

**Special Meeting of the Village Board
6 p.m. at the Middle School Cafeteria
Preview of Phase II of the Oakwood Project**

AGENDA

**Village Board of East Aurora
December 16, 2019 Regular Meeting at 7 p.m.
Note Location Change: Middle School Cafeteria**

- 1. CALL MEETING TO ORDER**
 - A. Pledge of Allegiance
 - B. Roll Call
 - C. Approval of Minutes of Village Board Meeting for December 2, 2019
 - D. Approval of Payment of Abstract(s): Voucher Nos. 59209-59267 for a total of \$582,999.82

- 2. SPEAKERS & COMMUNICATIONS (I)**

- 3. PUBLIC HEARING**
 - A. Special Permit for The Main Street Bakery at 695 Main Street

- 4. OFFICIAL CONSIDERATIONS**
 - A. Consideration of a Resolution to make a determination under the State Environmental Quality Review Act for the Development Plan Application for Rosie's Ice Cream at 431 Main Street
 - B. Consideration to Approve the Development Plan Application for Rosie's Ice Cream at 431 Main Street
 - C. Consideration to set a Public Hearing on January 6, 2020 to approve the Special Permit for 431 Main St, Rosie's.
 - D. Consideration to Waive Planning Commission Review for The Bank at 649 Main Street
 - E. Consideration to Approve the 2020 Fire Chiefs
 - F. Consideration to Approve a Resolution as Written in Support of Legislation (S.6853) to Halt the New Criminal Justice Reform (Bail & Discovery Reform)
 - G. Consideration to Refer 200 and 210 Pennsylvania Avenue to the Planning Commission for review of a request from the property owner for rezoning the properties

- 5. DEPARTMENT HEAD REPORTS**

- 6. OAKWOOD UPDATE**

- 7. SPEAKERS & COMMUNICATIONS (II)**

- 8. ADJOURNMENT**

**VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
December 2, 2019 –7:00 PM**

Present:

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

Also Present:

Robert Pierce, Village Attorney
Cathie Thomas, Village Administrator
Shane Krieger, Chief of Police
Matthew Hoeh, Superintendent of Public Works
William Kramer, Building Inspector
Maureen Jerackas, Clerk-Treasurer
Gino- Contractor
Jason - Engineer
Paul Gasiewicz-Coordinator
East Aurora Advertiser
23 Members of the public

A Motion by Trustee Scheer to approve the Village Board minutes of November 18, 2019, with one amendment that was corrected seconded by Trustee Porter and carried with unanimous approval.

Trustee Cameron moved to approve the Payment of Abstract(s) for:
Voucher Nos. 59172-59208 for a total of \$15,559.81
Seconded by Trustee Kimmel-Hurt and unanimously carried.

SPEAKERS AND COMMUNICATIONS (I)

- Dan Garvy- Manager of the Roycroft Inn- Mr. Garvy asked if the Village has parking requirements for the number of parking spaces needed if a building is new or repurposed. Code Enforcement Officer Kramer responded that this is determined by usable space but does not have all the answers at this time. Further questions will go to the Village Attorney and the Code Enforcement Officer.

OFFICIAL CONSIDERATIONS

- A Motion by Trustee Lazickas, to set a public hearing for 33 Elm Street Kornerstone Café and Juice bar expansion on January 6, 2020, was seconded by Trustee Kimmel-Hurt, with unanimous approval.
- A Motion by Trustee Scheer, to Approve budget modifications on the 2019-2020 budget,

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 MAINTAINANCE AND PARTS	\$13,000.00	A.5.1990.400	CONTINGENCY	\$13,000.00

was seconded by Trustee Porter, with unanimous approval.

- **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.**

A motion by Trustee Porter

"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.", was seconded by Trustee Kimmel-Hurt and unanimously approved.

- **RESOLUTION IN SUPPORT OF CONTINUED AIM FUNDING AND S.6844**

At the village Board meeting of the Village of East Aurora on December 2, 2019, the following resolution was moved by Trustee Cameron and seconded by Trustee Schoeneman 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.

DEPARTMENT HEAD AND TRUSTEE REPORTS

A. HPC Boice Lydell property discussion

- The Mayor said Trustee Schoeneman asked for this to be added to the Agenda as per the HPC.
- Mary Ann Colopy-Chair for HPC- Mary Ann spoke of the list of addresses owned by Boice Lydell that are all designated local landmarks and in 1998 became subject to the preservation law. In 2003, Mr. Lydell came before HPC to talk about the maintenance and repair and no certificate of appropriateness was issued. In 2009 the Stock house became worse and a certificate of appropriateness was issued. In 2015 the Village brought a case against Mr. Lydell for the condition of the Stock House and was dismissed by the Judge. The HPC made more attempts to contact him in a time lime and Mary Ann said Mr. Lydell has not come to any meetings. Mary Ann said in March 2019 a letter was sent to him and more attempts were made to contact him. Mary Ann said the HPC would like to know what the next steps are to enforce the notice of violation.
- Attorney Bob Pierce said he and Code Enforcement Kramer have had some conversations with Boice Lydell. Code Enforcement Kramer said he was at the meeting last March and he was told by the HPC that he should not talk to Boice Lydell. The Code Enforcement Officer said Mr. Lydell has called him and he knows he wants to talk to HPC. Attorney Bob Pierce has also talked to Boice Lydell and said the next step would be to pose a violation for the Courts.
- Mary Ann listed more issues they asked Mr. Lydell about and she said she has no confidence that soft responses will work. Linda-from HPC- brought up the definition demolition by neglect and spoke of the definition.
- Attorney Bob Pierce worked to have the Engineer go in and inspect the building at the time before it went before the Judge. Mr. Pierce said the Board would have to decide to have Code Enforcement Kramer file charges to go to Court. The Mayor asked what the next legal action could be. Mr. Pierce said they would have to file an action, but there is no control over what a Judge will do.
- Mayor Mercurio asked if they could move forward on all three buildings. Code Enforcement Kramer said he only knows of the issues with the Stock House. Trustee Schoeneman said the Board needs to move forward on this and asked for it to be on the Agenda for the next meeting to discuss what action needs to take place. The Trustees agreed to put it on the next Agenda. The Clerk Treasurer commented that the letter last sent out to Mr. Lydell was certified and the office received a certified receipt back as well as sent out in the regular mail which is legally assumed delivered. The Mayor asked Code Enforcement Kramer to bring any notices from other properties to the next meeting.

B. Department Heads

- DPW- The Superintendent said they are still picking up leaves.
- Police Chief- Chief Krieger said they have had ten interviews to fill a vacant position for a full-time dispatcher. He spoke that they are still waiting for the COPS Grant to open for them

to fill a 17th Police Officer position that they wanted to fill in January. Lastly the Chief said the Turkey Trot went smoothly and there were about 100 participants.

- Code- None
- Administrator- None
- Clerk Treasurer- None
- Trustee Lazickas – None
- Trustee Kimmel Hurt – None
- Trustee Cameron – None
- Trustee Scheer- Trustee Scheer spoke about a resident on Oakwood who wanted to thank Gino from NOVA and his crew to allow for the resident's couch to be delivered to his house. Trustee Scheer had another resident ask him if leaves were still being picked up and the Superintendent responded that it has been hard to pick up leaves on Oakwood with the fence. Trustee Scheer said the event for Mud Sweat and Beers was a good time.
- Trustee Schoeneman-None
- Trustee Porter-Trustee Porter spoke about his neighbor who asked about making Paine St a one-way street from 3pm-7pm Monday through Friday. The Chief responded that when the busses are loading the kids, barricades are put out on Main St. The Chief said every avenue they've looked at causes more issues.
- Mayor Mercurio- The Mayor said he also went to the Mud Sweat and Beers party which was a wonderful event. He said he enjoyed Jay Diperno's speech and getting community involvement. The Mayor commented on seeing Rick Jennings paintings for sale in Clarence. The Mayor would like to set a Public Hearing to make a resolution for no parking on the South side of Oakwood and moving it to the North side of Oakwood. A motion was made by Trustee Lazickas to set the Public Hearing for January 6, 2020, was seconded by Trustee Kimmel-Hurt and unanimously approved.

OAKWOOD UPDATE

- Ed Smith-578 Oakwood- Ed commended NOVA for doing a great job. Ed did ask what was happening in the 500 block with construction. Gino, from NOVA replied that they are looking to get in curb by the end of the week, and before the end of next week they will have the road black-topped.
- The Administrator noted that highway signs were ordered and have been up for awhile now. These are reusable and can be used in Phase 2 if needed. The Administrator said there will be a preview meeting in two weeks at the Middle School. She spoke about Small Business Saturday with the shuttle service and reviewed the process including the publication on social media, delivering maps to businesses and publicizing in the newspapers. Gary Grote from the Chamber of Commerce helped with allowing parking in the Fisher Price lot. The Administrator also spoke about relaxed overnight parking in the Oakwood construction area, however it will be in effect when the work is resolved. The relaxed overnight parking on Oakwood is not Village wide. The Chief commented that this is only for Oakwood residents who cannot park in their driveways. The Administrator asked Gino for an update. Gino responded that the by the end of next week at the very latest, everyone will be able to access their driveways.
- The Administrator asked Jason, the Engineer to speak on the phasing. Jason noted that they are not dictated by phasing. Drainage is dictating the phasing. They also do not dictate needs

and methods but have an expectation for a finished product. He said there have been no issues. Jason said for the remainder of Phase 1 there was a specific decision to do the sidewalks in the Spring which would have made sense to have them do the work all at once. Jason said the priority is the utility and road and all the sidewalks will be done before the end of the year. Gino said some of the fencing has come down today, but Jason replied that some of it will need to remain.

- Ed Smith-578 Oakwood- Mr. Smith asked about the waterlines that are exposed and is there something that can be done to cover them. Gino responded that he would look at them and try to backfill them. The Mayor asked the Superintendent to take a look at this situation ask well.
- The Administrator said that December 16th there will be a meeting for a preview of what the expect for Phase 2, 2020 at 6pm at the Middle School in the cafeteria.
- The Administrator introduced Chris Trapp, who is the Village Attorney for. The Administrator asked Chis to speak about liquidated damages and work performance because everyone felt they needed to get additional legal advice on these topics. Chris said he reviewed the agreements about the issues with weather liquidation damages. He noted that you don't hit the date of agreements and then receive the liquidation. Chris said this could happen however we are not there yet. Mr. Trapp gave the example that if December 10th is the finish date, but they do not finish until December 12th, it would just be a set off for future payments.
- The Administrator noted that December 22nd as in the contract, is substantial completion. She also spoke that boiler plate language is used, and the Village is reliant on the Engineer for this. Chris Trapp spoke on substantial completion. Mr. Trapp said the Engineer needs to tell the Village if substantial completion is done based on what they expect to be done. Jason, the Engineer commented that weather can affect this. Jason noted that the things they define as substantial completion is the roads being plowable, not that they needed to be plowable with curbs. Jason said they also discussed that one lane may be utilized during the winter for work. Mr. Trapp noted that it is not unusual for things to not show on maps and you have to figure out what it came from and from where. Jason, the Engineer, commented that they will hold the contractor responsible.
- David Torke-130 Geneva Rd- Mr. Torke said the Department of Labor had been out. He asked the Attorney about the safety concerns and how they knew there were nine violations. The Engineer, Jason, said the Department of Labor is provided a code, not specific, of how the conditions should be. The Administrator said we were not given the documents that Mr. Torke is requesting. Mr. Torke asked about pre construction meeting minutes and Jason the Engineer said he would need to foil them if he wanted them. David Torke asked the Chief about an out of ordinary in the area. The Chief responded that there have been no issues due to construction. Mr. Torke asked if the road is closed and Jason said it is closed. Gino from NOVA replied that they cannot completely close the road. Jason said the detour for the road is in effect and local traffic can drive on the road if only authorized by NOVA.

