

**AGENDA**  
**Village Board of East Aurora**  
**June 1, 2020 Regular Meeting at 7 p.m.**

**1. CALL MEETING TO ORDER**

- A. Pledge of Allegiance
- B. Roll Call
- C. Approval of Minutes of Village Board Meeting for May 18, 2020
- D. Approval of Payment of Abstract(s) for the 2019/2020: Voucher Nos. 59780 through 59814 for a total of \$472,191.61
- E. Approval of Payment of Abstract(s) for the 2020/2021: Voucher Nos. XXXXX through XXXXX for a total of \$ will be added Monday due to year roll over

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

**3. PUBLIC HEARINGS**

- A. Consideration of a Local Law to Amend Chapter 180 of Village Code, Peddlers and Solicitors, to add a section with regulations specific to mobile food vendors, aka food trucks (*continued*)

**4. OFFICIAL CONSIDERATIONS**

- A. Consideration to Approve a Local Law to Amend Chapter 180 of Village Code, Peddlers and Solicitors, to add a section with regulations specific to mobile food vendors, aka food trucks
- B. Consideration of a Resolution to Set Fees for Section 180-28 pertaining to permits issued for Mobile Food Vending
- C. Budget adjustment budget year 2020/2021 (phones)
- D. Consideration to Award the Contract for installation of a new phone system
- E. Consideration to set a public hearing on July 6<sup>th</sup> for a Permit Application, for Jennifer Valentine at 365 South Street, to keep chickens on the property;
- F. Consideration to approve change order for \$4,400 for the Oakwood project water line connection size change required
- G. Consideration of a Resolution for a revised agreement with Timothy Stroth to provide consulting engineering and construction management services at a rate of \$35 per hour

**5. DEPARTMENT HEAD REPORTS**

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

**7. ADJOURNMENT**

**VILLAGE OF EAST AURORA  
VILLAGE BOARD MEETING  
May 18, 2020 –7:00 PM**

**Present:**

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

**Also Present:**

Shane Krieger, Chief of Police  
Maureen Jerackas, Clerk-Treasurer  
Robert Pierce, Village Attorney  
Cathie Thomas, Village Administrator  
Matthew Hoeh, Superintendent of Public Works  
William Kramer, Building Inspector  
Jessica Taneff- Deputy Clerk  
0 Members of the public

A Motion by Trustee Porter to approve the Village Board minutes of May 4, 2020, seconded by Trustee Kimmel-Hurt and carried with unanimous approval.

Trustee Schoeneman moved to approve the Payment of Abstract(s) for:  
Voucher Nos. Nos. 59741 through 59779 for a total of \$45,467.71  
Seconded by Trustee Kimmel-Hurt and unanimously carried.

**PUBLIC HEARINGS-CONTINUED**

- A Motion by Trustee Lazickas to open a public hearing at 7:07PM for a Request for a revised Site Plan Approval for The Bank at 649 Main Street, was seconded by Trustee Schoeneman and carried with unanimous approval.
  - The Clerk Treasurer read a letter from Susan Steinwachs, who believes an elevator is still necessary to have in this building. \*\*
  - Peter Sorgi- 5500 Main St. Attorney for The Bank- Mr. Sorgi told the Board he has contacted two other people with experience on this matter and they both have said not having an elevator is compliant with the law. The Bank will no longer be having the rooftop as a floor. Mr. Sorgi listed other restaurants around the Village that have two floors with no elevator. Trustee Porter responded to Peter Sorgi and said the examples he gave are not the

same situation as The Bank because The Bank has three floors not two. The Mayor spoke of The Bank's new plans with all the ADA guidelines.

On a Motion by Trustee Kimmel-Hurt to close the public hearing at 7:16PM, was seconded by Trustee Schoeneman and carried with unanimous approval.

- A Motion by Trustee Kimmel-Hurt to open a public hearing at 7:17 PM, for Consideration of a Local Law to amend Chapter 180 of Village Code, Peddlers and Solicitors, to add a section with regulations specific to mobile food vendors, aka food trucks, was seconded by Trustee Lazickas and carried with unanimous approval.
  - Trustee Porter would like to allow Food Trucks in Hamlin Park. The Clerk Treasurer read the email from Ashley Howee \*\* Mitchell Stenger -69 Delaware Ave., Attorney for Lloyd's Taco Truck- Mr. Stenger spoke to the prior Peddler and Permit and the halt of this permit when CoVid-19 started. Mr. Stenger said he believes Food Trucks are an essential business during this pandemic and should be allowed to operate. He would like to see this amendment to the code move along so the food truck can apply and get back into business. Trustee Porter asked what Hamlin Park was zoned at and CEO Kramer responded this was under open space. Trustee Porter made a recommendation to amend the code to allow food trucks to sell in Hamlin Park for a maximum of two hours. The Administrator and CEO Kramer discussed what open spaces entails. Trustee Kimmel-Hurt referred to Section 180(25)-private events falls into operating within a residential zone. She also asked about Food Trucks operating in Fireman's Field. The Administrator said this field is operated by the Fire Department. Trustee Kimmel-Hurt then referred to Section 180-30(F)- for trash receptacles. She mentioned it might be a good idea to add the requirement for a recycling bin in addition to a garbage bin. CEO Kramer added that he would like to see all violation penalties be consistent.

On a Motion by Trustee Schoeneman to close the public hearing at 7:29PM, was seconded by Trustee Cameron and carried with unanimous approval.

- A Motion by Trustee Porter to open a public hearing at 7:41PM, for Consideration of the Village Annual MS4 Storm Water Management Report, was seconded by Trustee Lazickas and carried with unanimous approval.

On a Motion by Trustee Kimmel-Hurt to close the public hearing at 7:42PM, was seconded by Trustee Cameron and carried with unanimous approval.

## OFFICIAL CONSIDERATIONS

- **RESOLUTION OF THE VILLAGE OF EAST AURORA APPROVING THE REVISED DEVELOPMENT PLAN REGARDING RENOVATIONS AND IMPROVEMENTS FOR PROPERTY KNOWN AS THE BANK AT 649 MAIN STREET IN THE VILLAGE OF EAST AURORA**

A Motion by Trustee Kimmel-Hurt,

A WHEREAS, an application has been submitted for a proposed revised development plan at the above referenced property by Todd Stine, as agent for East Aurora Holdings, LLC (hereinafter referred to as the Applicant), and

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

WHEREAS, the Village Board held a public hearing and meetings, all of which were properly noticed to the public, and reviewed and considered the comments and all written materials submitted by the applicant, any and all public comments and submissions, 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 revised development plan was discussed, along with recommendations of approval by Planning Commission; and

WHEREAS, the Village Board received and considered the application for a Revised Development Plan with regards to the above referenced renovations and improvements for the use of property known as 649 Main Street, "The Bank" project.

NOW, THEREFORE, BE IT RESOLVED, by the East Aurora Village Board the following:

1. The recommendations of the Planning Commission, the revised development plan, including the above referenced improvement renderings filed with the Village comprised of drawings by architect Heather M. Nemec, Drawing Nos. A-1, A-2 and A-3, all dated December 2, 2018, with revision dates of January 28, 2020 and Drawing No. A-4 dated May, 2018, with a revision date of January 28, 2020 and Drawing No. A-5 dated October 30, 2018, with a revision date of January 28, 2020, Drawing No. A-6 dated October 30, 2018, and all information included in the minutes taken in relation to the above mentioned Village Board meetings are attached hereto and incorporated herein by reference.

2. Approval is granted for the Revised Development Plan Application for renovations and improvements to 649 Main Street, known as "The Bank" in the Village of East Aurora subject to the following conditions being met by the Applicant:

- a. That the applicant shall be solely responsible to comply with ADA standards and regulations.
- b. The applicant shall provide that should any future determination by the DOJ result in any orders that mandate changes to The Bank development in order to comply with ADA standards, rules and/or regulations, that the applicant shall be fully and solely-responsible for complying with such orders, directives, and/or determinations. Same shall apply to the applicant, any heirs, partners, transferees, lessees, grantees, tenants, subsidiaries, successors, and assigns.

3. To the extent not modified above, should any part of the application and Revised Development Plan approval be in conflict with any segment of the underlying Village Code (e.g., Zoning, etc.), the terms of the Village Code provisions shall take precedence. Further, the applicant is responsible to ensure compliance with all Federal, State and County laws applicable to this development.

4. The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Revised Development Plan, and its conditions.

5. The nature, duration, and intensity of the operations which are involved in, or conducted in connection with, this Revised Development Plan shall not be increased or expanded without the prior approval of the Village Board in accordance with any procedures which may be adopted.

