

**VILLAGE OF EAST AURORA  
VILLAGE BOARD MEETING  
April 16, 2018 – 7 PM**

**Present:** Mayor Peter Mercurio

**Present Trustees:** Ernest Scheer, Paul Porter, Kristin Cameron, Al McCabe and Michelle Schoeneman

**Absent:** Steve Lazickas

**Also Present:**

Shane Krieger, Chief of Police

Matthew Hoeh, Department of Public Works Superintendent

Robert Pierce, Village Attorney

Gregory Egloff, Fire Chief

Mark Hartley, Mechanic

Bill Kramer, Code Enforcement Officer

James Bach, Supervisor of Town of Aurora

Nancy Burkhardt, Deputy Clerk

East Aurora Advertiser

East Aurora Bee

16 Members of the public

Mayor Peter Mercurio opened the meeting at 7:04 pm followed by the Pledge of Allegiance.

Following the Pledge of Allegiance, Attorney Pierce performed a swearing in ceremony for Trustee Porter.

Motion by Trustee Cameron to approve the minutes from the Regular meeting and Organizational meeting on April 2, 2018. Motion seconded by Trustee Scheer, with the addendum to have the swearing in of Trustee McCabe included on April 2, 2018. Motion approved with vote as follows:

Trustee Schher, Aye

Trustee Cameron, Aye

Trustee McCabe, Aye

Trustee Schoeneman, Aye

Trustee Porter, Abstain

Trustee Scheer moved to approve the payment of vouchers:

# 56800-5689 in the amount of \$315,394.99

Seconded by Trustee Porter and unanimously carried.

**HEARINGS**

- Trustee Schoeneman motioned to open the hearing for Application for Three or More Dogs from David Vance of 1262 Surrey Run Road, seconded by Trustee Cameron. Only one communication was received, from Mr. Diminski, a nearby neighbor, speaking in support of the applicant. Trustee Scheer motioned to close the hearing at 7:10 pm with unanimous approval.

- Trustee Schoeneman motioned to open the hearing for Application for Keeping Chickens – Caroline Taggart, 442 Prospect Avenue, seconded by Trustee McCabe. No communication received in regards to the request. The applicant will be keeping three hens, no roosters. The coop will be located near the home and hopes to keep the area as clean as possible. Trustee Scheer motioned to close the hearing at 7:12 pm, seconded by Trustee Cameron with unanimous approval.

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

- Town Supervisor James Bach addressed the Board regarding the plans for the Town Hall to be constructed at Oakwood Avenue. He requested for the Trustees to review the proposal to have the Village office's share space in the proposed municipal building and pose questions on the arrangement.
  - Trustee McCabe inquired if there would be shared rooms in the building; to which Supervisor Bach confirmed there would be shared conference rooms, along with a kitchen/break room area. Additionally, the Town is planning to clean the entire building, including the proposed space to be occupied by the Village as the Village will continue to maintain the entire space of 571 Main Street.
  - Chief Krieger advised the increased personnel in the police department to work around the courts relocating to the Oakwood location would outweigh the cost to move the Village Clerks office to the proposed joint municipal building.
  - Mayor Mecurio suggested for the creation of a committee to review the details of the move in hopes to aid in expediting a decision. The Mayor will confer with Supervisor Bach on Tuesday April 17<sup>th</sup> on cementing the committee members and follow-up meeting date.
- Joseph Spahn, 58 Buffalo Rd., commended the DPW for their work on cleaning off the salt stains on the sidewalks left behind from this past winter.
- Fire Chief Egloff approached the Board to request for an additional \$23,632.00 in monies for the purchase of the ladder truck. Trustee Schoeneman inquired about the high cost associated with the specialty lettering, and to its degree of importance. Fire Chief Egloff confirmed the need for the lettering to be consistent with the Village's other emergency vehicles, and meeting visibility requirements. These unforeseen costs were identified during the recent trip out to the manufacturer in which it became apparent that several modifications would be needed to meet the Fire Department's specifications for the ventilation system. As \$10,000 was already allotted to this line item, the request would actually only be for \$13,632. Trustee Porter motioned to transfer \$13,632.00 from the General Fund to the Reserve Fund to cover the increased cost of the ladder truck.
- Andrea Locke, 272 Wilmington Av. Tonawanda, NY 14150. Ms. Locke is a coordinator with WNY Prism. Japanese Stiltgrass, an invasive monoculture species, has been identified as taking root in this area. Her organization is looking for assistance from the Village to aid in an outreach and education campaign. WNY Prism is hoping to send out a mailer to 850 – 1,400 Village residents informing them of the situation. The expected cost for this campaign would be \$200-\$300. Mayor Mercurio requested for Ms. Locke to put the request in writing and distribute it to the Board members for further consideration.