SPEAKERS AND COMMUNICATIONS (II)

- Tony Rosati-350 Oakwood- Mr. Rosati said he appreciates the street sweeper this time of year to help keep the gutters open but heard there might be an issue. The Superintendent said the street sweeping process will continue until excessive snow. He continued to say that the street sweeper had a major malfunction three weeks ago and this malfunction had nothing to do with the construction.

- Jay Diperno-32 Elm St- Mr. Diperno asked for there to be a public discussion on the Elm/Riley parking study. The Mayor responded that he could bring it up at the next GADC meeting. The Mayor will contact Jay when there is a next set meeting. Jay Diperno then brought up Dan Garvey's question and said the Code Enforcement Officer's answer should be simpler. Jay said there is a code and we need to stop grandfathering. Code Enforcement Kramer told Jay he could come to his office for further discussion. The Administrator spoke that if there is a Zoning Code, there must be a Zoning Board for exceptions, and we do not have the choice to do that. She said that pre-existing non-conforming is the legal term, not grandfathering. The Administrator said the first step would be to talk to the Code Enforcement Officers on questions about the code and allow them to give reasonable explanations to the current code. The Mayor commented that if someone disagrees, they can go to the Zoning Board of Appeals and if the person disagrees with the ZBA, the person may submit an Article 78. The Administrator said the whole purpose of the new Zoning Code was to help a lay person better understand the code. The Clerk-Treasurer said that general code will be putting the code on the Village website.
- Jamie Dinero-Kornerstone Café- Jamie said she has met with Code Enforcement Kramer to understand the code in order to be compliant. She asked if the pre-existing can carry to the new owner. The Administrator and Chris Trapp said it can. Dan Garvy asked about the Village Code and asked for it's availability.
- Mark Mann-200&210 Pennsylvania Ave- Mr. Mann asked when Phase 2 starts and where Phase 1 ends. The Engineer said Phase 1 he is referring to was a recommendation. The Engineer said this does not exceed the completion date. Mr. Mann then asked about the 3 Public Hearings for the new Zoning Code and asked if the laws require the hearings. The Administrator responded that one Public Hearing is required before passing a Local Law. She said that more public meetings were had so people could learn about what was being looked at for change. Mr. Mann would like a physical history of what happened and why it happened. The Clerk-Treasurer told Mr. Mann he could email her to speak about additional information or questions.

EXECUTIVE SESSION

- On a motion by Trustee Lazickas Seconded by Trustee Porter an Executive Session on a pending legal matter was opened at 8:39 pm in order to discuss a legal matter with the Attorney.
- On a motion by Trustee Lazickas, seconded by Trustee Cameron the Executive Session was closed at 8:53pm.

ADJOURNMENT

A Motion was made by Trustee Schoeneman to adjourn the meeting at 8:53pm. Seconded by Trustee Porter and unanimously carried.

Respectfully submitted,

Maureen Jerackas
Clerk-Treasurer



**Village of East Aurora
12/16/19 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	59222	Amazon	12/05/2019	13WC-CVNP-917W	\$27.66	VEA Office supplies: Time Cards, Pens.	2020	7	12/16/2019		
				Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date	
				1	VEA Office supplies: Time Cards, Pens.	A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$27.66			
Total vouchers for Amazon: 1					\$27.66						
BANK OF HOLLAND GEN CHECK - 00100	59259	Artistic Bronze Inc.	12/03/2019	25431	\$525.00	18x12 bronze Plaque (installed adjacent to the Hubbard statue	2020	7	12/16/2019		
				Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date	
				1	Bronze plaque for Hubbard statue	A.5.8510.0411	COMMUNITY ENV BEAUTIFICATION - BEUTIFICATION - FLOWERS	\$525.00	2020000208	11/19/2019	
Total vouchers for Artistic Bronze Inc.: 1					\$525.00						
BANK OF HOLLAND GEN CHECK - 00100	59223	BLUE CROSS & BLUE SHIELD OF WESTERN NEW YORK	12/16/2019	193360000329	\$57,402.59	8 of 12; Group ID 00417549 Health Insurance; January 2020	2020	7	12/16/2019		
				Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date	
				1	Health Insurance General Fund Active Employees; January 2020	A.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$38,491.82			
				2	Health Insurance General Fund Retirees; January 2020	A.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIREES	\$17,149.45			
				3	Health Insurance Water Fund Active Employees; January 2020	F.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$1,031.80			
				4	Health Insurance Water Fund Retirees; January 2020	F.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIREES	\$729.52			
Total vouchers for BLUE CROSS & BLUE SHIELD OF WESTERN NEW YORK: 1					\$57,402.59						
BANK OF HOLLAND GEN CHECK - 00100	59255	BROOKS RIGGING CORP.	11/25/2019	18195	\$200.00	Pocket Park Statue support/lift	2020	7	12/16/2019		
				Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date	
				1	Pocket Park Statue support/lift	A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS	\$200.00			
Total vouchers for BROOKS RIGGING CORP.: 1					\$200.00						



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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	59213	BUFFALO ENVELOPE	11/26/2019	230811	\$960.00	Versaseal forms Item #RZ811BA	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Versaseal forms Item #RZ811BA		F.5.8310.0403	WATER ADMINISTRATION - POSTAGE, BILLS, NOTICES		\$960.00			
Total vouchers for BUFFALO ENVELOPE: 1					\$960.00						
BANK OF HOLLAND GEN CHECK - 00100	59252	BUFFALO PRESS, INC.	11/25/2019	36140	\$56.00	DPW Business Cards	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	DPW Business Cards		A.5.1490.0403	PUBLIC WORKS ADMINISTRATION - OFFICE SUPPLIES		\$28.00			
		2	DPW Business Cards		A.5.1490.0420	PUBLIC WORKS ADMINISTRATION - MAINTENANCE & REPAIRS		\$28.00			
Total vouchers for BUFFALO PRESS, INC.: 1					\$56.00						
BANK OF HOLLAND GEN CHECK - 00100	59237	CHURCHVILLE FIRE EQUIP	11/26/2019	180022/180102	\$814.12	EAFD reflective radio straps/globe boots	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.3410.0420	FIRE DEPARTMENT - DEPARTMENT SUPPLIES		\$0.00	2020000202	11/08/2019	
		2			A.5.3410.0200	FIRE DEPARTMENT - EQUIPMENT		\$814.12	2020000202		
Total vouchers for CHURCHVILLE FIRE EQUIP: 1					\$814.12						
BANK OF HOLLAND GEN CHECK - 00100	59262	CINTAS CORPORATION	12/16/2019	5015471770	\$61.82	Medical supplies for first aid cabinet located in police dept. (Note:This service includes CINTA'S rep visiting EAPD periodically to check and refill as needed so a PO can't be issued in advance	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Medical supplies for first aid cabinet located in police dept. (Note:This service includes CINTA'S rep visiting EAPD periodically to check and refill as needed so a PO can't be issued in advance		A.5.3120.0403	POLICE DEPARTMENT - OFFICE SUPPLIES		\$30.91			



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
	2				A.5.3420.0470	POLICE & FIRE DISPATCH - DEPARTMENTAL SUPPLIES		\$30.91			
Medical supplies for first aid cabinet located in police dept. (Note: This service includes CINTA'S rep visiting EAPD periodically to check and refill as needed so a PO can't be issued in advance)											
Total vouchers for CINTAS CORPORATION: 1					\$61.82						
BANK OF HOLLAND GEN CHECK - 00100	59214	CLARK PATTERSON LEE	11/18/2019	65923	\$11,815.00	Professional Svcs. for the period ending Oct. 25, 2019.	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Oakwood Ave. Reconstruction, Construction Observation. Phase 00006		H.5.8340.0031	TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE		\$11,815.00			
BANK OF HOLLAND GEN CHECK - 00100	59221	CLARK PATTERSON LEE	07/30/2019	63636	\$237.50	Professional Svcs. for period ending July 19, 2019.	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Hamlin Farm Townhome Review		A.5.1440.0410	ENGINEER SERVICES - ENGINEERING SERVICES		\$237.50			
Total vouchers for CLARK PATTERSON LEE: 2					\$12,052.50						
BANK OF HOLLAND GEN CHECK - 00100	59210	CSEA EMPL BENEFIT FUND	12/16/2019	Dec 2019 12314052	\$5,910.80	7 of 12; Dental & Vision Insurance Group DH123; December 2019	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Dental Insurance General Fund; December 2019		A.5.9061.0807	DENTAL INSURANCE - DENTAL INSURANCE		\$4,670.49			
		2	Dental Insurance Water Fund; December 2019		F.5.9061.0807	DENTAL INSURANCE - DENTAL INSURANCE		\$283.06			
		3	Optical Insurance General Fund; December 2019		A.5.9062.0808	OPTICAL - OPTICAL		\$902.55			
		4	Optical Insurance Water Fund; December 2019		F.5.9062.0808	OPTICAL - OPTICAL		\$54.70			
Total vouchers for CSEA EMPL BENEFIT FUND: 1					\$5,910.80						
BANK OF HOLLAND GEN CHECK - 00100	59245	CYNCON EQUIPMENT INC	11/27/2019	82111	\$490.37	Red Leaf Machine Parts	2020	7	12/16/2019		



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		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$490.37	2020000212	11/27/2019	
Total vouchers for CYNCON EQUIPMENT INC: 1					\$490.37						
BANK OF HOLLAND GEN CHECK - 00100	59242	DELACY FORD	11/07/2019	394090	\$252.52	TPMS Sensor- EAPD	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	TPMS Sensor- EAPD		A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$252.52			
Total vouchers for DELACY FORD: 1					\$252.52						
BANK OF HOLLAND GEN CHECK - 00100	59257	DORITEX CORP.	12/02/2019	12439695-1250853	\$454.92	Nov 2019- DPW	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0480	CENTRAL GARAGE - UNIFORMS		\$110.34	2020000184	11/01/2019	
		2			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$232.14	2020000184	11/01/2019	
		3			A.5.1490.0420	PUBLIC WORKS ADMINISTRATION - MAINTENANCE & REPAIRS		\$112.44	2020000184	11/01/2019	
Total vouchers for DORITEX CORP.: 1					\$454.92						
BANK OF HOLLAND GEN CHECK - 00100	59248	DRAUDT & SONS LLC	11/26/2019	937	\$675.00	Christmas Trees for Circle	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Christmas Trees for Circle		A.5.7550.0200	CELEBRATIONS - EQUIPMENT		\$675.00			
Total vouchers for DRAUDT & SONS LLC: 1					\$675.00						
BANK OF HOLLAND GEN CHECK - 00100	59246	E J PRESCOTT, INC.	11/08/2019	5599314-5634819	\$3,576.00	Nov 2019 DPW	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			F.5.8340.0420	TRANSMISSION AND DISTRIBUTION - MAINT & REPAIRS		\$3,576.00	2020000188	11/01/2019	