6. This Revised Development Plan approval shall expire if meaningful construction, as determined solely by the Village Board after a reasonable opportunity to be heard has been granted, has not been commenced within one (1) year of the date of this resolution, and has not been completed within two (2) years of the date of this resolution or, if no construction is involved, the use has not been commenced within one (1) year of the date of this resolution.

7. This Revised Development Plan approval shall expire if the use, once begun, ceases operation, for any reason, for more than six (6) consecutive months.

8. This Revised Development Plan approval may be revoked by the Village Board if it is determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the approved Revised Development Plan. Revocation may also occur in the event of Village or other Code violations occurring at the property. The Village Board shall hold a public hearing within thirty (30) calendar days after written notice has been served upon the Applicant to consider whether or not the Applicant has violated the terms and conditions of the Revised Development Plan or if any Village Code violations have occurred. Notice of the violations and of the date, place, and time of the public hearing shall be mailed to the Applicant by certified mail, return receipt requested, directed to the last known address of the Applicant. Failure to accept the notice shall not excuse the Applicant from complying with any directives from the Village nor delay the public hearing.

The following resolution was made by Trustee Schoeneman and carried with unanimous approval.

- Attorney Robert Pierce said the resolution has to be consistent with ADA rules.
- A Motion by Trustee Kimmel-Hurt, to table a Local Law to amend Chapter 180 of Village Code, Peddlers and Solicitors, to add a section with regulations specific to mobile food vendors, aka food trucks until June 1st, seconded by Trustee Lazickas and carried with unanimous approval.
  - The Administrator said she would look into fines being consistent. The Administrator also spoke to the code about private parties operating in a residential zone.
- A Motion by Trustee Cameron, to Approve the Mayor to sign the Village Annual MS4 Storm Water Management Report, seconded by Trustee Scheer and carried with unanimous approval.
- A Motion by Trustee Porter, to Set a Public Hearing on June 15th for a Permit Application for Keeping Other Than Household Pets, for Shaun and Kelly Canaski at 789 Warren Drive to keep chickens on the property, seconded by Trustee Kimmel-Hurt and carried with unanimous approval.
  - The Clerk Treasurer will find out how many chickens the applicants are looking to keep.
- A request from the Tree Board for modification of the Village's Tree Maintenance Policy has been tabled to June 1st.
  - The Administrator reviewed the Tree Modifications and she spoke with the Superintendent how they are making improvements on how they are tracking tree work. The Mayor asked the Superintendent if they could send the Administrator an updated list every month on what has been worked

on and what is still on the list to be done when they have the manpower to complete jobs. The DPW Clerk will also note on the list which projects are not deemed hazard.

- A Motion by Trustee Schoeneman, to Approve an Agreement with Robert Pierce, Esq. to serve as Village Attorney as an independent contractor, and to approve the Mayor's Appointment of Christopher Trapp as Deputy Village Attorney, seconded by Trustee Cameron and carried with unanimous approval.

- RESOLUTION

A Motion by Trustee Kimmel-Hurt

I, Mayor Peter M. Mercurio, here by appoint Cathryn C. Thomas as Affirmative Action Officer for a one-year term ending April 5, 2021.

Roll call vote:

Trustee Lazickas: aye

Trustee Kimmel-Hurt: aye

Trustee Cameron: aye

Trustee Schoeneman: aye

Trustee Porter: aye

Trustee Scheer: aye

Mayor Mercurio: aye

Was seconded by Trustee Scheer and carried with unanimous approval.

- A Motion by Trustee Porter, to Table to Award the Contract for installation of a new phone system, seconded by Trustee Cameron and carried with unanimous approval.
  - Trustee Lazickas referred to his previous email and would like to vet further about switching phone services. Trustee Lazickas wanted to make sure the new phone system has a call center that takes 24/7 phone calls and will speak to us on the phone. He asked the Clerk Treasurer about proprietary equipment and asked if it could be used with other vendors. The Clerk treasurer would look into this. The Clerk Treasurer said our IT guy, Nick, liked both vendor choices but noted that Vaspian would cost \$9,000-\$10,000 to be paid off over a 5yr period. The Clerk-Treasurer noted she hopes the Board picks the same vendor as the Town, so we are operating under the same system.

- AWARD WEBSITE

Trustee Schoeneman, offered the following resolution and moved for its adoption:

**BE IT RESOLVED**, that upon the recommendation of the Village Administrator, and Clerk-Treasurer as the best value, the Website RFP from the opening May 12, 2020 for Village Website creation and maintenance shall be awarded to:

WNY Networks  
980 West maple Court Suite C  
Elma, NY 14059

The following resolution was seconded by Trustee Scheer, and unanimously approved.

## **DEPARTMENT HEAD AND TRUSTEE REPORTS**

- DPW- The Superintendent said they are back to full staff and are getting caught up with spring tasks.
- Police Chief- Chief Krieger said they found out Friday they were awarded with a \$10,000 Grant for booking equipment. He thanked the Clerk-Treasurer for helping with that. Chief Krieger also commented and thanked WKBW for speaking with him to fix their correction on what they published last week about social distancing.
- Oakwood Coordinator- Tim Stroth read the list of Oakwood Updates: · Roadway excavation from Hamburg to Center Streets is substantially complete, with the final 100 feet to be completed this week. · Road subbase installation on those blocks is ongoing along with remaining underground drainage, including isolated catch basins, pipe crossings and underdrain. · Concrete curb installation is scheduled to begin this week to be followed by completion of road subbase stone. · The anticipated schedule for work between Center Street and Park Place is being confirmed this week and continued road excavation is expected by the end of the week. · Public outreach and resident notification efforts are ongoing. We've received positive feedback from residents and businesses. · Efforts to maintain the worksite and install required traffic control devices are ongoing. This will be a work in progress until the project is complete. · We're working with the Engineer daily to implement contract safety requirements. · It's an ongoing challenge to progress the work, maintain the road for residents and coordinate various resident needs. Just last week we coordinated a large delivery and moving vans in the middle of the digging. We had another delivery this morning and a concrete pour at a residence tomorrow.
- Code- Code Enforcement Officer Kramer said phase 1 starts tomorrow which means construction can start back up. He said they have a lot of projects being started.
- Administrator- The Administrator said she spoke with the County Executive about phase 1 starting and what this entails. All businesses must have a plan on how they will re-open and comply with the safety guidelines. If a business is running and doesn't have a business plan submitted, they will be shut down.
- Clerk-Treasurer- The Clerk-Treasurer said she has been working on Bids.
- Trustee Lazickas – Trustee Lazickas spoke about comments from some resident's concern with the lighting being too bright on Main St. The residents asked if there would be any way to block some of the brightness on Fillmore. The Administrator asked the Superintendent if there were shields available and their expense. The Superintendent replied the cost was \$300-\$500 per shield. The Mayor asked the Administrator to ask NYSEG for a price for shielding 3 to 5 lights. Trustee Lazickas spoke of the Chiropractic building at 121 Elm Street and commented that the parking lot is limited with parking and there are cars overflowing into the street. He asked if there is a possibility to have yellow striping put in to prevent people from parking right in front of the building. The Chief said he would take a look at this.
- Trustee Kimmel Hurt – Trustee Kimmel-Hurt commented on the major traffic that occurred Friday or Saturday night due to food take-out. The Chief responded and said he had heard of the jam and they had received some complaints about it.
- Trustee Cameron – None

May 18, 2020

- Trustee Porter- Trustee Porter referred to the Local Zoning Code and asked about making the Code more stringent than the ADA.
- Trustee Schoeneman- None
- Trustee Scheer- Trustee Scheer said things looked good on Oakwood and thanked Tim Stroth for all his work.
- Mayor Mercurio- The Mayor spoke about the meetings he's attended. The one meeting was with the Association of Governments with Tom Reed and they spoke how they are working in Washington to make things happen. The Mayor also had a conversation with Kathy Hochul and ow they will have phase 1 proceed. The Mayor told residents to enjoy the upcoming warm weather but to move forward cautiously. The Mayor said 7,000 masks were going to be distributed and people could pick up masks at the Senior Center or at Dispatch. Martha from the Town would be delivering the masks this evening. The Mayor gave props to a few parents of HS Seniors with displaying blue lawn signs and they also made a distribution to HS Senior households.

## **ADJOURNMENT**

A Motion was made by Trustee Cameron to adjourn the meeting at 8:50PM. Seconded by Trustee Schoeneman and unanimously carried.

