	-------	-------	------------	--------------	---------	---------------------------------	------	---	------------	--	--

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	21 Elm St Signal; 10/11-11/8/19	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$19.67		

BANK OF HOLLAND GEN CHECK - 00100	59176	NYSEG	11/13/2019	1004-8515-430	\$21.24	400 Pine St. 10/9-11/12/19	2020	7	12/02/2019		
-----------------------------------	-------	-------	------------	---------------	---------	----------------------------	------	---	------------	--	--

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	400 Pine St. 10/9-11/12/19	A.5.1640.0431	CENTRAL GARAGE - ELECTRIC	\$21.24		

BANK OF HOLLAND GEN CHECK - 00100	59177	NYSEG	11/13/2019	1001-7273-243	\$25.48	ELECTRICITY USAGE-NEAR 650 GIRARD AVE.; 10/9-11/12/19	2020	7	12/02/2019		
-----------------------------------	-------	-------	------------	---------------	---------	---	------	---	------------	--	--

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	GIRARD AVE SIGNAL NYSEG ACCT NO 1001-7273-243	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$25.48		

BANK OF HOLLAND GEN CHECK - 00100	59198	NYSEG	11/19/2019	1001-1111-712	\$29.90	ELECTRICITY USAGE-PINE ST; 10/19/11/18/19	2020	7	12/02/2019		
-----------------------------------	-------	-------	------------	---------------	---------	---	------	---	------------	--	--

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	ELECTRICITY USAGE-ACCT 712-PINE ST	F.5.1620.0431	BUILDINGS - ELECTRIC	\$29.90		

BANK OF HOLLAND GEN CHECK - 00100	59199	NYSEG	11/19/2019	1001-1111-704	\$147.41	ELECTRICITY USAGE-PINE ST; 10/19-11/18/19	2020	7	12/02/2019		
-----------------------------------	-------	-------	------------	---------------	----------	---	------	---	------------	--	--

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
-------------	--------------------	----------------	---------------------	---------------	-----------	---------



**Village of East Aurora**  
**12/2/19 Abstract Report Nova**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
				1	400 PINE STREET NYSEG ACCT 1001-1111-704	A.5.1640.0431	CENTRAL GARAGE - ELECTRIC		\$147.41		
BANK OF HOLLAND GEN CHECK - 00100	59200	NYSEG	11/20/2019	1003-3707-877	\$25.18	ELECTRICITY USAGE-NEAR 163 MAIN ST @TRAFFIC CIR.; 10/19-11/19/19	2020	7	12/02/2019		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>
				1	CIRCLE NYSEG ACCT NO 1003-3707-877	A.5.5182.0431	STREET LIGHTING - ELECTRIC		\$25.18		
BANK OF HOLLAND GEN CHECK - 00100	59201	NYSEG	11/20/2019	1003-3707-893	\$18.60	ELECTRICITY USAGE - BUFFALO RD @ GREY ST.; 10/19-11/19/19	2020	7	12/02/2019		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>
				1	ELECTRICITY USAGE-BUFFALO RD @ GREY ST	A.5.5182.0431	STREET LIGHTING - ELECTRIC		\$18.60		
BANK OF HOLLAND GEN CHECK - 00100	59202	NYSEG	11/19/2019	1004-1637-827	\$405.02	ELECTRICITY USAGE AT 33 CENTER ST FIRE HALL; 10/19-11/18/19	2020	7	12/02/2019		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>
				1	33 CENTER ST FIRE HALL 1004-1637-827	A.5.3410.0431	FIRE DEPARTMENT - ELECTRIC		\$405.02		
Total vouchers for NYSEG: 8					\$692.50						
BANK OF HOLLAND GEN CHECK - 00100	59181	SITEONE LANDSCAPE	11/18/2019	81536683	\$102.00	Snow Shovels	2020	7	12/02/2019		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>
				1		A.5.5142.0470	HIGHWAY SNOW REMOVAL - DEPARTMENTAL SUPPLIES		\$102.00	2020000207	11/18/2019
Total vouchers for SITEONE LANDSCAPE: 1					\$102.00						
BANK OF HOLLAND GEN CHECK - 00100	59189	TRI-R MECHANICAL SERVS.	11/07/2019	15307	\$158.00	Quarterly Maintenance/Service per contract	2020	7	12/02/2019		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>
				1	Quarterly Maintenance/Service per contract	A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$158.00		