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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 E J PRESCOTT, INC.: 1					\$3,576.00						
BANK OF HOLLAND GEN CHECK - 00100	59217	EAST AURORA ADVERTISER	11/26/2019	November Legal Ads	\$47.74	Invoice #151657, Invoice 151954, Invoice #151955	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1	Invoice #151657, Invoice 151954, Invoice #151955		A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$47.74					
Total vouchers for EAST AURORA ADVERTISER: 1					\$47.74						
BANK OF HOLLAND GEN CHECK - 00100	59253	EIGHTY FOUR LUMBER	11/26/2019	639190	\$20.10	Nov 2019 DPW	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS	\$20.10	2020000191	11/01/2019			
Total vouchers for EIGHTY FOUR LUMBER: 1					\$20.10						
BANK OF HOLLAND GEN CHECK - 00100	59264	ERIE COUNTY COMPTROLLER	12/12/2019	1800057218	\$1,612.87	November 2019 NATIONAL FUEL GAS & TRANSPORTATION CHARGES	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1	571 MAIN ST VILLAGE HALL 3384-370		A.5.1620.0432	BUILDINGS - GAS	\$458.17					
	2	400 PINE STREET DPW 3013-452		A.5.1640.0432	CENTRAL GARAGE - GAS	\$773.75					
	3	575 OAKWOOD AVE FIRE DEPT 3348-880		A.5.3410.0432	FIRE DEPARTMENT - GAS	\$0.00					
	4	600 PINE ST OLD WATER PLANT 3013-451		F.5.1620.0432	BUILDINGS - GAS	\$155.82					
	5	33 CENTER ST NEW FIRE HALL 7467-613		A.5.3410.0432	FIRE DEPARTMENT - GAS	\$225.13					
BANK OF HOLLAND GEN CHECK - 00100	59265	ERIE COUNTY COMPTROLLER	12/12/2019	1800057252	\$1,770.81	November 2019; ELECTRIC SUPPLIER CHARGES	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1	571 MAIN ST VILLAGE HALL ACCT 7933856		A.5.1620.0431	BUILDINGS - ELECTRIC	\$185.06					
	2	575 OAKWOOD AVE (OLD FIRE DEPT) ACCT 237062		A.5.3410.0431	FIRE DEPARTMENT - ELECTRIC	\$0.00					



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
	3		581 OAKWOOD AVE DPW STORAGE ACCT 5123021	A.5.1640.0431		CENTRAL GARAGE - ELECTRIC		\$0.00			
	4		ELM ST SIGNAL ACCT 3514288	A.5.5182.0431		STREET LIGHTING - ELECTRIC		\$0.89			
	5		ELMWOOD & CHESTNUT HILL BOOSTER PUMP STATION ACCT 3590155 (BILLS EVERY OTHER MONTH)	A.5.5182.0431		STREET LIGHTING - ELECTRIC		\$0.00			
	6		GIRARD AVE ACCT 893560	A.5.5182.0431		STREET LIGHTING - ELECTRIC		\$5.01			
	7		PINE ST DPW Offices and Garage; ACCT 256115	A.5.1640.0431		CENTRAL GARAGE - ELECTRIC		\$66.81			
	8		PINE ST WATER PLANT; ACCT 288597	F.5.1620.0431		BUILDINGS - ELECTRIC		\$8.50			
	9		ST LIGHTING ACCT 4086039	A.5.5182.0431		STREET LIGHTING - ELECTRIC		\$910.77			
	10		ST LIGHTING R2 ACCT 719336	A.5.5182.0431		STREET LIGHTING - ELECTRIC		\$174.59			
	11		33 CENTER ST (NEW FIRE HALL) ACCT N01000060689999	A.5.3410.0431		FIRE DEPARTMENT - ELECTRIC		\$419.18			

Total vouchers for ERIE COUNTY COMPROLLER: 2 \$3,383.68

BANK OF HOLLAND GEN CHECK - 00100	59249	ERIE COUNTY PUBLIC HEALTH LAB	11/21/2019	11190026	\$77.00	October 2019- water testing	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1			F.5.8340.0490	TRANSMISSION AND DISTRIBUTION - WATER TESTING/CHEMICALS	\$77.00	2020000152	10/01/2019			

Total vouchers for ERIE COUNTY PUBLIC HEALTH LAB: 1 \$77.00

BANK OF HOLLAND GEN CHECK - 00100	59254	FLUID POWER SERVICES-AIRLINE HYDRAULICS CORP.	10/31/2019	12353437	\$800.00	#507 Hydraulics	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$800.00	2020000182	10/31/2019			

Total vouchers for FLUID POWER SERVICES-AIRLINE HYDRAULICS CORP.: 1 \$800.00

BANK OF HOLLAND GEN CHECK - 00100	59236	GRAINGER	12/03/2019	0112630	\$88.01	EAFD absorbent socks	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1			A.5.3410.0420	FIRE DEPARTMENT - DEPARTMENT SUPPLIES	\$88.01	2020000228	12/03/2019			



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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	59241	GRAINGER	11/26/2019	9360324587-9368901089	\$661.15	Adam Bove- Workboots/ High Sodium lamp bulbs for streetlights	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1	Bove- Workboots		A.5.5110.0480	STREET MAINTENANCE - UNIFORMS	\$149.31	2020000211	11/22/2019			
	2	High Sodium light bulbs		A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS	\$511.84	2020000211				
Total vouchers for GRAINGER: 2					\$749.16						
BANK OF HOLLAND GEN CHECK - 00100	59220	GREATER EAST AURORA CHAMBER OF COMMERCE	09/13/2019	2140	\$111.00	Membership Dues from 10/1/19, Member ID#488.	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1	Membership Dues from 10/1/19, Member ID#488.		A.5.1920.0440	MUNICIPAL ASSOCIATION DUES - ANNUAL DUES	\$111.00					
Total vouchers for GREATER EAST AURORA CHAMBER OF COMMERCE: 1					\$111.00						
BANK OF HOLLAND GEN CHECK - 00100	59243	HURTUBISE TIRE	11/30/2019	227176	\$607.48	#510 tires	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$607.48	2020000206	11/14/2019			
Total vouchers for HURTUBISE TIRE: 1					\$607.48						
BANK OF HOLLAND GEN CHECK - 00100	59219	JERACKAS, MAUREEN	12/05/2019	Expense Reimbursement	\$33.45	VEA Holiday decorations	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1	VEA Holiday decorations		A.5.7550.0200	CELEBRATIONS - EQUIPMENT	\$33.45					
Total vouchers for JERACKAS, MAUREEN: 1					\$33.45						
BANK OF HOLLAND GEN CHECK - 00100	59266	KINSLEY GROUP INC.		SCHED0112630	\$470.00	EAFD Bldng. Generator maintenance	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
	1		EAFD Bldng. Generator maintenance	A.5.1620.0420		BUILDINGS - MAINTENANCE & REPAIRS		\$470.00			

Total vouchers for KINSLEY GROUP INC.: 1 \$470.00

BANK OF HOLLAND GEN CHECK - 00100	59240	LOWE'S	11/13/2019	113019	\$72.15	Nov 2019 DPW	2020	7	12/16/2019		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1		A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS	\$0.00	2020000189	11/01/2019
2	Nov 2019 DPW	A.5.1490.0420	PUBLIC WORKS ADMINISTRATION - MAINTENANCE & REPAIRS	\$72.15	2020000189	11/01/2019

Total vouchers for LOWE'S: 1 \$72.15

BANK OF HOLLAND GEN CHECK - 00100	59211	M and T BANK	11/30/2019	Monthly Credit Card Payment for November 2019	\$37,972.92	Monthly Credit Card payment for Nov., 2019	2020	7	12/16/2019		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	Modern Disposal for November, 2019	A.5.8160.0410	REFUSE & GARBAGE	\$37,289.87		
2	Police Chief to Fire Arson investigation Seminar; 11/6-118	A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES	\$192.00		
3	Shuttle for Small Business Saturday, Nov. 30, 2019	A.5.7550.0200	CELEBRATIONS - EQUIPMENT	\$440.00		
4	Laminated signs	H.5.8340.0031	TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE	\$51.05		

Total vouchers for M and T BANK: 1 \$37,972.92

BANK OF HOLLAND GEN CHECK - 00100	59235	NEOFUNDS BY NEOPOST	12/02/2019	November Postage	\$1,250.00	11/26 \$650.00 11/27 \$600.00	2020	7	12/16/2019		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	11/26 \$650.00 11/27 \$600.00	A.5.1670.0470	CENTRAL PRINTING & MAILING - POSTAGE	\$1,250.00		

Total vouchers for NEOFUNDS BY NEOPOST: 1 \$1,250.00

BANK OF HOLLAND GEN CHECK - 00100	59227	NEW YORK PLANNING FEDERATION	12/10/2019	Membership Dues	\$270.00	Village membership Dues-2020; Federal ID#14-1462965	2020	7	12/16/2019		
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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	
		1	Village membership Dues-2020; Federal ID#14-1462965		A.5.1920.0440	MUNICIPAL ASSOCIATION DUES - ANNUAL DUES		\$270.00			
Total vouchers for NEW YORK PLANNING FEDERATION: 1					\$270.00						
BANK OF HOLLAND GEN CHECK - 00100	59244	NORTHERN SAFETY CO INC	11/19/2019	903716782	\$163.37	Workgloves and safety glasses-DPW	2020	7	12/16/2019		
		1	Workgloves and safety glasses- DPW		A.5.5110.0480	STREET MAINTENANCE - UNIFORMS		\$163.37			
Total vouchers for NORTHERN SAFETY CO INC: 1					\$163.37						
BANK OF HOLLAND GEN CHECK - 00100	59224	NOVA HEALTHCARE ADMINISTRATORS, INC.	12/16/2019	December 2019 HRA Administrative Fee	\$171.00	7 of 12; Monthly Administrative Fee of \$4.50 per Enrollee - 38 Enrollees	2020	7	12/16/2019		
		1	General Fund Active Members - 25 Members		A.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE		\$112.50			
		2	General Fund Retiree Enrollees - 12 Members		A.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIRES		\$54.00			
		3	Water Fund Retiree - 1 Member		F.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIRES		\$4.50			
Total vouchers for NOVA HEALTHCARE ADMINISTRATORS, INC.: 1					\$171.00						
BANK OF HOLLAND GEN CHECK - 00100	59260	Nova Site Company LLC	12/03/2019	Oakwood Avenue	\$435,206.93	Application #4 dated 12/3/19; period to 11/27/19	2020	7	12/16/2019		
		1	Application #4 dated 12/3/19; period to 11/27/19		H.5.8340.0031	TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE		\$435,206.93			
Total vouchers for Nova Site Company LLC: 1					\$435,206.93						
BANK OF HOLLAND GEN CHECK - 00100	59226	NY ASSOCIATION OF LOCAL GOVERNMENT RECORDS OFFICERS	12/10/2019	Annual Dues	\$50.00	2020 Renewal Membership-M. Jerackas	2020	7	12/16/2019		
		1	2020 Renewal Membership-M. Jerackas		A.5.1920.0440	MUNICIPAL ASSOCIATION DUES -		\$50.00			