Respectfully submitted,

Jessica Taneff  
Village Deputy Clerk

May 18, 2020

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Dear Members of the Village Board,

After reviewing the proposed revisions to The Bank event center, I still feel including an elevator in the plans would be the 'right' thing to do. I put myself in my mother's place because I know her so well and know how she would respond if she were, say, at a family wedding at The Bank under the current revised proposal as I understand it. My mother lived for 50 years on Girard Ave. before having to go into a nursing facility three years ago after a serious fall required her reliance on a motorized wheelchair; her "Maserati" as she calls it. She is an incredibly social and happy 93 year-old who likes nothing better than a party. The elements that I see which still concern me: 1.) only one bathroom on ground level, albeit h/c, that would be a challenge for my mother if there would be any considerable wait. There wouldn't be any option to take her downstairs and assist her in a non-h/c restroom 2.) I did question when I called into the last Board meeting what 'overflow seating' on the upper level meant. If it means that people at the same event could be seated on separate floors, I know my mother would be upset that she didn't have full access to her entire large family that she'd been waiting eagerly for probably a year or more to see.

3.) I think it's unfortunate that there won't be any access to room accommodations on the lower level which could accommodate all individuals, especially for an event like a wedding. Every family wedding I've attended, the grandparents, as matriarchs and patriarchs of the family, have been given a special place of honor in the events and always stayed overnight with the immediate family of the bride/groom. These grandparents or older family members are typically in their 70's-90's and stairs, more frequently than not, are a challenge. I think the developer is being shortsighted by providing seemingly minimum accommodations across the board; restrooms, seating, and hotel rooms for many seniors and all individuals with a physical disability/limitation that would preclude the safe use of stairs. Singling out those individuals for unequal access still looks like discrimination. Like the old saying goes "If it quacks like a duck..." regardless if it manages to meet the requirements of the law.

Sue Steinwachs

925 Luther Rd.

May 18, 2020

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Hello Maureen

Thank you again for including my comment.

We Ashley and Darryl Howe owners of Aurora Brew Works, East Aurora business established in 2012 at 191 Main Street as well as East Aurora residents at 242 Oakwood Avenue want to issue our support of reasonable food truck regulations to allow food trucks to operation in town. We believe that allowing food trucks adds to the beauty of our hometown and would like to see them continue into the future.

Thank you - Ashley and Darryl

--

-Ashley Howe



Village of East Aurora  
Warrant Report 6/1/2020

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	59788	Amazon	05/19/2020	17QL-LQKQ-4GNH	\$91.70	VEA Office supplies and shipping	2020	12	05/30/2020		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	VEA Office supplies and shipping	A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$91.70					
BANK OF HOLLAND GEN CHECK - 00100	59789	Amazon	05/19/2020	169M-R7P4-46RW	\$81.66	VEA Office supplies	2020	12	05/30/2020		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	VEA Office supplies	A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$81.66					
Total vouchers for Amazon: 2					\$173.36						
BANK OF HOLLAND GEN CHECK - 00100	59793	BUFFALO & ORCHARD PARK	05/11/2020	1000-20	\$690.00	MAY 2020 Topsoil	2020	12	05/30/2020		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1		A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS	\$690.00	2020000367	05/01/2020			
Total vouchers for BUFFALO & ORCHARD PARK: 1					\$690.00						
BANK OF HOLLAND GEN CHECK - 00100	59787	CINTAS CORPORATION	05/30/2020	5017313505	\$47.20	Medical supplies for first aid cabinet located in police dept. (Note: This service includes CINTAS' rep visiting EAPD periodically to check and refill as needed so a PO can't be issued in advance)	2020	12	05/30/2020		
		<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>			
		1	Medical supplies for first aid cabinet located in police dept.	A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	\$23.60					
		2	Medical supplies for first aid cabinet located in police dept.	A.5.3420.0420	POLICE & FIRE DISPATCH - MAINTENANCE/SERVICE CONTRACTS	\$23.60					
Total vouchers for CINTAS CORPORATION: 1					\$47.20						
BANK OF HOLLAND GEN CHECK -	59813	CLARK PATTERSON LEE	05/11/2020	68845	\$20,727.50	Oakwood Project, Services for period ending April 24, 2020	2020	12	05/30/2020		



Village of East Aurora  
Warrant Report 6/1/2020

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
00100											
				<b>Line Number</b>		<b>Detail Description</b>					
				1		Oakwood Project, Services for period ending April 24, 2020					
						<b>Account Number</b>					
						H.5.8340.0031					
						<b>Account Description</b>					
						TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE					
						<b>Detail Amount</b>					
						\$20,727.50					
						<b>PO Number</b>					
						<b>PO Date</b>					
Total vouchers for CLARK PATTERSON LEE: 1						\$20,727.50					
BANK OF HOLLAND GEN CHECK - 00100	59811	Cohen Law Group	05/14/2020	2	\$2,300.00	Charter Cable Franchise Renewal Services	2020	12	05/30/2020		
				<b>Line Number</b>		<b>Detail Description</b>					
				1		Charter Cable Franchise Renewal Services					
						<b>Account Number</b>					
						A.5.1420.0411					
						<b>Account Description</b>					
						VILLAGE ATTORNEY - OTHER LEGAL COUNSEL					
						<b>Detail Amount</b>					
						\$2,300.00					
						<b>PO Number</b>					
						<b>PO Date</b>					
Total vouchers for Cohen Law Group: 1						\$2,300.00					
BANK OF HOLLAND GEN CHECK - 00100	59792	CORR DISTRIBUTORS, INC.	05/11/2020	016164	\$105.60	Hand sanitizer (was on backorder from March order)	2020	12	05/30/2020		
				<b>Line Number</b>		<b>Detail Description</b>					
				1		Hand sanitizer (was on backorder from March order)					
						<b>Account Number</b>					
						A.5.1620.0470					
						<b>Account Description</b>					
						BUILDINGS - DEPARTMENTAL SUPPLIES					
						<b>Detail Amount</b>					
						\$105.60					
						<b>PO Number</b>					
						<b>PO Date</b>					
Total vouchers for CORR DISTRIBUTORS, INC.: 1						\$105.60					
BANK OF HOLLAND GEN CHECK - 00100	59785	CREATIVE PRODUCT SOURCING	05/30/2020	133419	\$395.28	Dare products	2020	12	05/30/2020		
				<b>Line Number</b>		<b>Detail Description</b>					
				1		DW04 Squeeze Bottle					
						<b>Account Number</b>					
						A.5.3120.0495					
						<b>Account Description</b>					
						POLICE DEPARTMENT - DARE PROGRAM					
						<b>Detail Amount</b>					
						\$15.90					
						<b>PO Number</b>					
						2020000360					
						<b>PO Date</b>					
						04/30/2020					
				2		DW15 Tritan Tumbler					
						<b>Account Number</b>					
						A.5.3120.0495					
						<b>Account Description</b>					
						POLICE DEPARTMENT - DARE PROGRAM					
						<b>Detail Amount</b>					
						\$39.90					
						<b>PO Number</b>					
						2020000360					
						<b>PO Date</b>					
						04/30/2020					
				3		DW16 Mood stadium cup					
						<b>Account Number</b>					
						A.5.3120.0495					
						<b>Account Description</b>					
						POLICE DEPARTMENT - DARE PROGRAM					
						<b>Detail Amount</b>					
						\$30.00					
						<b>PO Number</b>					
						2020000360					
						<b>PO Date</b>					
						04/30/2020					
				4		OS10 Softy stuffed football					
						<b>Account Number</b>					
						A.5.3120.0495					
						<b>Account Description</b>					
						POLICE DEPARTMENT - DARE PROGRAM					
						<b>Detail Amount</b>					
						\$26.00					
						<b>PO Number</b>					
						2020000360					
						<b>PO Date</b>					
						04/30/2020					
				5		OS11 Soccer ball					
						<b>Account Number</b>					
						A.5.3120.0495					
						<b>Account Description</b>					
						POLICE DEPARTMENT - DARE PROGRAM					
						<b>Detail Amount</b>					
						\$18.00					
						<b>PO Number</b>					
						2020000360					
						<b>PO Date</b>					
						04/30/2020					
				6		PA22 Collectors coin					
						<b>Account Number</b>					
						A.5.3120.0495					
						<b>Account Description</b>					
						POLICE DEPARTMENT - DARE PROGRAM					
						<b>Detail Amount</b>					
						\$27.60					
						<b>PO Number</b>					
						2020000360					
						<b>PO Date</b>					
						04/30/2020					
				7		OS08 Playground ball					
						<b>Account Number</b>					
						A.5.3120.0495					
						<b>Account Description</b>					
						POLICE DEPARTMENT - DARE					
						<b>Detail Amount</b>					
						\$18.90					
						<b>PO Number</b>					
						2020000360					
						<b>PO Date</b>					
						04/30/2020					