Village of East Aurora  
12/2/19 Abstract Report Nova

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
Total vouchers for TRI-R MECHANICAL SERVS.: 1					\$158.00						
BANK OF HOLLAND GEN CHECK - 00100	59174	Verizon-Local Svc.	11/06/2019	Monthly phone charge	\$938.72	Verizon Local Service; 11/7-12/6/19	2020	7	12/02/2019		
	<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
	1	716-652-6000 Front office-Clerk's		A.5.1325.0434	VILLAGE ADMINISTRATOR - TELEPHONE	\$234.17					
	2	716-652-6057 DPW		A.5.1490.0434	PUBLIC WORKS ADMINISTRATION - TELEPHONE	\$109.89					
	3	716-N73-1487 Data Private Line Between Village Hall & DPW		A.5.1490.0434	PUBLIC WORKS ADMINISTRATION - TELEPHONE	\$91.24					
	4	716-652-111 Police		A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$310.42					
	5	716-N73-1438 Radio Transmitter Police Station to Boces/Ormsby Center (1010 Center St.)		A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$165.51					
	6	716-652-0319 Fire Hall Elevator (33 Center St)		A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE	\$27.49					
Total vouchers for Verizon-Local Svc.: 1					\$938.72						
BANK OF HOLLAND GEN CHECK - 00100	59180	W.B. MASON CO., INC.	11/14/2019	205013444	\$60.44	EAV Office supplies	2020	7	12/02/2019		
	<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
	1	Wireless mouse		A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$39.99					
	2	Battery		A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$3.99					
	3	Wrist rest		A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$16.46					
BANK OF HOLLAND GEN CHECK - 00100	59208	W.B. MASON CO., INC.	11/26/2019	Multiple VEA invoices	\$51.97	VEA office supply and water.	2020	7	12/02/2019		
	<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
	1	Invoice #205342992-VEA water cooler		A.5.1620.0433	BUILDINGS - WATER	\$5.99					
	2	Invoice #205293740-Address labels		A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$45.98					
Total vouchers for W.B. MASON CO., INC.: 2					\$112.41						





Village of East Aurora  
 12/2/19 Abstract Report Nova

**Posted Batch Totals**

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A	GENERAL FUND	\$0.00	\$15,525.41	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,525.41
F	WATER FUND	\$0.00	\$34.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$34.40
<b>Posted Batch Grand Totals</b>		<b>\$0.00</b>	<b>\$15,559.81</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$15,559.81</b>



Village of East Aurora  
12/2/19 Abstract Report Nova

\*\*\*\*\* Certificate of Financial Officer \*\*\*\*\*

I hereby certify that the attached Voucher Listing is complete and accurate to the best of my knowledge, and payment is hereby approved.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**VILLAGE OF EAST AURORA**  
 571 Main Street, East Aurora, New York 14052  
 716-652-6000  
 In conjunction with  
**Town of Aurora Building Department**  
 300 Glead Ave, East Aurora, NY 14052  
 716-652-7591

Building Dept:	
Date Received	<u>11/20/19</u>
Complete App	_____
Village Clerk:	
Date Filed	_____
Amount \$	_____
Receipt #	_____

**SPECIAL USE PERMIT APPLICATION**

PROPOSED PROJECT Expansion of Korrostone Cafe & Juice Bar SBL#: 176.05-1-4  
 LOCATION 33 Elm St E Aurora NY 14052 ZONING DISTRICT NC

The applicant agrees to reimburse the Village for any additional fees required for consultant's review.

APPLICANT NAME JAMIE DIAMERD  
 ADDRESS 472 Montrose Ave Buffalo NY 14223  
 TELEPHONE 716-348-2232 FAX \_\_\_\_\_ E-MAIL jamie@korrostonecoffee.com  
 SIGNATURE [Signature]

OWNER NAME 33 Elm St LLC c/o Lisa Hening  
 ADDRESS 39 Clarendon Pl Buffalo NY 14209  
 TELEPHONE 716-725-1269 FAX \_\_\_\_\_ E-MAIL lhening@aol.com  
 SIGNATURE [Signature] LANDLORD

DEVELOPER NAME SELF  
 ADDRESS \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
 SIGNATURE [Signature]

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- One (1) – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-52.2
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD Rom.
- Application fee \$25.00, Permit fee \$25.00, and Public Hearing fee \$100.00 – Total \$150 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date \_\_\_\_\_

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:  
 Type 1    Type 2    Unlisted

VILLAGE BOARD ACTION:

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.