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
					ANNUAL DUES						
Total vouchers for NY ASSOCIATION OF LOCAL GOVERNMENT RECORDS OFFICERS: 1					\$50.00						
BANK OF HOLLAND GEN CHECK - 00100	59225	NYS GOVERNMENT FINANCE OFFICERS' ASSOC.	12/10/2019	Membership Renewal	\$180.00	2020 Membership Renewal; 1/1-12/31/2020	2020	7	12/16/2019		
		Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date			
		1	2020 Membership Renewal; 1/1-12/31/2020	A.5.1325.0440	VILLAGE ADMINISTRATOR - TRAINING, TRAVEL & DUES	\$180.00					
Total vouchers for NYS GOVERNMENT FINANCE OFFICERS' ASSOC.: 1					\$180.00						
BANK OF HOLLAND GEN CHECK - 00100		NYSEG	12/16/2019	ACCT 483, 491	\$0.00	ACCTS 483 & 491 ELECTRICITY USAGE	2020	7	12/16/2019		
		Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date			
		1	STREET LIGHT R3 NYSEG ACCT 1001-3627-483	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$0.00					
		2	STREET LIGHT R2 NYSEG ACCT NO 1001-3627-491	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$0.00					
BANK OF HOLLAND GEN CHECK - 00100	59215	NYSEG	11/27/2019	1001-7910-034	\$20.11	ELECTRICITY USAGE-GLENRIDGE RD; 10/24-11/22/19	2020	7	12/16/2019		
		Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date			
		1	GLENRIDGE RD NYSEG ACCT 1001-7910-034	F.5.1620.0431	BUILDINGS - ELECTRIC	\$20.11					
BANK OF HOLLAND GEN CHECK - 00100	59228	NYSEG	12/03/2019	ACCT 483, 491	\$5,577.98	ACCTS 483 & 491 ELECTRICITY USAGE; 11/1-11/30/19	2020	7	12/16/2019		
		Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date			
		1	STREET LIGHT R3 NYSEG ACCT 1001-3627-483	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$5,284.27					
		2	STREET LIGHT R2 NYSEG ACCT NO 1001-3627-491	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$294.52					
BANK OF HOLLAND GEN CHECK - 00100	59229	NYSEG	12/10/2019	1001-0311-834	\$53.61	ELECTRICITY USAGE-581 OAKWOOD AVE.; 8/9-11/8/19	2020	7	12/16/2019		



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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					
				1		ELECTRICITY USAGE - 581 OAKWOOD AVE.					
					Account Number	Account Description		Detail Amount	PO Number		PO Date
					A.5.5182.0431	STREET LIGHTING - ELECTRIC		\$53.61			
Total vouchers for NYSEG: 4					\$5,652.51						
BANK OF HOLLAND GEN CHECK - 00100	59216	Paul Gasiewicz	12/03/2019	Nov. 2019 Svcs.	\$1,400.00	Oakwood Ave. Liaison; 56 hrs. @ \$25.00/hr.	2020	7	12/16/2019		
				Line Number		Detail Description					
				1		Oakwood Ave. Liaison; 56 hrs. @ \$25.00/hr.					
					Account Number	Account Description		Detail Amount	PO Number		PO Date
					H.5.8340.0031	TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE		\$1,400.00			
Total vouchers for Paul Gasiewicz: 1					\$1,400.00						
BANK OF HOLLAND GEN CHECK - 00100	59212	PIERCE, ROBERT J.	12/03/2019	December Services	\$1,833.33	Payment for services for Dec., 2019	2020	7	12/16/2019		
				Line Number		Detail Description					
				1		Payment for services for Dec., 2019					
					Account Number	Account Description		Detail Amount	PO Number		PO Date
					A.5.1420.0410	VILLAGE ATTORNEY - CONTRACT SERVICES		\$1,833.33			
Total vouchers for PIERCE, ROBERT J.: 1					\$1,833.33						
BANK OF HOLLAND GEN CHECK - 00100	59250	REBOY SUPPLY INC.	11/05/2019	89140	\$12.99	Nov 2019 DPW	2020	7	12/16/2019		
				Line Number		Detail Description					
				1		CENTRAL GARAGE - MAINTENANCE & REPAIRS					
					Account Number	Account Description		Detail Amount	PO Number		PO Date
					A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$12.99	2020000192		11/01/2019
Total vouchers for REBOY SUPPLY INC.: 1					\$12.99						
BANK OF HOLLAND GEN CHECK - 00100	59258	RUSERT EQUIPMENT, LLC	11/01/2019	19959	\$4,560.00	Plow Blades	2020	7	12/16/2019		
				Line Number		Detail Description					
				1		HIGHWAY SNOW REMOVAL - DEPARTMENTAL SUPPLIES					
				2		HIGHWAY SNOW REMOVAL - EQUIPMENT					
					Account Number	Account Description		Detail Amount	PO Number		PO Date
					A.5.5142.0470	HIGHWAY SNOW REMOVAL - DEPARTMENTAL SUPPLIES		\$0.00	2020000204		11/13/2019
					A.5.5142.0200	HIGHWAY SNOW REMOVAL - EQUIPMENT		\$4,560.00	2020000204		



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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 RUSERT EQUIPMENT, LLC: 1					\$4,560.00						
BANK OF HOLLAND GEN CHECK - 00100	59256	SAF-GARD SAFETY SHOE CO.	11/24/2019	1731759	\$179.99	Jim Stoll WorkBoots	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1			A.5.5110.0480	STREET MAINTENANCE - UNIFORMS	\$179.99	2020000210	11/22/2019			
Total vouchers for SAF-GARD SAFETY SHOE CO.: 1					\$179.99						
BANK OF HOLLAND GEN CHECK - 00100	59238	SHANOR ELECTRIC SUPPLY	11/27/2019	727669	\$201.51	Light covers for Main St.	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1			A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS	\$0.00	2020000229	12/09/2019			
	2			A.5.7550.0200	CELEBRATIONS - EQUIPMENT	\$201.51	2020000229				
Total vouchers for SHANOR ELECTRIC SUPPLY: 1					\$201.51						
BANK OF HOLLAND GEN CHECK - 00100	59239	SHERWIN-WILLIAMS CO.	11/25/2019	40980-41053	\$34.76	Nov 2019- DPW	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS	\$34.76	2020000193	11/01/2019			
Total vouchers for SHERWIN-WILLIAMS CO.: 1					\$34.76						
BANK OF HOLLAND GEN CHECK - 00100	59247	SOUTHWORTH-MILTON, INC	11/22/2019	439266	\$663.60	labor/service on #518	2020	7	12/16/2019		
	Line Number	Detail Description		Account Number	Account Description	Detail Amount	PO Number	PO Date			
	1	labor/service on #518		A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$663.60					
Total vouchers for SOUTHWORTH-MILTON, INC: 1					\$663.60						
BANK OF HOLLAND GEN CHECK -	59209	THE HARTFORD	12/16/2019	501573925216 5	\$1,351.63	7 of 12; Group Life Insurance; Employees & Retirees; December 2019	2020	7	12/16/2019		



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
00100											
				Line Number		Detail Description					
				1		Group Life Insurance General Fund Active; December 2019	A.5.9045.0803				
				2		Group Life Insurance General Fund Retirees; December 2019	A.5.9045.0804				
				3		Group Life Insurance Water Fund Active; December 2019	F.5.9045.0803				
				4		Group Life Insurance Water Fund Retirees; December 2019	F.5.9045.0804				
Total vouchers for THE HARTFORD: 1					\$1,351.63						
BANK OF HOLLAND GEN CHECK - 00100	59218	Thomas, Cathie	12/05/2019	Mileage Reimbursement	\$108.06	Travel expenses to ICMA conference, Oct. 2019. Parking buffalo to submit CDBG grant, Nov. 1, 2019.	2020	7	12/16/2019		
				Line Number		Detail Description					
				1		Travel expenses to ICMA conference, Oct. 2019. Parking buffalo to submit CDBG grant, Nov. 1, 2019.	A.5.1325.0440				
Total vouchers for Thomas, Cathie: 1					\$108.06						
BANK OF HOLLAND GEN CHECK - 00100	59232	TIME WARNER CABLE	12/02/2019	214128401120 219	\$124.98	ACCT 202-214128401-001; 571 MAIN ST; 12/1-12/31/19	2020	7	12/16/2019		
				Line Number		Detail Description					
				1		TWC VEA ACCT 202-214128401-001 - 571 MAIN ST	A.5.1480.0410				
BANK OF HOLLAND GEN CHECK - 00100	59233	TIME WARNER CABLE	12/03/2019	182008204120 319	\$214.00	Acct #202-182008204-001 33 CENTER ST (FIRE); 12/2-1/1/2020	2020	7	12/16/2019		
				Line Number		Detail Description					
				1		EAFD TWC ACCT 202-182008204-001 - 33 CENTER ST	A.5.1480.0410				
BANK OF HOLLAND GEN CHECK - 00100	59267	TIME WARNER CABLE	12/02/2019	129529001120 219	\$109.99	ACCT 202-129529001-001 - 400 PINE ST; 12/1-12/31/19	2020	7	12/16/2019		



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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	
		1	TWC 400 PINE ST - ACCT202-129529001-001		A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS		\$109.99			
Total vouchers for TIME WARNER CABLE: 3					\$448.97						
BANK OF HOLLAND GEN CHECK - 00100	59251	TRI-COUNTY TOOL RENTAL & SALES	12/01/2019	18620-18729	\$82.71	Nov 2019 DPW	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$22.73	2020000186	11/01/2019	
		2	eafd #7 saw parts		A.5.3410.0420	FIRE DEPARTMENT - DEPARTMENT SUPPLIES		\$59.98	2020000186		
Total vouchers for TRI-COUNTY TOOL RENTAL & SALES: 1					\$82.71						
BANK OF HOLLAND GEN CHECK - 00100	59263	VERIZON WIRELESS	12/03/2019	9843467319	\$295.01	CELLULAR PHONES PROVIDED AS PER NYS OGS (STATE CONTRACT); 11/4-12/3/19	2020	7	12/16/2019		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	716-359-0911 DETECTIVE		A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE		\$25.17			
		2	716-913-1761 POLICE SUPERVISOR (LIETENANTS)		A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE		\$25.04			
		3	716-998-3734 MAYOR		A.5.1210.0434	MAYOR - TELEPHONE		\$0.00			
		4	716-383-1957 POLICE CHIEF SHANE KRIEGER		A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE		\$42.80			
		5	716-256-0983 FIRE CHIEF GREG EGLOFF MOBILE WIFI		A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE		\$40.01			
		6	CREDIT		A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE		\$0.00			
		7	Village Administrator; 716-289-0134; CELLULAR PHONES PROVIDED AS PER NYS OGS (STATE CONTRACT);		A.5.1325.0434	VILLAGE ADMINISTRATOR - TELEPHONE		\$47.80			
		8	Oakwood Ave. phone; 716-341-0371		H.5.8340.0031	TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE		\$71.39			
		9	Paul Gasiewicz, Special Project Coordinator; 716-475-2122;		H.5.8340.0031	TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE		\$42.80			
Total vouchers for VERIZON WIRELESS: 1					\$295.01						
BANK OF HOLLAND GEN	59234	W.B. MASON CO., INC.	12/04/2019	205598011	\$19.95	VEA water (5)	2020	7	12/16/2019		