Village of East Aurora  
Warrant Report 6/1/2020

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
						PROGRAM					
	8	B06 Heavy duty backpack		A.5.3120.0495		POLICE DEPARTMENT - DARE PROGRAM		\$69.00	2020000360		04/30/2020
	10	ES20 Decision making bookmark		A.5.3120.0495		POLICE DEPARTMENT - DARE PROGRAM		\$31.50	2020000360		04/30/2020
	11	TG11 Twister ring		A.5.3120.0495		POLICE DEPARTMENT - DARE PROGRAM		\$35.00	2020000360		04/30/2020
	12	PP39 Mood sparkler pencil		A.5.3120.0495		POLICE DEPARTMENT - DARE PROGRAM		\$45.00	2020000360		04/30/2020
	13	Dare products Shipping		A.5.3120.0495		POLICE DEPARTMENT - DARE PROGRAM		\$38.48	2020000360		04/30/2020

Total vouchers for CREATIVE PRODUCT SOURCING: 1 \$395.28

BANK OF HOLLAND GEN CHECK - 00100	59800	CYNCON EQUIPMENT INC	05/18/2020	83378	\$1,314.05	Pivot rod, bush, tail pipe, seal.	2020	12	05/30/2020		
	<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>		<b>PO Number</b>	<b>PO Date</b>		
	1	Pivot rod, bush, tail pipe, seal.		A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$1,314.05					

Total vouchers for CYNCON EQUIPMENT INC: 1 \$1,314.05

BANK OF HOLLAND GEN CHECK - 00100	59791	E J PRESCOTT, INC.	05/06/2020	5688821	\$440.00	May 2020	2020	12	05/30/2020		
	<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>		<b>PO Number</b>	<b>PO Date</b>		
	1			F.5.8340.0420	TRANSMISSION AND DISTRIBUTION - MAINT & REPAIRS	\$440.00		2020000325	04/01/2020		

Total vouchers for E J PRESCOTT, INC.: 1 \$440.00

BANK OF HOLLAND GEN CHECK - 00100	59814	EAST AURORA ADVERTISER	05/22/2020	Legal Notices	\$67.60	Transaction between 4/25-5/22/20	2020	12	05/30/2020		
	<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>		<b>PO Number</b>	<b>PO Date</b>		
	1	Invoices # 157585, 157586, 157587, 157742, 157877, 158027		A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$67.60					

Total vouchers for EAST AURORA ADVERTISER: 1 \$67.60

BANK OF HOLLAND	59780	ERIE COUNTY COMPTROLLER	05/14/2020	1800059324	\$1,330.62	ELECTRIC SUPPLIER CHARGES FOR APRIL 2020	2020	12	05/30/2020		
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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 ERIE COUNTY PUBLIC HEALTH LAB: 1					\$154.00						
BANK OF HOLLAND GEN CHECK - 00100	59794	GEMPLER'S	05/18/2020	0004437897	\$291.98	Soil Moist	2020	12	05/30/2020		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.8560.0470	SHADE TREES - DEPARTMENTAL SUPPLIES		\$291.98	2020000353	04/22/2020	
Total vouchers for GEMPLER'S: 1					\$291.98						
BANK OF HOLLAND GEN CHECK - 00100	59797	GRAINGER	05/30/2020	9522112151-9538833279	\$434.27	Williams/Bove/Menz work boots	2020	12	05/30/2020		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	William		A.5.1640.0480	CENTRAL GARAGE - UNIFORMS		\$125.89			
		2	Bove work boots		A.5.5110.0480	STREET MAINTENANCE - UNIFORMS		\$149.31			
		3	Menz work boots		F.5.8340.0480	TRANSMISSION AND DISTRIBUTION - UNIFORMS		\$159.07			
Total vouchers for GRAINGER: 1					\$434.27						
BANK OF HOLLAND GEN CHECK - 00100	59802	Nova Site Company LLC	05/21/2020	Oakwood Ave.	\$425,947.53	Oakwood Ave. Reconstruction; Application #10; Period to: 5/21/20	2020	12	05/30/2020		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	Oakwood Ave. Reconstruction; Application #10; Period to: 5/21/20		H.5.8340.0031	TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE		\$425,947.53			
BANK OF HOLLAND GEN CHECK - 00100	59803	Nova Site Company LLC	05/17/2020	Oakwood Ave. Project	\$4,180.00	Current Payment Due; period to 5/11/20, Application #9	2020	12	05/30/2020		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	Current Payment Due; period to 5/11/20		H.5.8340.0031	TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE		\$4,180.00			
Total vouchers for Nova Site Company LLC: 2					\$430,127.53						
BANK OF HOLLAND GEN CHECK -	59781	NYSEG	05/14/2020	1001-111-531	\$20.08	Near 21 Elm St. Signal;4/9-5/11/20; 12 of 12	2020	12	05/30/2020		





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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			
CHECK - 00100														
				<b>Line Number</b>		<b>Detail Description</b>				<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>
				1		33 CENTER ST FIRE HALL 1004-1637-827				A.5.3410.0431	FIRE DEPARTMENT - ELECTRIC	\$398.79		
BANK OF HOLLAND GEN CHECK - 00100	59809	NYSEG	05/20/2020	1001-1111-712	\$27.54	ELECTRICITY USAGE-PINE ST; 4/21/20-5/19/20 12 of 12	2020	12	05/30/2020					
				<b>Line Number</b>		<b>Detail Description</b>				<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>
				1		ELECTRICITY USAGE-ACCT 712-PINE ST				F.5.1620.0431	BUILDINGS - ELECTRIC	\$27.54		
Total vouchers for NYSEG: 8					\$670.50									
BANK OF HOLLAND GEN CHECK - 00100	59799	OCCUSTAR, INC.	05/10/2020	3766	\$75.00	Non SCBA FF Exam- Michael Gleed	2020	12	05/30/2020					
				<b>Line Number</b>		<b>Detail Description</b>				<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>
				1		Non SCBA FF Exam- Michael Gleed				A.5.3410.0440	FIRE DEPARTMENT - TRAINING, TRAVEL & DUES	\$75.00		
Total vouchers for OCCUSTAR, INC.: 1					\$75.00									
BANK OF HOLLAND GEN CHECK - 00100	59786	SAMMY'S CAR WASH	05/30/2020	268	\$450.00	12 months (May 2019-April 2020) of unlimited car washes for EAPD patrol vehicles @ 150 month flat fee.	2020	12	05/30/2020					
				<b>Line Number</b>		<b>Detail Description</b>				<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>
				9		January 2020				A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS	\$150.00	2020000104	08/16/2019
				10		February 2020				A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS	\$150.00	2020000104	08/16/2019
				11		March 2020				A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS	\$150.00	2020000104	08/16/2019
				12		April 2020				A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS	\$0.00	2020000104	08/16/2019
Total vouchers for SAMMY'S CAR WASH: 1					\$450.00									
BANK OF HOLLAND GEN CHECK - 00100	59812	Tim Stroth	05/28/2020	Oakwood Labor Chgs.	\$1,787.50	Oakwood Liaison; 71.5 hours; 5/2-5/15/20	2020	12	05/30/2020					



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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	Oakwood Liaison; 71.5 hours; 5/2-5/15/20	H.5.8340.0031		TRANSMISSION AND DISTRIBUTION - OAKWOOD AVE WATERLINE	\$1,787.50					
Total vouchers for Tim Stroth: 1					\$1,787.50							
BANK OF HOLLAND GEN CHECK - 00100	59810	TOWN OF AURORA	05/28/2020	Multiple Invoices	\$10,300.00	Work at the new Village Hall	2020	12	05/30/2020			
		Line Number	Detail Description	Account Number		Account Description	Detail Amount		PO Number	PO Date		
		1	Invoice # 518201; VEA portion of Data and Phone wiring contract	A.5.1325.0420		VILLAGE ADMINISTRATOR - MAINT. CONTRACT & REPAIRS	\$5,000.00					
		2	Invoice #518202; VEA portion of Security Systems	A.5.1325.0420		VILLAGE ADMINISTRATOR - MAINT. CONTRACT & REPAIRS	\$960.00					
		3	Invoice #527201; addition of storage room 151 at new Village Hall	A.5.1325.0420		VILLAGE ADMINISTRATOR - MAINT. CONTRACT & REPAIRS	\$4,340.00					
Total vouchers for TOWN OF AURORA: 1					\$10,300.00							
BANK OF HOLLAND GEN CHECK - 00100	59795	TRI-R MECHANICAL SERVS.	05/12/2020	17240	\$158.00	Quarterly Village Hall Building maintenance	2020	12	05/30/2020			
		Line Number	Detail Description	Account Number		Account Description	Detail Amount		PO Number	PO Date		
		1	Quarterly Village Hall Building maintenance	A.5.1620.0420		BUILDINGS - MAINTENANCE & REPAIRS	\$158.00					
Total vouchers for TRI-R MECHANICAL SERVS.: 1					\$158.00							
BANK OF HOLLAND GEN CHECK - 00100	59790	UNITED BUSINESS SYSTEMS	05/30/2020	461802	\$151.62	Contract overage charge for 5/18/19-5/17/20 period	2020	12	05/30/2020			
		Line Number	Detail Description	Account Number		Account Description	Detail Amount		PO Number	PO Date		
		1	Contract overage charge for 5/18/19-5/17/20 period	A.5.3120.0420		POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	\$75.81					
		2	Contract overage charge for 5/18/19-5/17/20 period	A.5.3420.0420		POLICE & FIRE DISPATCH - MAINTENANCE/SERVICE CONTRACTS	\$75.81					
Total vouchers for UNITED BUSINESS SYSTEMS: 1					\$151.62							