# KORNERSTONE COFFEE

---

November 12, 2019

To: Planning Board/Building Department of the Village of East Aurora

Re: Proposed Expansion of Kornerstone Cafe & Juice Bar @ 33 Elm St.; East Aurora

Kornerstone Cafe & Juice Bar has been a part of the community of the Village of East Aurora since December 11, 2016 and we are so very grateful for the warm welcome we received and the opportunity we've had to serve the community our variety of health menu items and freshly roasted coffee beans.

As a new cafe owner in 2016, I planned on a modest output of coffee, juice and food items on a relatively small scale. Since then, the incredible support of the community has encouraged me to increase our menu offerings and employ more local staff to accommodate the demand for healthy, quality items. We've found that the current space has proved difficult in creating an efficient kitchen production plan. Thus, when the space next door to us became available we were thrilled with the opportunity to expand our cafe.

As you know the former tenant for the proposed new space was a full service restaurant with seating of approximately 46 people. We do not plan to substantially change the use or design of this space, though we do plan on slightly decreasing the amount of seating. In addition, due to the large kitchen area that is already set up and functional in the proposed space, we are excited to offer kitchen time to other small local businesses who may need access to commercial kitchen space.

**Highlights of the proposed expansion are as follows:**

- ◆ The "bar" and seating area in current space will remain exactly as is.
- ◆ The new space will have flooring and paint to match the current space, including an additional mural by local artist Alixandra Martin.
- ◆ The wall between the current and proposed expansion space will be partly removed, only in non-structural drywall-only areas, as detailed in the attached diagram.
- ◆ The "bar" from the current space will be continued on the new side of the space in order to create continuity.

- ◆ Seating in the new side will be lower in volume than that of the former tenant, with a proposed seating of 40 (including the outdoor patio)
- ◆ Within the dining area we plan to offer space to another small business (and producer of our current baked good offerings), Blue Eyed Baker, to have a display case of their fine handmade baked goods.
- ◆ The kitchen will remain as it currently is from the former tenant, with minor modifications of table/equipment placement, etc.

**Details:**

- ◆ Proposed permitted hours of operation are Daily 6am - 11pm (though at this time we plan to close at 7pm and all day on Tuesday unless during special events )
- ◆ Maximum seating capacity proposed for the entire space is 70 (with a planned use of 61)
- ◆ Number of employees proposed is 4 full time and 15 part time (with a current staff of 2 FT and 13 PT at this time)
- ◆ Based on our proposed usable area of 2000 sq ft, we would be required to have 8 parking spots. We would have 6 available spots in the driveway located next to the patio (see diagram). In addition, our landlord has designated use of two spots in the shared driveway between 31 and 33 Elm St.

**Environmental Impact:**

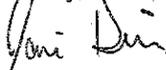
Kornerstone Cafe makes a concerted effort to be good neighbors and stewards of the environment. Throughout our 3 years in East Aurora we have purchased composting services from EcoVerde and recycling services from Republic Service in order to minimize the impact of our waste. We also make every effort to use environmentally sustainable containers, including straw-based carry out containers, paper straws and other available items. We currently offer reusable aluminum water bottles and reusable travel mugs with incentivizing discounts in an effort to encourage our guests to join us in sustainability efforts. We also encourage our guests to walk to our cafe, offering dog leash ties in front of our building and biscuits to canine companions. We plan to install a small bike rack near our patio in order to further encourage healthy activity, as well as decrease air pollution from automobile use. We will continue to pursue all of these efforts throughout and after our proposed expansion project.