**Village of East Aurora
12/16/19 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
CHECK - 00100											
				Line Number		Detail Description					
				1		Invoice #205598011 (\$49.95) less CR #7576533 (\$30.00)					
					Account Number	Account Description			Detail Amount	PO Number	PO Date
					A.5.1620.0433	BUILDINGS - WATER			\$19.95		
Total vouchers for W.B. MASON CO., INC.: 1					\$19.95						
BANK OF HOLLAND GEN CHECK - 00100	59230	WINDSTREAM	12/04/2019	72048710	\$442.02	EAFD Monthly phone charges.	2020	7	12/16/2019		
				Line Number		Detail Description					
				1		EAFD Monthly phone charges.					
					Account Number	Account Description			Detail Amount	PO Number	PO Date
					A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE			\$442.02		
Total vouchers for WINDSTREAM: 1					\$442.02						
BANK OF HOLLAND GEN CHECK - 00100	59231	WNYNETWORKS	12/07/2019	2566	\$617.50	November Systems Support	2020	7	12/16/2019		
				Line Number		Detail Description					
				1		EAFD RAID HD failure					
				2		VEA postage machine issues, VOIP meetings					
					Account Number	Account Description			Detail Amount	PO Number	PO Date
					A.5.3410.0420	FIRE DEPARTMENT - DEPARTMENT SUPPLIES			\$142.05		
					A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS			\$475.45		
Total vouchers for WNYNETWORKS: 1					\$617.50						



**Village of East Aurora
12/16/19 Abstract Report Nova**

Unposted Batch Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A	GENERAL FUND	\$127,430.69		\$0.00		\$0.00		\$127,430.69	
F	WATER FUND	\$6,981.96		\$0.00		\$0.00		\$6,981.96	
H	CAPITAL PROJECTS	\$448,587.17		\$0.00		\$0.00		\$448,587.17	
Unposted Batch Grand Totals		\$582,999.82		\$0.00		\$0.00		\$582,999.82	

Posted Batch Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
Posted Batch Grand Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Report Grand Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A	GENERAL FUND	\$0.00	\$127,430.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$127,430.69
F	WATER FUND	\$0.00	\$6,981.96	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,981.96
H	CAPITAL PROJECTS	\$0.00	\$448,587.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$448,587.17
Grand Totals		\$0.00	\$582,999.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$582,999.82



Village of East Aurora
12/16/19 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, NY 14052
Phone: 716.652.6000 Fax: 716.652.1290
www.east-aurora.ny.us

paid 11/4/19
cash \$150

SPECIAL PERMIT APPLICATION

All Requests Must Be Received A Minimum of 60 Days in Advance

Required for application: one (1) complete file in electronic PDF format
Via e-mail to maureen.jerackas@east-aurora.ny.us

PUBLIC HEARING FEES: \$100.00

✓

\$25.00 Application Fee

✓

\$25.00 Permit Fee

Date Application Filed 11/4/19

Date of V.B. Action (attach minutes)

Approved Disapproved

Application is hereby made for a SPECIAL PERMIT pursuant to Section 285.51 of the Code of the Village of East Aurora. Written approvals and other special permits as may be required by law, shall accompany this application.

Section 285.51 Special Permit required for Gasoline Service Stations, Rapid Car Washes, and Restaurants and/or outdoor service of food and beverages when permitted by the Village Board after a public hearing thereon.

Applicant's Name: Christopanna Keicher Address 421 Cook Rd. East Aurora, NY 14052
Location of Premises: 695 Main St. SBL #
E-mail: Thermainstbakery@gmail.com Phone # 716-465-6147
Signature of Applicant: C. Keicher Date:
Owner of Premises Name: ROBERT MILLEX CONSTRUCTION Address PO BOX 480 LOCKPORT, NY 14095
E-mail: GMILLEX@MILLEXCOMMERCIALGREENP.COM Phone # 716-434-8807
Signature of Owner: [Signature] Date: 10/23/19

Is this application for an Amended Permit? Yes No If yes, attach copy of last permit

Request is for: Restaurant, Indoor Dining Restaurant, Outdoor Dining Gas Station
 Car Wash Other USE AS A BAKERY

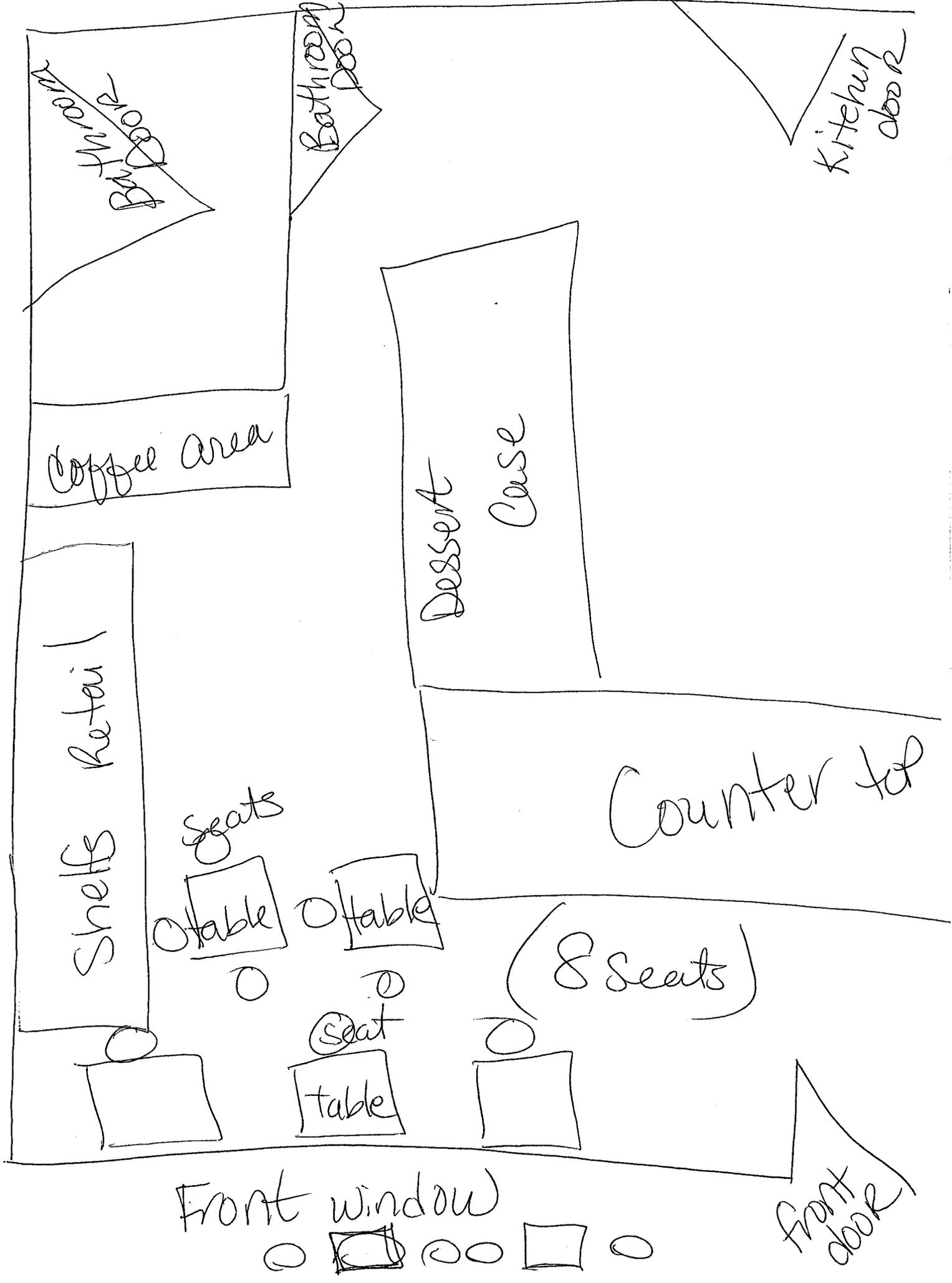
Days and hours of operation (indoor)
Days and hours of operation (outdoor) Wed-Sat 9-11 Sun 10-1
Will alcoholic beverages be served? Yes No
Will there be outdoor music? Yes No If yes, what type of music:
Days and times of music NO

Are premises handicap accessible? Yes No If not, premises must be made ADA compliant.
Will there be any renovations? Yes No If yes, contact building department @ 716-652-7591.

Attach a letter detailing your project, along with a schematic drawing of the premises indicating the location of:

area to be occupied entrance/exits restrooms Backflow device & grease trap oil interceptor
 seating diagram (restaurant/indoor) # tables 5 #seats 8 Total Seating # 8
 (restaurant/outdoor) # tables 2 #seats 4 Total Seating # 4

SIGN PERMIT: Town of Aurora Building Dept, 300 Gleed Avenue, East Aurora, NY - PH 716.652.7591



Back door

Bathroom

Kitchen door

Coffee area

Dessert Case

Counter top

Shelving Retail

Seats

Table

Table

(8 seats)

Seat

Table

Front window

front door

****Important instructions to Village Board members:***

Include all pertinent items desired by the Village pertaining to the operation of the business. Note that any items and matters that are part of the discussion, prior to the official approval, which are not included in the conditions section when the approval is granted, those may not be enforceable unless they are made express conditions of the approval.

An Application of a Request for a New Special Permit, dated October 23, 2019, is hereby:

[APPROVED] or [DENIED] for applicant Chrisgeanna Keicher, to operate the Main Street Bakery at 695 Main Street.

The Village Board shall serve as the Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA). A [NEGATIVE] or [POSITIVE] declaration is made under SEQRA and said application is determined to be: [an Unlisted] or [a Type II] or [a Type I] Action under SEQRA.

If approved, the following additional language should be part of the approval:

Approval is Granted for the above-referenced Special Permit Application, as written, and with the following modifications and/or conditions*:

Should any part of the application and Special Permit 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 Special Permit and its conditions.

The nature, duration and intensity of the operations which are involved in, or conducted in connection with, this Special Permit shall not be increased or expanded without the approval of the Village Board. Any increase or expansion shall be considered at a public hearing held in accordance with the application requirements and administrative procedures which have been adopted by the Village Board.

This Special Permit shall expire if meaningful construction has not been commenced within one year, and has not been completed within two years, of final Special Permit approval or, if no construction is involved, if the use has not been commenced within one year of final Special Permit approval.

This Special Permit shall expire if the use, once begun, ceases operation, for any reason, for more than six consecutive months. For seasonal uses, the use will be considered ceased if there is no operation for at least 12 consecutive months.

This Special Permit 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 Special Permit. 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 Special Permit grantee has violated the terms and conditions of the Special Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee.