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**Posted Batch Totals**

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A	GENERAL FUND	\$0.00	\$18,763.97	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,763.97
F	WATER FUND	\$0.00	\$785.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$785.11
H	CAPITAL PROJECTS	\$0.00	\$452,642.53	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$452,642.53
<b>Posted Batch Grand Totals</b>		<b>\$0.00</b>	<b>\$472,191.61</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$472,191.61</b>



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\*\*\*\*\* 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: \_\_\_\_\_

**Highlighted and red/underlined/stricken sections are changed or added**

**Village of East Aurora, NY**

**Chapter 180. Peddlers and Solicitors**

[HISTORY: Adopted by the Board of Trustees of the Village of East Aurora 9-21-1953; amended in its entirety 7-19-2004 by L.L. No. 6-2004 (Chapter 48 of the 1972 Code). Subsequent amendments noted where applicable.]

GENERAL REFERENCES Fees — See Ch. 137, Art. II.

**Article I. General Provisions**

**§ 180-1. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**CHARITABLE**

Patriotic, philanthropic, social service, health, welfare, benevolent, educational, civic, cultural or fraternal.

**CLERK**

The Municipal Clerk.

**CONTRIBUTIONS**

Alms, money, subscription, property or any donations.

**PEDDLER**

Any person who goes upon the premises of any private residence, not having been invited by the occupant thereof, or any person who goes upon the streets, roads or highways within the Village of East Aurora, carrying or transporting goods, wares, merchandise or personal property of any nature and offering the same for sale. This includes any person who solicits orders and as a separate transaction makes deliveries to purchasers.

**PERSON**

A person or any firm, corporation, association, club, society or organization.

**SOLICITOR**

Any person who goes upon the premises of any private residence, not having been invited by the occupant thereof, or any person who goes upon the streets, roads or highways within the Village of East Aurora, for the purpose taking or attempting to take orders for the sale of goods, merchandise, wares, or other personal property of any nature for future delivery, or for services to be performed in the future. This includes any person who, without invitation, goes upon private property, to request contribution of funds or anything of value, or sell goods or services for political, charitable, religious, or other noncommercial purposes.

**§ 180-2. Permit requirements and exemptions.**

It shall be unlawful for any person to engage in peddling or solicitation activities within this municipality without first obtaining a permit issued by the Clerk; provided, however, that the following are exempt from the provisions of this section:

**A.** Notwithstanding any of the provisions herein contained, any person, corporation, partnership or association engaged in charitable, benevolent, veterans, religious or school purposes, or engaged in selling produce or products raised in the Village which are offered for sale, who are soliciting shall be permitted to obtain a permit in compliance with the regulations hereof, without payment of any fee therefore.

**B.** Persons under 19 years of age shall not be required to register and obtain a permit as heretofore provided for, in the event that they are soliciting for any purposes directly connected with a religious, charitable, benevolent, school or service organization native to the Village of East Aurora.

C. Any solicitation made upon premises owned or occupied by an organization upon whose behalf the solicitation is made.

D. Any communication by an organization soliciting contributions solely from persons who are members of the organization at the time of such solicitation.

E. Any solicitation in the form of a collection at a regular meeting, assembly or service of a charitable person.

### **§ 180-3. Permit for sponsoring juvenile peddlers.**

No person under the age of 18 shall be permitted to engage in peddling except as provided in this section.

A. A permit shall be obtained by a sponsoring person, company or organization for the conduct of any peddling or solicitation activities involving, in whole or in part, a sales force of one or more persons under 18 years of age.

B. The sponsor shall be responsible for supervising and controlling the conduct of all persons, including juveniles, peddling under the sponsor's permit.

C. The sponsor shall provide to each individual in its sales force a badge or other easily readable form of identification that identifies the name of the sponsor and the name of the individual. The sponsor shall require all individuals in its sales force to wear such identification so that it is clearly visible at all times when the individuals are peddling or soliciting.

### **§ 180-4. Permit application.**

Every person subject to the provisions of this article shall file with the Clerk an application in writing on a form to be furnished by the Clerk, which shall provide the following information:

A. Proof of age, address and identification of the applicant;

B. A brief description of the business or activity to be conducted;

C. The length of time for which the right to peddle or solicit is desired; not exceeding 60 days;

D. If employed, the name, address and telephone number of the employer; or if acting as an agent, the name, address and telephone number of the principal who is being represented, with credentials in written form establishing the relationship and the authority of the employee or agent to act for the employer or principal, as the case may be;

E. A statement as to whether or not the applicant has been convicted of a felony, misdemeanor or local law violation, the nature of the offense or violation, the penalty or punishment imposed, the date when and place where such offense occurred, and other pertinent details thereof;

F. The type of vehicle that will be used and its registration number;

G. Proof of possession of any license or permit which, under federal, state or local laws or regulations, the applicant is required to have in order to conduct the proposed business, or which, under any such law or regulation, would exempt the applicant from the licensing requirements of this article; and

H. Two photographs of the applicant that shall have been taken within 60 days immediately prior to the date of filing of the application. The photographs shall measure one inch by two inches and show the head and shoulders of the applicant in a clear and distinguishing manner.

### **§ 180-5. Fees.**

A. At the time the application is filed with the Clerk, the applicant shall pay a fee to cover the cost of processing the application and investigating the facts stated therein. The permit fee shall be as set forth in Chapter [137](#), Article [II](#), of this Code.

[Amended 3-14-2006 by L.L. No. 1-2006]

B. No permit fee shall be required from any person or entity to whom a permit has been issued pursuant to § 32 of the New York General Business Law to hawk, peddle, vend and sell his own goods, wares and merchandise or to solicit or trade upon the streets and highways within the state, and no permit fee shall be required in any case whereby so doing it would unlawfully interfere with interstate commerce.

### **§ 180-6. Bond.**

[Amended 3-14-2006 by L.L. No. 1-2006]

All solicitors requiring cash deposits or taking orders for cash on delivery purchases (COD) or who require a contract of agreement to finance the sale of any goods, services, or merchandise for future delivery, or for services to be performed in the future, shall furnish to the Clerk a bond in an amount as set from time to time by resolution of the Board of Trustees.

### **§ 180-7. Application review and permit issuance.**

**A.** Upon receipt of an application, the Clerk shall review the application as deemed necessary to ensure the protection of the public health, safety and general welfare.

**B.** If the Clerk finds the application to be satisfactory, such application shall be referred to the Police Department of the Village of East Aurora for approval, and after such approval has been received, the application shall be eligible for the issuance of such permit.

**C.** The permit shall show the name, address and photograph of the permit holder, the kind of goods or services to be sold or delivered, the date of issuance, and the length of time that the permit shall be in effect. The permit shall also show the permit number and identifying description of any vehicle to be used in carrying on the business for which the permit is issued.

**D.** Permits will be issued within five business days from the receipt of the completed application.

### **§ 180-8. Denial of permit.**

**A.** Upon the review of the application, the Clerk may refuse to issue a permit to the applicant under this article for any of the following reasons:

**(1)** The location and time of solicitation or peddling would endanger safety and welfare of the solicitors, peddlers or their customers;

**(2)** An investigation reveals that the applicant falsified information on the application;

**(3)** The applicant has been convicted of a felony, misdemeanor or local law violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property, such conviction being entered within the five years preceding the date of application;

**(4)** The applicant is a person against whom a judgment based upon, or conviction for, fraud, deceit or misrepresentation has been entered within the five years immediately preceding the date of application;

**(5)** The applicant offers no proof of authority to serve as an agent; or

**(6)** The applicant has been denied a permit under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the Clerk that the reasons for such earlier denial no longer exist.

**B.** The disapproval and the reasons for disapproval shall be noted on the application, and the applicant shall be notified that his application is disapproved and that no permit will be issued. Notice shall be mailed to the applicant at the address shown on the application form, or at the applicant's last known address.

### **§ 180-9. Permit expiration.**

All permits issued under the provisions of this article shall expire 60 days from the date of issuance, unless an earlier expiration date is noted on the permit.