**Summary:**

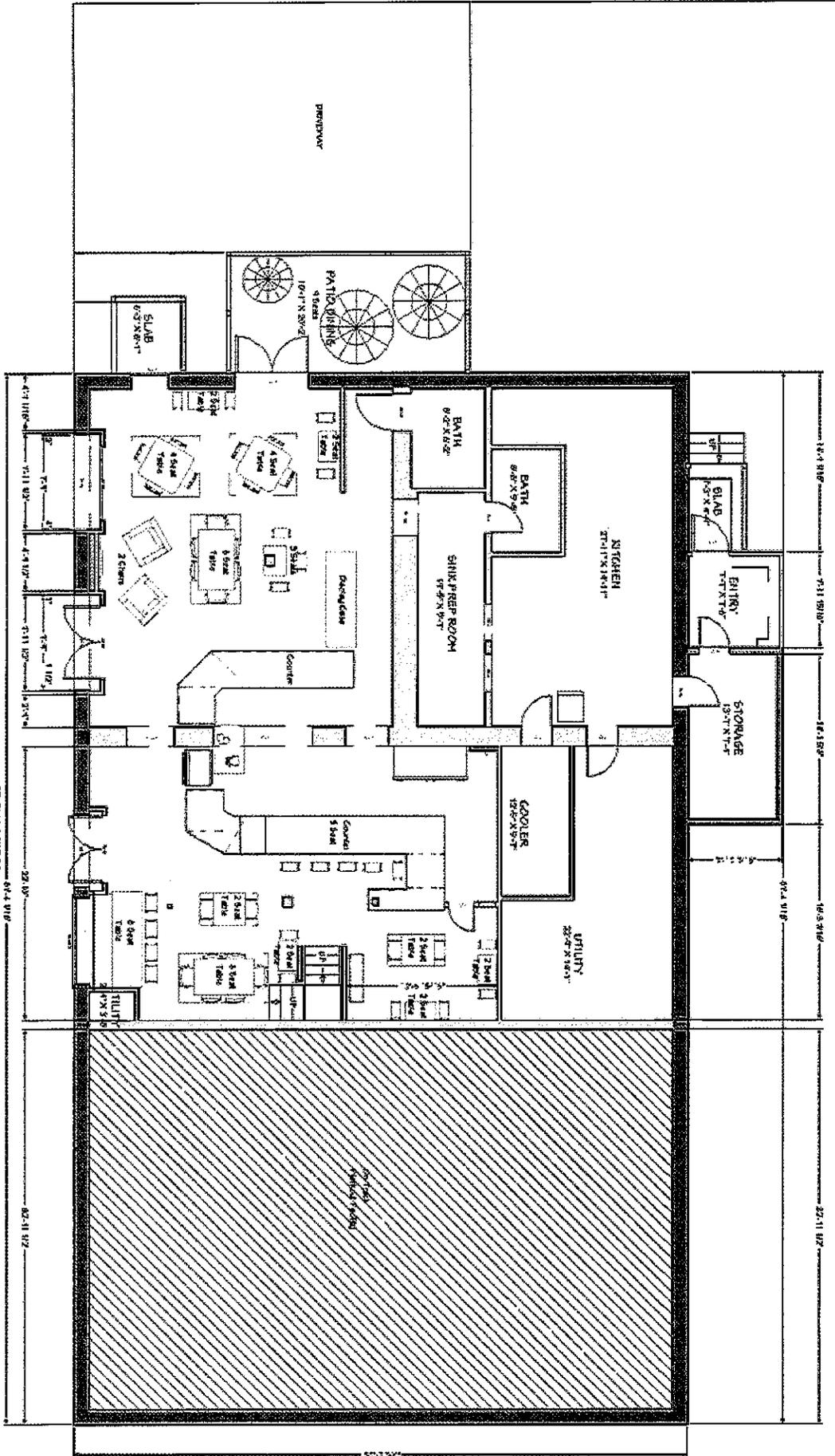
We feel we have been a positive presence in the Elm St neighborhood of the Village of East Aurora and hope to continue to be so as we expand our staff and seating area. Since we are not changing the use of the proposed area we hope that the proposed expansion will be acceptable to the Board.

Thank you for your time in this matter.

Sincerely,



Jamie Dinero,  
Owner of Kornerstone Cafe & Juice Bar



39 ELM STREET  
 KORNENSTONE CAFE & JUICE BAR  
 62 SEATS  
 2833 SQ. FT.

# Short Environmental Assessment Form

## Part 1 - Project Information

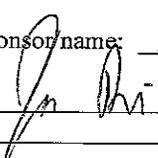
### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: <i>Expansion of Kornerstone Cafe &amp; Juice Bar @ 33 Elm St. E. Aurora NY</i>			
Project Location (describe, and attach a location map): <i>33 Elm St. E. Aurora NY 14052</i>			
Brief Description of Proposed Action: <i>Expansion of current cafe into existing restaurant space within building.</i>			
Name of Applicant or Sponsor: <i>Jamie Dinero / Kornerstone Coffee LLC</i>		Telephone: <i>716-348-2232</i>	
Address: <i>472 Montrose Ave</i>		E-Mail: <i>jamie@kornerstonecoffee.com</i>	
City/PO: <i>Buffalo</i>		State: <i>NY</i>	Zip Code: <i>14223</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: <i>Village Planning Bd</i>			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <u>  <i>23</i>  </u> acres			
b. Total acreage to be physically disturbed? <u>  <i>0</i>  </u> acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>  <i>23</i>  </u> acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
_____		
_____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name:	JAMIE DINERO / Konesston Coffee	Date: 11/12/19
Signature:		Title: Owner of Business