Resolution of the Village of East Aurora of a Determination of Non-Significance pursuant to the State Environmental Quality Review Act in the Matter of Applications for a Development Plan and Special Permit regarding renovations, additions and improvements to an existing building located at 431 Main Street in the Village of East Aurora, New York

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 project at 431 Main Street, East Aurora, New York wherein the applicant proposes to convert empty space in an existing building at the above referenced address into an ice cream shop under the business name of **“Rosie’s Ice Cream Shop”** with interior and exterior modifications to accommodate such use, including the addition of a deck to the front of the building allowing for indoor and outdoor seating, additions to make the building handicap accessible; removal of side entrances; addition of access to the rear of the building and addition of a new trash entrance; all in accordance with detailed architectural plans proposed and submitted with said application by architect Heather N. Nemec; and

WHEREAS, the Erie County Division of Planning, after carefully and fully reviewing a description of the proposed project, along with the 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 Board held a public hearing on the proposed Development Plan which was properly noticed to the public wherein the project was discussed; 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 the 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 recommendations, 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 and Special Permit, 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 III 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 applicant, for the renovations, modifications and conversion of empty space for use as an ice cream shop in an existing building located at 431 Main Street, East Aurora, New York in accordance with the Development Plan and Special Permit applications filed with the Village, both of which are included and incorporated by reference herein, will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

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

Trustee Lazickas	_____ (Aye or Nay)
Trustee Porter	_____ (Aye or Nay)
Trustee McCabe	_____ (Aye or Nay)
Trustee Schoeneman	_____ (Aye or Nay)
Trustee Cameron	_____ (Aye or Nay)
Trustee Scheer	_____ (Aye or Nay)
Mayor Mercurio	_____ (Aye or Nay)

The Local Law was, therefore, on this date, December 16, 2019,

_____ Approved

_____ Not Approved

**Resolution of the Village of East Aurora Approving the Development Plan
Application regarding the Renovations, Additions, Improvements and Conversion
of Empty Space for use as an Ice Cream Shop in and to an Existing Building located at
431 Main Street in the Village of East Aurora**

WHEREAS, an application has been submitted for a proposed Development Plan for the above-referenced property; and

WHEREAS, the Planning Commission 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 I of the Short Environmental Assessment Form submitted by the applicant and completed Parts II and III 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 hearing and meetings, all of 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 where the Development Plan was discussed, along with recommendations of approval by Planning Commission; reply of Erie County Division of Planning and recommendation of the SEQRA Intake Committee; and

WHEREAS, the Village Board received and considered the application for Development Plan with regards to the above-referenced renovations, additions, improvements and conversion, and any and all amendments thereof for the use of presently empty space in the existing building at 431 Main Street as an ice cream shop; 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 the following:

1. The recommendations of the Planning Commission; and the Findings of Fact of the SEQRA Intake Committee; and the Site/Development Plan Application, including the above-referenced improvement rendering filed with the Village; all information included in the minutes taken in relation to the abovementioned Village Board meetings, and the reply from the Erie County Division of Planning 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 Deacon and Cassandra Tasker to operate an ice cream shop at 431 Main Street, East Aurora, New York under the business name Rosie's Ice Cream Shop, 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 and the approved 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. Any increase or expansion shall be considered at a public hearing held in accordance with the application requirements and administrative procedures which have been adopted by 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 or, if no construction is involved, if the use has not been commenced within one year of final Development Plan approval. The Planning Commission will refer to the Village Board with a timestamp. This approval will expire one year from date of the Village Board approval pursuant 285-50.5A of Village Zoning Code.

This Development Plan approval shall expire if the use, once begun, ceases operation, for any reason, for more than six consecutive months. For seasonal uses, the use will be considered ceased if there is no operation for at least 12 consecutive months.

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 made by Trustee _____, and duly seconded and put to a roll call vote which resulted in the following:

Trustee Lazickas	_____ (Aye or Nay)
Trustee Porter	_____ (Aye or Nay)
Trustee McCabe	_____ (Aye or Nay)
Trustee Schoeneman	_____ (Aye or Nay)
Trustee Cameron	_____ (Aye or Nay)
Trustee Scheer	_____ (Aye or Nay)
Mayor Mercurio	_____ (Aye or Nay)

The Local Law was, therefore, on this date, December 16, 2019.

_____ Approved

_____ Not Approved

VILLAGE OF EAST AURORA
571 Main Street, East Aurora, NY 14052
Phone: 716.652.6000 Fax: 716.652.1290
www.east-aurora.ny.us

SPECIAL PERMIT APPLICATION

ALL Requests Must Be Received A Minimum of 60 Days in Advance!

**Required for application: one (1) complete file in electronic PDF format
Via e-mail to maureen.jerackas@east-aurora.ny.us**

PUBLIC HEARING FEES: \$100.00 _____ \$25.00 Application Fee _____
\$25.00 Permit Fee _____
Date Application Filed _____
Date of V.B. Action _____ (attach minutes) Approved _____ Disapproved _____

Application is hereby made for a **SPECIAL PERMIT** pursuant to **Section 285.51** of the Code of the Village of East Aurora. Written approvals and other special permits as may be required by law, shall accompany this application.

Section 285.51 Special Permit required for Gasoline Service Stations, Rapid Car Washes, and Restaurants and/or outdoor service of food and beverages when permitted by the Village Board after a public hearing thereon.

Applicant's Name: Deacon + Cassandra Tasker Address 548 Fillmore Ave. East Aurora NY 14052
Location of Premises: 431 Main St. East Aurora NY 14052 SBL # 142401-164-200-0011-005-000
E-mail: deacon-tasker@gmail.com Phone # 716 208 7007
Signature of Applicant [Signature] Date: 9/18/19
Owner of Premises Name: Delicious Holdings LLC Address 431 Main St. East Aurora NY 14052
E-mail: deacon-tasker@gmail.com Phone # 716 208 7007
Signature of Owner: [Signature] Date: 9/18/19

Is this application for an Amended Permit? Yes No **If yes, attach copy of last permit**

Request is for: Restaurant, Indoor Dining Restaurant, Outdoor Dining Gas Station
 Car Wash Other _____

Days and hours of operation (indoor) Sunday - Thursday : 12:00 pm - 10:00 pm Saturday - Sunday 11:00 am - 11 pm
Days and hours of operation (outdoor) Same as indoor

Will alcoholic beverages be served? Yes No

Will there be outdoor music? Yes No If yes, what type of music: _____

Days and times of music _____

Are premises handicap accessible? Yes No If not, premises must be made ADA compliant.

Will there be any renovations? Yes No If yes, contact building department @ 716-652-7591.

Attach a letter detailing your project, along with a schematic drawing of the premises indicating the location of:

area to be occupied entrance/exits restrooms Backflow device & grease trap oil interceptor
 seating diagram (restaurant/indoor) # tables 3 #seats 12 Total Seating # 16
 (restaurant/outdoor) # tables 4 #seats 16 Total Seating # 20

SIGN PERMIT: Town of Aurora Building Dept, 300 Glead Avenue, East Aurora, NY - PH 716.652.7591

Cathie,

As discussed with you and Bill (separate meeting) I would like the Village Board to consider a change to our existing design based on section 285-51.5 B (“For site plan applications of minor projects, the Village Board may waive the requirement for Planning Commission review and recommendation with written agreement by the applicant.”) of the Zoning Code. We feel the new design is far less impactful to the exterior of the building than the current approved design and would like to save the time and expense of going through an additional review. Here is an overview of the original design and current design.

Original Approved Design

1. Added exterior building to house back entry, bank entry vestibule, elevator and washrooms in the basement and second floor. This exterior building added an additional floor to the building.
2. Added rooftop exterior building to house internal stairway to the roof.
3. Reference attached drawings (The Bank – Approved Rooftop Access & The Bank – Approved Rooftop Access 2) for additional information.

Proposed Design

1. Instead of adding exterior buildings to the bank and roof we would like to add a simple spiral staircase from a 2nd floor window to the rooftop.
2. An existing window will be enlarged into a door. The door will enter onto a spiral staircase to the roof. The spiral staircase will only be accessible from within the building e.g. no ground level access.
3. We understand that rooftop access would be limited to 50 people without the addition of an additional form of egress (which has already been approved).
4. Our intent is the same as the previous design e.g. see how the rooftop space is received and add second form of egress if well received.
5. Reference attached drawing (The Bank – Proposed Spiral Staircase) for additional information.

Let us know if you have any questions or require any additional information to consider our request.

Have a WONDERFUL day!

1012.7.2 Stairways. When a change of occupancy classification is made to a higher hazard category as shown in Table 1012.4, interior stairways shall be enclosed as required by the *International Building Code*.

Exceptions:

1. In other than Group I occupancies, an enclosure shall not be required for openings serving only one adjacent floor and that are not connected with corridors or stairways serving other floors.
2. Unenclosed existing stairways need not be enclosed in a continuous vertical shaft if each story is separated from other stories by 1-hour fire-resistance-rated construction or approved wired glass set in steel frames and all exit corridors are sprinklered. The openings between the corridor and the occupant space shall have at least one sprinkler head above the openings on the tenant side. The sprinkler system shall be permitted to be supplied from the domestic water-supply systems, provided the system is of adequate pressure, capacity, and sizing for the combined domestic and sprinkler requirements.
3. Existing penetrations of stairway enclosures shall be accepted if they are protected in accordance with the *International Building Code*.

1012.7.3 Other vertical shafts. Interior vertical shafts other than stairways, including but not limited to elevator hoistways and service and utility shafts, shall be enclosed as required by the *International Building Code* when there is a change of use to a higher hazard category as specified in Table 1012.4.

Exceptions:

1. Existing 1-hour interior shaft enclosures shall be accepted where a higher rating is required.
2. Vertical openings, other than stairways, in buildings of other than Group I occupancy and connecting less than six stories shall not be required to be enclosed if the entire building is provided with an approved automatic sprinkler system.

1012.7.4 Openings. All openings into existing vertical shaft enclosures shall be protected by fire assemblies having a fire protection rating of not less than 1 hour and shall be maintained self-closing or shall be automatic-closing by actuation of a smoke detector. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices shall be permitted in all shafts except stairways if the fusible link rating does not exceed 135°F (57°C).

1012.8 Accessibility. Existing buildings that undergo a change of group or occupancy classification shall comply with this section.

Exception: Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing buildings and facilities undergoing a *change of occupancy* in conjunction with less than a Level 3 alteration.

1012.8.1 Partial change in occupancy. Where a portion of the building is changed to a new occupancy classification, any alteration shall comply with Sections 705, 806 and 906, as applicable.

1012.8.2 Complete change of occupancy. Where an entire building undergoes a *change of occupancy*, it shall comply with Section 1012.8.1 and shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to *primary function* areas.
3. Signage complying with Section 1111 of the *International Building Code*.
4. Accessible parking, where parking is provided.
5. At least one accessible passenger loading zone, where loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is *technically infeasible* to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible.

Exception: The accessible features listed in Items 1 through 6 are not required for an accessible route to Type B units.

the rubbish and linen chute would be required under the provisions of the *International Building Code* for new construction.

904.1.3 Upholstered furniture or mattresses. *Work areas* shall be provided with an automatic sprinkler system in accordance with the *International Building Code* where any of the following conditions exist:

1. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).
2. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).
3. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

904.2 Fire alarm and detection systems. Fire alarm and detection shall be provided in accordance with Section 907 of the *International Building Code* as required for new construction.

904.2.1 Manual fire alarm systems. Where required by the *International Building Code*, a manual fire alarm system shall be provided throughout the *work area*. Alarm notification appliances shall be provided on such floors and shall be automatically activated as required by the *International Building Code*.

Exceptions:

1. Alarm-initiating and notification appliances shall not be required to be installed in tenant spaces outside of the *work area*.
2. Visual alarm notification appliances are not required, except where an existing alarm system is upgraded or replaced or where a new fire alarm system is installed.

904.2.2 Automatic fire detection. Where required by the *International Building Code* for new buildings, automatic fire detection systems shall be provided throughout the *work area*.