### **§ 180-10. Permit exhibition.**

Every person required to obtain a permit under the provisions of this article shall exhibit the permit when requested to do so by any prospective customer or individual.

### **§ 180-11. Transfer prohibited.**

It shall be unlawful for any person other than the permit holder to use or wear any permit or badge issued under the provisions of this article.

### **§ 180-12. Entry upon signed premises unlawful.**

Entering a private residence or business by a solicitor or peddler, as defined herein, for the purpose of selling or offering for sale or for soliciting orders for goods, wares, merchandise, contracts or personal services, or remaining in a private residence or on the premises thereof, or any place of business or on the premises thereof, after the owner or occupant thereof shall have requested any solicitor or peddler to leave, or going in and upon the premises of a private residence or place of business by a solicitor or peddler, as defined herein, for any such purposes when the owner or occupant has displayed a sign bearing the words "No Peddlers," "No Solicitors," or words of similar import is prohibited and is declared to be an offense.

### **§ 180-13. Noise.**

No person engaged in soliciting or peddling shall hawk or cry his goods, wares, merchandise, offers, contracts or services upon any streets, roads or highways within the Village, nor shall he use any loudspeaker, horn or any other device for announcing his presence by which members of the public are annoyed.

### **§ 180-14. Hours of solicitation.**

No person, while conducting the activities of a peddler or solicitor, whether licensed or unlicensed, shall enter upon any private property, knock on doors or otherwise disturb persons in their residences between the hours of 8:00 p.m. and 9:00 a.m.

### **§ 180-15. Permit revocation.**

Any permit issued under this article may be revoked or suspended by the Clerk, after notice for any of the following reasons:

A. Fraud, misrepresentation or false statement contained in the application for a permit;

B. Fraud, misrepresentation or false statement made by the permit holder in the course of conducting solicitation or peddling activities;

C. Conducting peddling or solicitation activities contrary to the provisions of the permit;

D. Conviction for any crime involving moral turpitude; or

E. Conducting peddling or solicitation activities in such a manner as to create a public nuisance, constitute a breach of the peace or endanger the health, safety or general welfare of the public.

### **§ 180-16. Notice and hearing.**

Notice of a hearing for revocation of a permit issued under this article shall be provided in writing and shall set forth specifically the grounds for the proposed revocation and the time and place of the hearing. Notice shall be faxed or mailed to the permit holder at the address shown on the permit application or at the last known address of the permit holder or by causing a copy of such notice to be personally delivered the applicant. In either case, the permit will be deemed revoked upon mailing or delivery of such notice.

### § 180-17. Appeals.

- A. Any person aggrieved by the action or decision of the Clerk to deny, suspend or revoke a permit applied for under the provisions of this article shall have the right to appeal such action or decision to the Mayor within 15 days after the notice of the action or decision has been mailed to the person's address as shown on the permit application form, or to his last known address.
- B. An appeal shall be taken by filing with the Clerk a written statement setting forth the grounds for the appeal.
- C. The Clerk shall transmit the written statement to the Mayor within 10 days of its receipt and the Mayor shall set a time and place for a hearing on the appeal.
- D. A hearing shall be set not later than 20 days from the date of receipt of the appellant's written statement.
- E. Notice of the time and place of the hearing shall be given to the appellant in the same manner as provided for the mailing of notice of action or decision.
- F. The decision of the Mayor on the appeal shall be final and binding.

### § 180-18. Penalties for offenses.

- A. Violations of any of the provisions of this article shall be punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both. Each day's continuance of a violation after notice shall be deemed a separate and distinct violation and shall be punishable accordingly.  
[Amended 3-14-2006 by L.L. No. 1-2006]
- B. In addition to any criminal enforcement, the municipality or any individual may pursue any available civil remedies deemed appropriate and necessary.

## Article II. Transient Retail Merchants

### § 180-19. Purpose.

This article is enacted for the purpose of regulating the conduct and business practices of transient merchants within the Village of East Aurora.

### § 180-20. Definitions.

As used in this article, the following terms shall have the meanings indicated:

#### PERSON

An individual, firm, partnership, corporation, voluntary association, incorporated association and principal or agent thereof.

#### TRANSIENT RETAIL BUSINESS

A retail or wholesale business conducted in a temporary structure or tent; or from a truck, van or trailer; on a parking lot or vacant parcel of land; on a part of public right-of-way; or in any other place for a temporary period of time. Lack of a rental or leasing agreement of three months' or more duration, sealed by monetary consideration, shall be presumptive of a temporary situation. The type of merchandise being offered for sale will have no bearing on the designation. This section shall apply to traditional ice cream truck vendors that traverse the Village. This section shall not apply to Mobile Food Vendors, to which Article III is applicable.

### § 180-21. Objectives.

The purpose of this article is to assist the government of the Village of East Aurora, the management of its business, the preservation of good order and the peace, health, safety and welfare of its inhabitants and the protection and security of their property.

### § 180-22. License required; fee.

A. No person shall engage in business as a transient merchant unless he shall first obtain a license to do so from the Village Clerk no later than 14 business days before the first date of business.

B. The fee for a transient merchant's license shall be as set forth in Chapter 137, Article II, of this Code.

[Amended 3-14-2006 by L.L. No. 1-2006]

C. Any honorably discharged member of the United States Armed Forces who has procured a license under Article 4 of the General Business Law of the State of New York shall obtain a license as required under this article but shall be exempt from any fee.

D. All license applications of transient retail merchants shall require the approval of the Village of East Aurora Police Department, Village Attorney and Building Inspection Department.

[Amended 3-14-2006 by L.L. No. 1-2006]

### § 180-23. License application.

An application for a transient merchant's license shall provide the following information:

A. The address of the applicant's residence.

B. The firm or firms represented, together with copies of documents establishing the firm's state or county, form of organization, ownership and qualifications to do business in the State of New York, including but not limited to, doing business as certificates, certificates of incorporation, certificate of authority from the New York Sales Tax Department, Disability and Workers' Compensation Insurance and the exact relationship between the firm and the transient merchant.

C. A brief description of the firm and the kind of goods or commodities the applicant desires to sell.

D. The hotel, room or other location where the applicant proposes to sell such merchandise, and the time during which said business is to be conducted.

## **Article III. Mobile Food Vending**

### **§ 180-24. Purpose.**

This article is enacted for the purpose of regulating the conduct and business practices of Mobile Food Vending merchants within the Village of East Aurora. **In order to protect the public health, manage potential conflicting uses of the public right of way, and to minimize unfair competition with fixed-site prepared food vendors in the community, licensing of mobile food vendors is deemed to be within the police powers of the Village.**

### **§ 180-25. Definitions.**

As used in this article, **in addition to the definitions contained in Sections 180-1 and 180-2,** the following terms shall have the meanings indicated:

#### **COMMERCIAL ZONING DISTRICTS**

Zoning Districts in the Village of East Aurora including Limited Commercial Residential (LCR), General Commercial (GC), Neighborhood Commercial (NC), Village Center (VC) and Mid-Main Overlay (MMO).

#### **MOBILE FOOD VEHICLE**

A mobile food unit, either self-powered or towed, other than a work site concession vehicle, from which prepared food is offered for sale to the public.

#### **MOBILE FOOD VENDING**

The act of vending prepared food through the utilization of a mobile food vehicle.

## MOBILE FOOD VENDORS

This phrase shall mean individuals, companies, organizations, partnerships and other entities selling prepared food out of an improved vehicle, including, but not limited to, food trucks, and other entities selling both cold and hot food items. A food truck or mobile food vendor is, when in conformance with all the provisions of this Chapter, a vendor with prepared food from a properly licensed vehicle eligible to operate in public streets, whether such food is prepared in the vehicle or on another site, and whether such food is sold while the vehicle is located on a public street or on private property.

## PRIVATE CATERED EVENT

Mobile food vending limited to serving the owners, occupants and guests of just a single- or two-family dwelling, a school, club, church, professional office, studio, fire station, medical building, nursing home, or any building offering personal services, and where the owner and/or occupants have given their written permission for the event.

## RESIDENTIAL ZONING DISTRICTS

Zoning Districts in the Village of East Aurora including Single-Family Residential (SFR), Low Density Residential (LDR) and General Residential (GR).

## RESTAURANT

A building where meals are served to customers.

## WORK SITE CONCESSION VEHICLE

A motor vehicle with a maximum gross weight as reflected upon its registration of not more than 8,600 pounds in which food is not cooked, baked, grilled, broiled or fried.

### **§ 180-26. Permit required.**

No mobile food vehicle shall be used for mobile food vending unless a permit issued pursuant to the provisions of this chapter shall first have been obtained, which permit shall at all times be displayed in a conspicuous location that is visible from the outside of the vehicle.