Budget Transfers	2019-2020					
TO				From		
A.5.9010.0801	STATE RETIREMENT PFRS	\$42,000.00		A.5.1990.400	CONTINGENCY	\$42,000.00
A.5.1640.0460	CENTRAL GARAGE VEHICLE MAIN	\$13,000.00		A.5.1990.400	CONTINGENCY	\$13,000.00



New York State and Local Retirement System  
110 State Street, Albany, New York 12244-0001

Kimberly Zeto, Director, Member & Employer Services Bureau

Location Code: 40068

**Resolution reopening Section 384-d of the Retirement and Social Security Law for Dustin M Waldron (NYSLRS ID: R11666265) as set forth in Chapter 400, Laws of 2019.**

At a meeting of the governing board of the Village of East Aurora held in \_\_\_\_\_, New York on \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ offered the following resolution:

(Person)

"BE IT RESOLVED: that the governing board of the Village of East Aurora, does hereby assume the additional cost required to provide the reopening of Section 384-d of the Retirement and Social Security Law, pursuant to Chapter 400 of the Laws of 2019."

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF \_\_\_\_\_)

I, \_\_\_\_\_, clerk of the governing board of the Village of East Aurora of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full board, consists of \_\_\_\_\_ members, and that \_\_\_\_\_ of such members were present at such meeting and that \_\_\_\_\_ of such members voted in favor of the above resolution.

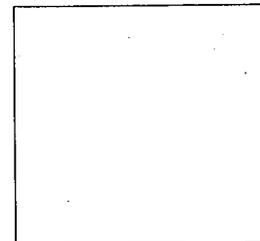
IN WITNESS WHEREOF, I have hereunto

(Seal)

Set my hand and the seal of the Village of East Aurora

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Signature of clerk)



The resolution must be approved by the legislative body and be approved by any other body or officer required by law to approve resolution of such legislative body.

Note: This resolution must be filed with the Division of Retirement Services, Office of the State Comptroller.

## **CERTIFIED RESOLUTION**

At the village Board meeting of the Village of East Aurora on December 2, 2019 , the following resolution was moved by Trustee \_\_\_\_\_ and seconded by Trustee \_\_\_\_\_ and unanimously approved by all

WHEREAS AIM Funding is unrestricted aid provided to Municipalities by New York State for the years. and

WHEREAS, the Association of Erie County Governments supports legislation (S.6844) introduced by Senator Patrick Gallivan related to the AIM Funding program and to ensure payments are made to dozens of towns and villages in Erie and Nassau Counties,

WHEREAS, as part of the 2019 budget process, traditional AIM funding was replaced by a portion of the State Sales Tax.

WHEREAS, the Office of the State Comptroller indicated the change did not allow sales tax funds to be distributed to municipalities in Counties with Fiscal Control Boards, such as Erie and Nassau.

NOW, THEREFORE, BE IT RESOLVED: The Association of Erie County Governments strongly supports Legislation S.6844 that would restore AIM Funding at 100% moving forward to Erie and Nassau Counties.

FURTHER RESOLVED, the AIM funding benefits all of our residents in Erie & Nassau Counties and the loss of this funding would put an unnecessary burden on the backs of local taxpayers that could result in the reduction of services, program cuts and layoffs.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Honorable Governor Andrew M. Cuomo, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Senate Majority Leader Andrea Stewart-Cousins, Honorable Republican Minority Leader John Flanagan, Honorable Majority Leader of the Assembly Crystal People-Stokes, Honorable Minority Leader of the Assembly Brian Kolb, the Western New York Delegation and Erie County Executive Mark Poloncarz and the Erie County Legislature.

I, Maureen Jerackas, Clerk – Treasurer of the Village of East Aurora do hereby certify that the foregoing is the full resolution passed at the meeting of the East Aurora Village Board on December 2, 2019.

WITNESS my hand and the seal of the Village of East Aurora this \_\_\_\_<sup>th</sup> day of December 2019.