**SECTION 905
MEANS OF EGRESS**

905.1 General. The means of egress shall comply with the requirements of Section 805 except as specifically required in Sections 905.2 and 905.3.

905.2 Means-of-egress lighting. Means of egress from the highest *work area* floor to the floor of exit discharge shall be provided with artificial lighting within the exit enclosure in accordance with the requirements of the *International Building Code*.

905.3 Exit signs. Means of egress from the highest *work area* floor to the floor of exit discharge shall be provided with exit signs in accordance with the requirements of the *International Building Code*.

**SECTION 906
ACCESSIBILITY**

906.1 General. A building, *facility* or element that is altered shall comply with this section and Sections 705 and 806.

906.2 Type B dwelling or sleeping units. Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *International Building Code* for Type B units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered.

Exception: Group I-1, I-2, R-2, R-3 and R-4 dwelling or sleeping units where the first certificate of occupancy was issued before March 15, 1991 are not required to provide Type B dwelling or sleeping units.

**SECTION 907
STRUCTURAL**

[BS] 907.1 General. Where buildings are undergoing Level 3 *alterations* including structural *alterations*, the provisions of this section shall apply.

[BS] 907.2 New structural elements. New structural elements shall comply with Section 807.2.

[BS] 907.3 Existing structural elements carrying gravity loads. Existing structural elements carrying gravity loads shall comply with Section 807.4.

[BS] 907.4 Existing structural elements resisting lateral loads. All existing elements of the lateral force-resisting system shall comply with this section.

Exceptions:

1. Buildings of Group R occupancy with no more than five dwelling or sleeping units used solely for residential purposes that are altered based on the conventional light-frame construction methods of the *International Building Code* or in compliance with the provisions of the *International Residential Code*.
2. Where such *alterations* involve only the lowest story of a building and the *change of occupancy* provisions of Chapter 10 do not apply, only the lateral force-resisting components in and below that story need comply with this section.

[BS] 907.4.1 Evaluation and analysis. An engineering evaluation and analysis that establishes the structural adequacy of the altered structure shall be prepared by a registered design professional and submitted to the *code official*.

[BS] 907.4.2 Substantial structural alteration. Where more than 30 percent of the total floor and roof areas of the building or structure have been or are proposed to be involved in structural *alteration* within a 5-year period, the evaluation and analysis shall demonstrate that the lateral load-resisting system of the altered building or structure complies with the *International Building Code* for wind loading and with reduced *International Building Code*

SECTION 807 STRUCTURAL

[BS] 807.1 General. Structural elements and systems within buildings undergoing Level 2 *alterations* shall comply with this section.

[BS] 807.2 New structural elements. New structural elements in *alterations*, including connections and anchorage, shall comply with the *International Building Code*.

[BS] 807.3 Minimum design loads. The minimum design loads on existing elements of a structure that do not support additional loads as a result of an *alteration* shall be the loads applicable at the time the building was constructed.

[BS] 807.4 Existing structural elements carrying gravity loads. *Alterations* shall not reduce the capacity of existing gravity load-carrying structural elements unless it is demonstrated that the elements have the capacity to carry the applicable design gravity loads required by the *International Building Code*. Existing structural elements supporting any additional gravity loads as a result of the *alterations*, including the effects of snow drift, shall comply with the *International Building Code*.

Exceptions:

1. Structural elements whose stress is not increased by more than 5 percent.
2. Buildings of Group R occupancy with not more than five dwelling or sleeping units used solely for residential purposes where the *existing building* and its *alteration* comply with the conventional light-frame construction methods of the *International Building Code* or the provisions of the *International Residential Code*.

[BS] 807.5 Existing structural elements resisting lateral loads. Except as permitted by Section 807.6, where the alteration increases design lateral loads, or where the alteration results in prohibited structural irregularity as defined in ASCE 7, or where the alteration decreases the capacity of any existing lateral load-carrying structural element, the structure of the altered building or structure shall be shown to meet the wind and seismic provisions of the *International Building Code*. Reduced *International Building Code*-level seismic forces in accordance with Section 301.1.4.2 shall be permitted.

Exception: Any existing lateral load-carrying structural element whose demand-capacity ratio with the alteration considered is not more than 10 percent greater than its demand-capacity ratio with the alteration ignored shall be permitted to remain unaltered. For purposes of calculating demand-capacity ratios, the demand shall consider applicable load combinations with design lateral loads or forces in accordance with *International Building Code* Sections 1609 and 1613. Reduced *International Building Code*-level seismic forces in accordance with Section 301.1.4.2 shall be permitted. For purposes of this exception, comparisons of demand-capacity ratios and calculation of design lateral loads, forces and capacities shall account for the cumulative effects of additions and alterations since original construction.

ance with the provisions of the *International Building Code*.

805.10 Refuge areas. Where alterations affect the configuration of an area utilized as a refuge area, the capacity of the refuge area shall not be reduced below that required in Sections 805.10.1 and 805.10.2.

805.10.1 Capacity. The required capacity of refuge areas shall be in accordance with Sections 805.10.1.1 through 805.10.1.3.

805.10.1.1 Group I-2. In Group I-2 occupancies, the required capacity of the refuge areas for smoke compartments in accordance with Section 407.5.1 of the *International Building Code* shall be maintained.

805.10.1.2 Group I-3. In Group I-3 occupancies, the required capacity of the refuge areas for smoke compartments in accordance with Section 408.6.2 of the *International Building Code* shall be maintained.

805.10.1.3 Ambulatory care. In ambulatory care facilities required to be separated by Section 422.2 of the *International Building Code*, the required capacity of the refuge areas for smoke compartments in accordance with Section 422.4 of the *International Building Code* shall be maintained.

805.10.2 Horizontal exits. The required capacity of the refuge area for horizontal exits in accordance with Section 1026.4 of the *International Building Code* shall be maintained.

805.11 Guards. The requirements of Sections 805.11.1 and 805.11.2 shall apply to guards from the *work area* floor to, and including, the level of exit discharge but shall be confined to the egress path of any *work area*.

805.11.1 Minimum requirement. Every open portion of a stairway, landing, or balcony that is more than 30 inches (762 mm) above the floor or grade below and is not provided with guards, or those portions in which existing guards are judged to be in danger of collapsing, shall be provided with guards.

805.11.2 Design. Guards required in accordance with Section 805.11.1 shall be designed and installed in accordance with the *International Building Code*.

SECTION 806 ACCESSIBILITY

806.1 General. A building, *facility*, or element that is altered shall comply with this section and Section 705.

806.2 Stairways and escalators in existing buildings. In *alterations* where an escalator or stairway is added where none existed previously, an accessible route shall be provided in accordance with Sections 1104.4 and 1104.5 of the *International Building Code*.

[FG] 702.6.1 **International Fuel Gas Code.** The following sections of the *International Fuel Gas Code* shall constitute the fuel gas materials and methods requirements for Level 1 alterations.

1. All of Chapter 3, entitled "General Regulations," except Sections 303.7 and 306.
2. All of Chapter 4, entitled "Gas Piping Installations," except Sections 401.8 and 402.3.
 - 2.1. Sections 401.8 and 402.3 shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums.
3. All of Chapter 5, entitled "Chimneys and Vents."
4. All of Chapter 6, entitled "Specific Appliances."

SECTION 703 FIRE PROTECTION

703.1 General. Alterations shall be done in a manner that maintains the level of fire protection provided.

SECTION 704 MEANS OF EGRESS

704.1 General. Alterations shall be done in a manner that maintains the level of protection provided for the means of egress.

SECTION 705 ACCESSIBILITY

705.1 General. A facility that is altered shall comply with the applicable provisions in Sections 705.1.1 through 705.1.14, and Chapter 11 of the *International Building Code* unless it is *technically infeasible*. Where compliance with this section is *technically infeasible*, the alteration shall provide access to the maximum extent that is technically feasible.

A facility that is constructed or altered to be accessible shall be maintained accessible during occupancy.

Exceptions:

1. The altered element or space is not required to be on an accessible route unless required by Section 705.2.
2. Accessible means of egress required by Chapter 10 of the *International Building Code* are not required to be provided in existing facilities.
3. Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing facilities undergoing less than a Level 3 alteration.

4. The alteration to Type A individually owned dwelling units within a Group R-2 occupancy shall meet the provisions for Type B dwelling units.

705.1.1 Entrances. Where an alteration includes alterations to an entrance, and the facility has an accessible entrance on an accessible route, the altered entrance is not required to be accessible unless required by Section 705.2. Signs complying with Section 1111 of the *International Building Code* shall be provided.

705.1.2 Elevators. Altered elements of existing elevators shall comply with ASME A17.1/CSA B44 and ICC A117.1. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

705.1.3 Platform lifts. Platform (wheelchair) lifts complying with ICC A117.1 and installed in accordance with ASME A18.1 shall be permitted as a component of an accessible route.

705.1.4 Ramps. Where steeper slopes than allowed by Section 1012.2 of the *International Building Code* are necessitated by space limitations, the slope of ramps in or providing access to existing facilities shall comply with Table 705.1.4.

TABLE 705.1.4
RAMPS

SLOPE	MAXIMUM RISE
Steeper than 1:10 but not steeper than 1:8	3 inches
Steeper than 1:12 but not steeper than 1:10	6 inches

For SI: 1 inch = 25.4 mm.

705.1.5 Dining areas. An accessible route to raised or sunken dining areas or to outdoor seating areas is not required provided that the same services and decor are provided in an accessible space usable by any occupant and not restricted to use by people with a disability.

705.1.6 Jury boxes and witness stands. In alterations, accessible wheelchair spaces are not required to be located within the defined area of raised jury boxes or witness stands and shall be permitted to be located outside these spaces where ramp or lift access poses a hazard by restricting or projecting into a required means of egress.

705.1.7 Accessible dwelling or sleeping units. Where Group I-1, I-2, I-3, R-1, R-2 or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *International Building Code* for Accessible units apply only to the quantity of the spaces being altered.

705.1.8 Type A dwelling or sleeping units. Where more than 20 Group R-2 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *International Building Code* for Type A units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered.

705.1.9 Toilet rooms. Where it is technically infeasible to alter existing toilet and bathing rooms to be accessible, an accessible family or assisted-use toilet or bathing room

constructed in accordance with Section 1109.2.1 of the *International Building Code* is permitted. The family or assisted-use toilet or bathing room shall be located on the same floor and in the same area as the existing toilet or bathing rooms. At the inaccessible toilet and bathing rooms, directional signs indicating the location of the nearest family or assisted-use toilet room or bathing room shall be provided. These directional signs shall include the International Symbol of Accessibility and sign characters shall meet the visual character requirements in accordance with ICC A117.1.

705.1.10 Dressing, fitting and locker rooms. Where it is *technically infeasible* to provide accessible dressing, fitting, or locker rooms at the same location as similar types of rooms, one accessible room on the same level shall be provided. Where separate sex facilities are provided, accessible rooms for each sex shall be provided. Separate sex facilities are not required where only unisex rooms are provided.

705.1.11 Fuel dispensers. Operable parts of replacement fuel dispensers shall be permitted to be 54 inches (1370 mm) maximum measured from the surface of the vehicular way where fuel dispensers are installed on existing curbs.

705.1.12 Thresholds. The maximum height of thresholds at doorways shall be $\frac{3}{4}$ inch (19.1 mm). Such thresholds shall have beveled edges on each side.