### **§ 180-27. Permit application.**

The owner of a mobile food vehicle who wishes to engage in mobile food vending within the Village of East Aurora shall make a written application to the Village Clerk on a form provided by the Village Clerk. Mobile food vendors with multiple food trucks shall obtain a permit for each truck that shall operate within the Village, however only one mobile food vehicle truck for each mobile food vendor company shall be permitted to operate within the Village at the same time. The application for such permit shall be signed and dated by the owner or by a corporate officer of the owner, shall identify the signor and shall include the following:

A. Name, address, email address and telephone number of each owner of the mobile food vehicle and in the case of the corporate owner, the name, address and telephone number of each corporate officer.

B. As to each mobile food vehicle for which a permit is requested, a valid and current Erie County Department of Health certification of a successful health inspection as to both the vehicle to be used and the facility where the food is prepared. A Person shall not receive a Food Truck or Mobile Food Vendor license under this Section who has not first received a license from the State Health Department authorizing such sales. Any conditions of the State Health Department shall be incorporated into the license issued under this Section, in addition to any other conditions imposed by the Village of East Aurora.

C. As to each self-powered mobile food vehicle for which a permit is requested, a valid insurance certificate, New York State Department of Motor Vehicles registration, and certificate of inspection, copies of which shall be attached to the application.

D. As to each mobile food vehicle for which a permit is requested, a valid and current certification of a successful fire inspection conducted within the prior 12 months by the County of Erie, by a municipality or fire department within the County of Erie, or by the Village of East Aurora Fire Inspector, for the specific vehicle to be used in the Village of East Aurora.

E. A signed statement that the vendor shall defend, indemnify and hold harmless the Village and its officers and employees for any claims for damages to property or injury to persons which may be occasioned by any activity carried on or under the terms of the permit. Such statement shall be prepared solely by the Village Attorney.

#### **§ 180-28. Fees.**

As to each permit application, the initial fee and renewal fee for a mobile food vending permit shall be set from time to time by Resolution of the East Aurora Village Board.

#### **§ 180-29. Permit term and restrictions.**

A. The Village Clerk of the Village of East Aurora retains the right, for good cause, to deny, suspend and/or revoke any permit. A permittee whose license has been revoked by the Village Clerk may appeal such revocation at a public hearing before the Village Board.

B. Each mobile food vending permit shall expire on December 31 of every year.

C. The permit shall not be assigned or transferred without the prior written approval of the Village of East Aurora.

#### **§ 180-30. Regulations.**

A. It shall be unlawful for a mobile food vendor to conduct business in a location within 100 feet of the primary entrance of a restaurant that is open to the public. This requirement shall be waived if written permission for the mobile food vending operation is first obtained from the owner of the restaurant.

B. In all Commercial Zoning Districts, it shall be unlawful for a mobile food vendor to conduct business at a single location within a public right-of-way for duration exceeding three hours.

C. It shall be unlawful for a mobile food vendor to conduct business at a single location upon a public right-of-way within any Residential Zoning District for a duration exceeding 20 minutes, except at the time and place of a block party approved by the Village of East Aurora Board of Trustees or for a private catered event. In the case of a block party approved by the Village of East Aurora Board of Trustees, it shall be unlawful for a mobile food vendor to conduct business at single location upon a public right-of-way within any Residential Zoning for a duration exceeding the duration of the block party. In the case of a private catered event, it shall be unlawful for a mobile food vendor to conduct business at a single location upon a public right-of-way within any Residential Zoning District for a duration of more than two hours.

D. Mobile food vendors must comply with all applicable federal, state and local statutes and ordinances.

E. All signage associated with the mobile food vendor must be permanently affixed to the mobile food vehicle. Accessory signage placed outside or around the mobile food vehicle is prohibited.

F. All mobile food vendors must provide trash and recycling receptacles of sufficient capacity to contain all trash, ~~and~~ waste and recyclables generated in association with the business of the mobile food vendor. All waste, ~~and~~ trash and recyclables shall be placed in the ~~trash-proper~~ receptacles. All trash, waste, litter, and debris and recyclables shall be removed from the site of the vending operation at the end of each daily operation.

G. It shall be unlawful to discharge liquid waste, fats, oils or grease anywhere in the Village of East Aurora. Such discharges shall be held in appropriate containers and then disposed in a legally permissible manner.

H. Mobile food vendors shall not conduct operation from a site that contains a gasoline service.

I. Mobile food vendors shall not sell alcoholic beverages.

J. When parked on the public right-of-way, mobile food vendors shall not dispense products from the street side of the mobile food vehicle.

K. A self-powered mobile food vehicle shall not be operated in reverse in order to attempt or make a sale.

L. Mobile food vending shall not be conducted within 60 feet of an intersection of two or more public highways/roads or within 30 feet of the intersection of a public street and private driveway opening. In no case shall a Food Truck or Vehicle operate in a traffic lane, on a sidewalk, or in any location which causes an obstruction to traffic.

M. It shall be unlawful for any mobile food vendor to conduct business in a location within 500 feet of the boundary line of any fair, carnival, circus, festival, special event or civic event that is licensed and/or approved by the Village of East Aurora, except when the vendor has obtained a permit to so operate from the Village Clerk of the Village of East Aurora, with notice to the operator of the fair, carnival, circus, festival, special event or civic event. Permission may be conditioned upon the payment of fees charged other vendors with respect to said event.

N. In all Commercial Zoning Districts, mobile food vending shall not be conducted before 7 a.m. or after 11 p.m. In all Residential Zoning Districts, mobile food vending shall not be conducted before 9 a.m. or after 8 p.m.

O. Mobile food vending shall not be conducted within the General Manufacturing (GM) Zoning District, the Village Manufacturing (VM) Zoning District and in the Open Space (OS) Zoning District.

P. No external seating may be utilized.

Q. No other equipment may utilized that is not wholly contained within the vehicle.

R. No sound amplifying equipment, nor video, lights or noisemakers may be utilized in the operation of the Food Truck or Vehicle.

S. Any generator in use must be self-contained and fully screened from view.

T. The Food Truck or Vehicle shall obey the orders of any traffic control officer, peace officer, or inspector and shall be open to inspection during all open hours.

U. Vehicle size shall not exceed ten (10) feet in height, nor twenty five (25) feet in length.

V. There shall be no overnight parking of food trucks on any public right of way.

W. Eligible licensees shall have a registered business address within a fifty (50) mile radius of the Village of East Aurora.

### **§ 180-31. Enforcement.**

A. A mobile food vehicle, while within the Village of East Aurora, may be inspected at any time for violations of this chapter by the Village of East Aurora Police Department, any Health Inspector with jurisdiction within the Village of East Aurora, the Village Fire Inspector and/or the Code Enforcement Officer of the Village of East Aurora.

B. Enforcement of the mobile food vending rules and regulations set forth in this chapter shall be the responsibility of the Village of East Aurora Police Department, the Village of East Aurora Code Enforcement Officer and/or the Village Fire Inspector. The Village of East Aurora Police Department, the Village of East Aurora Code Enforcement Officer and/or the Village Fire Inspector shall administer this chapter and be authorized to issue appearance tickets for any violations of this chapter.

### **§ 180-32. Penalties for offenses.**

A. The penalty for engaging in mobile food vending without properly obtaining and/or displaying a permit shall be \$250 for the initial offense within a 12-month period ~~and \$1,000 for every subsequent offense within said 12-month period.~~ A permit shall be revoked after the second offense. One who is found guilty more than once within a 12-month period of engaging in mobile food vending without properly obtaining a permit shall in addition to applicable fines be barred from obtaining a permit for 24 months from the date of the last violation.

B. Except for violations of the New York State Vehicle and Traffic Law which shall be prosecuted as such, penalties for all other violations of this chapter not referenced in the preceding subsection shall be punishable by a minimum fine of \$250 or by a term of imprisonment not to exceed 15 days or both. Each day's continuance of a violation after notice shall be deemed a separate and distinct violation and shall be punishable accordingly.

C. In addition to any criminal enforcement, the municipality or any individual may pursue any available civil remedies deemed appropriate and necessary.

§ 180-33 Sections 180-9, 180-11, 180-14, 180-16, 180-17, 180-18, and 180-19 shall be applicable to this Article.

### **§ 180-33. Exemptions.**

This article shall not be held to apply to any of the following:

A. Sales conducted pursuant to statute or otherwise regulated pursuant to the Village of East Aurora Building and Zoning Code.<sup>[1]</sup>

[1]

Editor's Note: See Ch. 285, Zoning.