# VILLAGE OF EAST AURORA

VILLAGE HALL • 571 MAIN STREET  
EAST AURORA, NEW YORK 14052  
(716) 652-6000 FAX (716) 652-1290  
www.east-aurora.ny.us



March 31, 2019

## NOTICE OF VIOLATION

Boice Lydell  
343 East Fairmount Avenue  
Lakewood, New York 14750

Re: Roycroft Stockhouse  
25 South Grove Street  
Village of East Aurora

Dear Mr. Lydell:

As you know, the Roycroft Stockhouse, which you own, is an integral property within the Roycroft Campus historic district, designated as such by the Village of East Aurora pursuant to §156-3(B) of the Village Code. The Roycroft Campus has also been designated as a National Historic Landmark by the National Park Service, U.S. Department of the Interior, which is the highest honor that can be bestowed (a status shared by other resources of singular significance, such as the White House and the Brooklyn Bridge). The Roycroft Campus is among the most significant historic resources in Western New York, and nationally is a premier Arts and Crafts Movement historic site. During its period of significance, the Roycroft Campus was a place of extraordinary craft and commerce, and the utilitarian Roycroft Stockhouse is integral to its story.

As you also know, the exterior rusticated concrete block wall of the Roycroft Stockhouse is in a serious state of disrepair. We understand that, although the structure has been braced on the interior, the exterior block wall has separated from the structure in many places, as evidenced by visible gaps and large cracks. We also understand that, in an effort to protect against collapse of the wall, about ten years ago you constructed exterior lumber bracing. Perforce that was a temporary protective measure, and not intended as the semi-permanent stopgap it has *de facto* become with the passage of a decade since its installation.

The East Aurora Historic Preservation Commission has discussed this property with you numerous times over many years. In 2003, you submitted to the Commission an application for a Certificate of Appropriateness for repair and replacement of portions of the concrete block

wall. At that time, when the condition of the wall was obviously not as deteriorated as it is now with the passage of fifteen more winters, the Commission determined that the project constituted ordinary maintenance and repair, which in 2003 did not require Commission approval. You did not perform the work at that time, however, nor in the years following, and the condition of the wall became increasingly precarious. In 2009, when you constructed the exterior lumber bracing, the block wall had deteriorated to the extent that the Commission recommended that you submit an application for a Certificate of Appropriateness for the project. The project was no longer ordinary maintenance and repair, and the Commission wanted to hear from you about why the work had not been done, and your plan for completing it. You agreed, as in September 2009 you submitted an application for a Certificate of Appropriateness and met with the Commission to discuss the project.

As a result, in 2009 the Commission approved your application and issued a Certificate of Appropriateness for you to complete the project. One of the conditions of approval stated, "if there should be any material changes to the project (including the length of time for completion), then the Applicant shall report back to the Commission accordingly". The parenthetical was quite deliberate, as in 2009 it had already been six years with no evident progress, and the Commission was concerned that the delay might continue, which nearly ten years later has obviously been the case.

The Commission is mindful that historic restoration can be a lengthy process, and the Commission is also mindful of the challenges that you have encountered in undertaking this project. The Commission does not question your good will and best intentions. However, as the owner of a designated historic landmark, you have legal stewardship obligations to which the Commission cannot cast a blind eye. The Commission has been patient in the extreme in giving you a chance to complete this project, but the delay is now well beyond the pale and cannot continue. Accordingly:

**PLEASE TAKE NOTICE** that you are in violation of the Village Code, without limitation, in the following respect:

IN VIOLATION OF VILLAGE CODE §156-10(B), YOU HAVE PERMITTED THE PROPERTY TO FALL INTO A SERIOUS STATE OF DISREPAIR SO AS TO RESULT IN DETERIORATION OF AN EXTERIOR FEATURE (THE CONCRETE BLOCK WALL) WHICH PRODUCES A DETRIMENTAL EFFECT UPON THE CHARACTER OF THE PROPERTY AND THE ROYCROFT CAMPUS AS A WHOLE.

This violation is continuing.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Village Code §156.11(A), this violation is punishable by a fine of not more than \$250 or imprisonment of not more than fifteen (15) days, or both, with each day's continuance of a violation after notice (provided hereby) being a separate and distinct violation and punishable accordingly; and pursuant to Village Code §156.11(B), you are required to restore the property to its appearance prior to the violation.

Demand is hereby made that you address and cure this violation immediately. Legal action to enforce the Village Code as set forth herein may be commenced against you at any time without further notice.

  
\_\_\_\_\_  
William Kramer, Code Enforcement Officer

  
\_\_\_\_\_  
Mary Ann Colopy, Chair, East Aurora Historic  
Preservation Commission

cc: Village Attorney