705.1.13 Extent of application. An *alteration* of an existing element, space, or area of a *facility* shall not impose a requirement for greater accessibility than that which would be required for new construction. *Alterations* shall not reduce or have the effect of reducing accessibility of a *facility* or portion of a *facility*.

705.1.14 Amusement rides. Where the structural or operational characteristics of an amusement ride are altered to the extent that the amusement ride's performance differs from that specified by the manufacturer or the original design, the amusement ride shall comply with requirements for new construction in accordance with Section 1110.4.8 of the *International Building Code*.

705.2 Alterations affecting an area containing a primary function. Where an *alteration* affects the accessibility to a, or contains an area of, *primary function*, the route to the primary function area shall be accessible. The accessible route to the *primary function* area shall include toilet facilities and drinking fountains serving the area of *primary function*.

Exceptions:

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of *primary function*.
2. This provision does not apply to *alterations* limited solely to windows, hardware, operating controls, electrical outlets and signs.
3. This provision does not apply to *alterations* limited solely to mechanical systems, electrical systems, installation or *alteration* of fire protection systems and abatement of hazardous materials.

4. This provision does not apply to *alterations* undertaken for the primary purpose of increasing the accessibility of a *facility*.
5. This provision does not apply to altered areas limited to Type B dwelling and sleeping units.

SECTION 706 REROOFING

[BS] 706.1 General. Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15 of the *International Building Code*.

Exception: Reroofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2-percent slope) in Section 1507 of the *International Building Code* for roofs that provide positive roof drainage.

[BS] 706.2 Structural and construction loads. Structural roof components shall be capable of supporting the roof-covering system and the material and equipment loads that will be encountered during installation of the system.

[BS] 706.3 Recovering versus replacement. New roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof deck where any of the following conditions occur:

1. Where the existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.
3. Where the existing roof has two or more applications of any type of roof covering.

Exceptions:

1. Complete and separate roofing systems, such as standing-seam metal roof systems, that are designed to transmit the roof loads directly to the building's structural system and that do not rely on existing roofs and roof coverings for support, shall not require the removal of existing roof coverings.
2. Metal panel, metal shingle and concrete and clay tile roof coverings shall be permitted to be installed over existing wood shake roofs when applied in accordance with Section 706.4.
3. The application of a new protective coating over an existing spray polyurethane foam roofing system shall be permitted without tear-off of existing roof coverings.
4. Where the existing roof assembly includes an ice barrier membrane that is adhered to the roof deck, the existing ice barrier membrane shall be permitted to remain in place and cov-

East Aurora FD Chiefs

9 Roger Leblanc

9-1 Mark Hartley

9-2 Don Janish

9-3 Greg Egloff

9-4 Chris Schack

RESOLUTION – SUPPORT LEGISLATION TO HALT NEW CRIMINAL JUSTICE REFORM (BAIL & DISCOVERY REFORM)

WHEREAS, protecting the people from harm by enforcing the rule of law is the foundational role of government, and

WHEREAS, County governments are vested by the State of New York with the responsibility to protect the most vulnerable among us, including the socioeconomically disadvantaged, the disabled, the elderly, and children; and

WHEREAS, no group is more vulnerable than the victims of crime, and a just society demands that crime victims should be recognized as key participants within the criminal justice system and be treated with dignity, fairness, and respect; and,

WHEREAS, for the past twenty-five years the State of New York has committed itself to reducing crime, and has succeeded as evidenced by official U.S. Department of Justice Uniform Crime Reporting Statistics showing that New York transformed from the second most dangerous state in America in the early 1990s to the safest large state in America by the early 2000s; and

WHEREAS, in the final stages of adopting its FY 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors; and

WHEREAS, under bail reform, beginning January 1, 2020, judges will be stripped of their discretion to set bail for many specific enumerated crimes, which means those suspected of committing these crimes can no longer be held in jail after their arrest, regardless of the strength of the case against these defendants, or the length of the potential sentence faced by these defendants, or the extent of the harm allegedly caused by these defendants, and instead these defendants will be released back into the general public; and

WHEREAS, these crimes include those that result in the deaths of innocent people, including several subcategories of homicide and manslaughter, resulting in those responsible for these deaths being released back into the community of grieving families; and

WHEREAS, these crimes include Making a Terroristic Threat and Money Laundering in Support of Terrorism in the Third and Fourth degree, resulting in those alleged to have supported terrorism in this manner, or who have threatened to commit acts of terrorism, being released immediately from police custody; and

WHEREAS, these crimes include Promoting an Obscene Sexual Performance by a Child; Possessing an Obscene Sexual Performance by a Child; Failure to Register as a Sex Offender; and Patronizing a Person for Prostitution in a School Zone, resulting in suspected child predators being released and returning into our community; and

WHEREAS, these crimes include Aggravated Assault Upon a Person Less than Eleven Years Old; Reckless Assault of a Child by a Daycare Provider; Criminal Sale of a Controlled Substance to a Child; Abandonment of a Child; and Criminal Possession of a Weapon on School Grounds, resulting in those suspected to have physically harmed or endangered children in this manner being free from custody; and

WHEREAS, these crimes include Endangering the Welfare of a Vulnerable Elderly Person or an Incompetent or Physically Disabled Person, resulting in the potential for further endangerment of seniors and these defenseless individuals; and

WHEREAS, these crimes include Aggravated Cruelty to Animals; Torturing Animals and Injuring Animals, resulting in the immediate release of those suspected of deliberately injuring, torturing and killing animals; and

WHEREAS, these crimes include Assault in the Third Degree, Aggravated Vehicular Assault, and other crimes of physical violence against people; and

WHEREAS, these crimes include Burglary of a Residence, resulting in the immediate release of these individuals back into the neighborhoods they are suspected of targeting; and

WHEREAS, these crimes include Bail Jumping and Unlawfully Fleeing a Police Officer in a Motor Vehicle, resulting in release on recognizance of the very individuals who have demonstrated a propensity to evade the law; and

WHEREAS, all of the offenders mentioned heretofore are at risk of not showing up for court, thereby placing a burden on public employees who, under this law, are required to send multiple court appearance reminders to these offenders, as well as police officers and District Attorneys who must commit resources to tracking and pursuing those who evade prosecution; and

WHEREAS, all offenders who are currently being held in custody for non-qualifying crimes including those mentioned heretofore will be eligible for release from custody on January 1, 2020; and

WHEREAS, the discovery mandates imposed by the State of New York will require police and District Attorneys, beginning January 1, 2020, to turn over voluminous trial-related materials to defense attorneys within 15 days, creating a mandate that will inevitably not be achieved in some cases and may result in the inability of the People to properly prosecute cases against criminal defendants; and

WHEREAS, discovery reform will also result in an opportunity for defendants to gain access to crime scenes that may include a victim's residence, thereby giving defendants accused of burglaries, assaults, rapes and other crimes committed in victims' homes the right to return to those same homes; and

WHEREAS, the issues mentioned heretofore will undeniably impact past, present and future victims of crime in a negative manner, and in so doing, the bail and discovery reforms adopted by the State of New York will themselves further victimize these innocent individuals; and

WHEREAS, these bail and discovery laws, in their current form, represent a clear and present danger to society, will tilt the scales of justice in favor of suspected criminals and away from innocent crime victims, and risk reversing decades of bipartisan progress made by the State of New York in reducing crime; and

WHEREAS, the fundamental responsibility of governments to protect the vulnerable in society demands that the shortcomings of these laws be remedied prior to their effective date of January 1, 2020,

BE IT RESOLVED, that the Town Board of the **Village of East Aurora** and the East Aurora Police Department hereby supports legislation (S.6853) introduced by Senator Chris Jacobs and implores the State of New York to immediately amend or otherwise delay implementation of these laws by convening an emergency session of the State Legislature, or by emergency executive authority, or by any other means deemed possible by the State, and to do so before December 31, 2019; and

BE IT FURTHER RESOLVED, that the East Aurora Village Board asks all counties in New York State to urge their state representatives to take immediate action on the foregoing issues, and

BE IT FURTHER RESOLVED, that copies of this resolution be provided to Attorney General Letitia James, Governor Andrew Cuomo, Lieutenant Governor Kathy Hochul, Senator Charles Schumer, Senator Kirsten Gillibrand, the New York State Association of Counties, the New York State Sheriffs' Association, the New York State Association of Chiefs of Police, the District Attorneys Association of New York, the New York State Defenders Association, the New York State Probation Officers Association, the New York Council of Probation Administrators, the Association of Justices of the Supreme Court of the State of New York, the New York State Association of City Court Judges, the County Judges Association of the State of New York, and the County Attorneys' Association of the State of New York.

ROLL CALL VOTE:

12/16/19
VB Agenda
Refer to PC

**F/M EDM Inc.
210 Pennsylvania Avenue
East Aurora, NY 14052
(716) 655-1784**

November 8, 2019

The Village of East Aurora
Zoning Committee

To Whom It May Concern:

I am writing you in regards to the rezoning of my property at 210 and 200 Pennsylvania Avenue in the Village of East Aurora.

When I purchased these properties, I specifically chose them because they were zoned Manufacturing Industrial. Currently, my properties are used as manufacturing facilities, all fully compliant with the guidelines set forth in the Village Code, as stated, prior to the rezoning. The Manufacturing/Industrial zoning classification of the Village Code at the time made my decision very easy to make when selecting where to relocate my aerospace manufacturing business after being located at 54 Elm Street (next to the Elm Street Bakery's current location) for over a decade.

The proposed NEW rezoning classification shows that my property is no longer part of the Manufacturing/Industrial zone which included nearly every property along the railroad tracks in the Village. My zoning classification is proposed as "Limited Commercial Residential (LCR)" along with the former Southside Elementary School office building located a few hundred yards South of my property. Upon review of the terms and limitations of this new proposed zoning, I do not see anything that would accommodate the historical and current fully compliant uses of both of my properties. The similar manufacturing facilities located directly across the railroad tracks from my properties have been rezoned as "Village Manufacturing (VM).

I am deeply concerned that the new rezoning regulations will cause my entire operation and tenants to be noncompliant with the new Village Code, and will detrimentally affect any attempt to sell these properties and will significantly diminish any potential return of my investment into these properties which I have improved both to meet the requirements of my businesses and the Village Code as well as to cosmetically improve the appearance of my buildings to appease the neighboring residents and character of this beautiful community.

While I can understand and respect the Village's efforts to focus on the residentially friendly aspects of the current rezoning project, I feel that the rezoning classification that affects my properties compared to other similar properties located adjacent to mine in the Manufacturing/Industrial zone of the most recent zoning code is discriminatory against me as the property owner, forces my zoning classification to that of an office building, and drastically affects the potential use, salability, and value of my property and facilities. I request that the powers that be reconsider the proposed zoning reclassification of my properties to "General Manufacturing (GM)" (most similar to the "Manufacturing/Industrial" classification of my purchase of the affected properties) or at least "Village Manufacturing (VM)" to preserve my longstanding history of zoning compliance, and to protect the considerable monetary investments I have made in my properties and improvements to keep my businesses and tenants located in our wonderful Village and Community.

If you would like to contact me for any reason to discuss this matter, please call me at your convenience. Thank you for your attention and consideration on this matter..

Very truly yours,



Mark Mann
(716) 655-1784
President/Owner