B. Sales conducted pursuant to the order by any court.

C. Any person selling personal property at wholesale to dealers in such articles.

D. The sale of fruits and vegetables raised on the property where being sold.

E. Persons soliciting, collecting or operating a sale on behalf of any bona fide charitable educational, scientific, health, religious, patriotic or other organization of worthy cause deemed to be in the public interest.

F. Any person selling personal property at a garage sale held at his residence.

**§ 180-34. Compliance.**

The laws of the Village of East Aurora, including but not limited to Chapter [285](#), Zoning, of the Village of East Aurora shall apply to all licenses granted under this article. The Village reserves the right to revoke any license that violates such laws of the Village of East Aurora.

**§ 180-35. Penalties for offenses.**

[Amended 3-14-2006 by L.L. No. 1-2006]

Except as specified in Section 180-32 pertaining to mobile food vending, violations of any of the provisions of this article shall be punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both. Each day's continuance of a violation after notice shall be deemed a separate and distinct violation and shall be punishable accordingly.

**MODIFY 2020/2021 BUDGET**

Trustee \_\_\_\_\_, offered the following resolution and moved for its adoption:

**BE IT RESOLVED**, the Clerk – Treasurer is hereby authorized to modify the 2020/2021 Budget in the following manner:

Fund Balance – \$10,000

Expenditures – Village Administrator – Maintenance contract & Repairs 5-1325-0420 - \$10,000

for the purpose of a new phone system budgeted in the 19/20 year but could not complete in that year.

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

**AWARD PHONES**

Trustee \_\_\_\_\_, offered the following resolution and moved for its adoption:

**BE IT RESOLVED**, that upon the recommendation of the Village Administrator, and Clerk-Treasurer as the best value, the Phone RFP from the opening May 12, 2020 for Village phone system and service shall be awarded to:

The following resolution was seconded by Trustee \_\_\_\_\_, and unanimously approved.

Application Fee \$25.00 \_\_\_\_\_ (Fees are payable at time of application)  
Permit Fee \$25.00 \_\_\_\_\_  
Mailers Fee \$50.00 \_\_\_\_\_  
\*Public Hearing \$50.00 \_\_\_\_\_

VILLAGE OF EAST AURORA, 571 MAIN STREET, EAST AURORA, NY 14052

APPLICATION FOR PERMIT FOR KEEPING OTHER THAN HOUSEHOLD PETS  
(\*\*pursuant to provisions of Section 104-3 A of the Code of the Village of East Aurora)

APPLICANT: Jennifer Valentine 716 536 8197  
(Name) (Home Phone Number)  
365 South St 716 536 8197  
(Address) (Work/Cell Phone)  
JVALENTINE@GMAIL.COM  
(Email Address)

OWNER OF PROPERTY: Jennifer Valentine  
(Name)  
365 South St  
(Address)  
East Aurora NY 14052  
(City, State) (Zip)

DESCRIBE WHAT IS TO BE KEPT ON PREMISES:

(3)  
We would like to raise chickens on our property.

DESCRIPTION OF AREA WHERE IT/THEY WILL BE KEPT:

*A survey map of the property must be attached to this application, with the area specified.*

in our back yard, near our shed. See "\*" on  
surveys attached.

REASON FOR REQUESTING PERMIT:

We would like to raise chickens for fresh eggs and  
to teach our children how to raise animals.

LIST NAMES AND ADDRESSES OF ALL NEIGHBORS: (Attach list to application)

It is understood that if this permit is granted, it will only apply to what has been specifically listed above and will automatically expire when/if any of the above information changes.

Applicant agrees to allow duly authorized official(s) of the Village of East Aurora to inspect the premises and the site proposed for the keeping of other than household pets as a part of processing this application.

Applicant hereby certifies that he or she is the applicant, and that the information contained in this application is true and correct.

21 MAY 2020  
(Date)

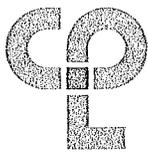
[Signature]  
(Applicant's Signature)

NOTE: This application must be filed with the Village Administrator, Village Hall, 571 Main Street, East Aurora, New York 14052. \*The Village Board of Trustees reserves the right to require a public hearing

\*\*§104-3 A of the Village Code: No person or persons shall keep or house horses, cattle, swine, poultry, pigeons or any other animals or bees other than household pets within the limits of the Village of East Aurora without a permit from the Board of Trustees, after investigation., that the keeping of the animal or animals or bees in question will not be objectionable or offensive by reasons of noise, smell or other cause. Such a permit shall be revocable at any time by the Board of Trustees.







# Change Order Form

Owner   
 Engineer   
 Contractor   
 Field   
 Other

THIS DOCUMENT HAS IMPORTANT LEGAL CONSEQUENCES. ATTORNEY CONSULTATION, WITH RESPECT TO ITS COMPLETION OR MODIFICATION, IS ENCOURAGED.

PROJECT: (Name & address)	Village of East Aurora Oakwood Avenue Reconstruction Village of East Aurora 571 Main Street East Aurora NY 14052	CHANGE ORDER NO.:	3
CONTRACTOR: (Name & address)	Nova Site Company, LLC 6 Lena Court West Seneca, NY 14224	DATE:	May 21, 2020
		ENGINEER'S PROJECT NO.:	14946.00
		CONTRACT DATE:	August 2, 2019
		CONTRACT FOR:	Road Reconstruction

### The Contract is changed as follows:

**QUANTITY ADJUSTMENTS THROUGH MAY 08, 2020, QUANTITY OVER RUN FOR FIELD CHANGE PAYMENT DUE TO THE UNFORESEEN CONDITIONS AT THE TIM HORTONS.**

**Total for this Change Order:** \$4,400.00

**Not valid unless signed by the Owner, Engineer and the Contractor.**

The original ( <input checked="" type="checkbox"/> Contract Sum)( <input type="checkbox"/> Guaranteed Maximum Price) was:	\$4,714,920.3
The net change by previous Change Order(s) is:	\$124,055.0
The ( <input checked="" type="checkbox"/> Contract Sum)( <input type="checkbox"/> Guaranteed Maximum Price) prior to this Change Order was:	\$4,838,975.4
The ( <input checked="" type="checkbox"/> Contract Sum)( <input type="checkbox"/> Guaranteed Maximum Price) will be ( <input checked="" type="checkbox"/> increased) ( <input type="checkbox"/> decreased) ( <input type="checkbox"/> unchanged) by this Change Order in the amount of:	\$4,400.0
The new ( <input checked="" type="checkbox"/> Contract Sum)( <input type="checkbox"/> Guaranteed Maximum Price) including this Change Order will be:	\$4,843,375.4
The Contract Time will be ( <input type="checkbox"/> increased) ( <input type="checkbox"/> decreased) ( <input checked="" type="checkbox"/> unchanged):	
The date of Substantial Completion as of the date of this Change Order therefore is:	<u>August 30, 202</u>

### Engineer:

Clark Patterson Lee  
26 Mississippi Street, Suite 300  
Buffalo, NY 14203

By: Jason Havens, P.E.  
Date: 05/17/2020

### Contractor:

Nova Site Company, LLC.  
6 Lena Court  
West Seneca, NY 14224

By: [Signature]  
Date: 5/21/20

### Owner:

The Village of East Aurora  
571 Main Street  
East Aurora, NY 14052

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

26 Mississippi Street  
Suite 300  
Buffalo, NY 14203  
clarkpattersonlee.com  
716.852.2100 TEL

**Resolution of the East Aurora Village Board Amending the Agreement with  
Timothy Stroth to now serve as an Engineering and Construction Consultant**

WHEREAS, the Village Board and Timothy Stroth entered into an agreement, dated February 4, 2020, for Mr. Stroth to serve as a Special Project Coordinator, providing a variety of services related to the Oakwood Avenue construction project; and

WHEREAS, Mr. Stroth has met or exceeded the Village’s expectations in performance of the duties and scope of services contained in the original agreement; and

WHEREAS, Mr. Stroth has employed his background and expertise amassed from working in a private sector engineering firm for more than three decades to expand the scope of services provided to the Village related to the Oakwood Avenue construction project, including detailed review of plans and specifications and making suggestions for a number of improvements pertaining to variety of project components; and

WHEREAS, the work being performed is better described as that of an Engineering and Construction Consultant, and in addition, a higher level of compensation is warranted for the work being performed.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby amends the original agreement for the Special Project Coordinator, which is incorporated herein, providing for a new title of Engineering and Construction Consultant and setting an hourly rate of \$35; and

BE IT FURTHER RESOLVED, that the term of this agreement shall be for the duration of the Oakwood Avenue construction project, anticipated to be completed no later than July 31, 2020.

Vote on Motion:

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

THEREFORE, the Motion was (Carried) OR (Defeated): \_\_\_\_\_

Dated June 1, 2020