## **OFFICIAL CONSIDERATIONS**

- Trustee Scheer motioned to adopt the 2018-2019 Village Budget with amendments, seconded by Trustee Cameron with unanimous approval.

- Trustee Cameron
  - Attended the Bicentennial Charter Celebration and commended the efforts of all involved. Trustee Cameron noted upcoming events for this celebration will be held in Hamlin Park.
- Trustee Scheer
  - Expressed disappointment in the manner in which trees were removed by the property owner of 502 Main Street. Many neighbors have approached him expressing their displeasure that the requirements of tree-removal for a property located in the mid-main district were flagrantly ignored. Trustee Scheer hoped the Building Department will enforce the requirement for the property owner to replace two trees for every one that was removed over the Easter holiday.
- Trustee Schoeneman motioned for Mayor Mercurio to sign the Fireworks joint-contract with the Town of Aurora for the upcoming Independence Day celebrations in Hamlin Park. Seconded by Trustee Cameron with unanimous approval.
- Mayor Mercurio requested the Board allow for the rescheduling of the next Village Board meeting to occur on Monday, May 7<sup>th</sup> to Tuesday, May 8<sup>th</sup> to accommodate those attending the annual NYCOM conference.
- Mayor Mercurio requested for the Board to approve for his signing of the Attorney agreement with the Village. The contract will extend the current terms; workload, requirements, duties, and pay will stay 'as is'. Motion by Trustee Porter, seconded by Trustee McCabe, unanimous approval by the Board.
- Trustee Schoeneman has agreed to act as the Trustee Liaison for ACES and the Green Team.
- Superintendent of Public Works, Matt Hoeh
  - Requesting for an additional streetlight to be installed at the intersection of Mill Road and Kelly Drive. The area is quite dark and a light would help during the early morning hours when children are waiting for their school bus. The request would require for an application to NYSEG, and an incurred cost of \$8/month. Motion to approve the request of the Superintendent of Public Works to have NYSEG install a streetlight at the aforementioned intersection, seconded by Trustee Cameron, unanimous approval.
- Trustee McCabe
  - The Green Team will be requesting for the power bills from the Village in order to put together an estimate for an independent firm to install a solar farm in this area.

## NEW BUSINESS

- Trustee Cameron motioned to schedule a Public Hearing for Monday, May 7<sup>th</sup> at 7 pm with regard to the Development Plan Application submitted by Gene O'Donovan, Irishman Pub for 160 Main, seconded by Trustee Porter, unanimous approval.
- Trustee Porter motioned to schedule a Public Hearing for Monday, May 7<sup>th</sup> at 7 pm with regard to the Development Plan Application submitted by 42 North for 708 Persons Alley, seconded by Trustee McCabe, unanimous approval.
- Trustee Scheer motioned to schedule a Public Hearing for Monday, May 7<sup>th</sup> at 7 pm with regard to the Special Permit Application submitted by Heather Sprague dba Beulah's General Store to allow for displaying of merchandise outdoors at 726 Main Street, seconded by Trustee Schoeneman, unanimous approval.
- Trustee Cameron motioned to refer to Planning Commission the Development Plan for 502 Main Street, 502 Main Property LLC, seconded by Trustee Porter with unanimous approval.
- Trustee Porter motioned to refer to Planning Commission the Development Plan for 45 Church Street, Michael Farrell, seconded by Trustee Cameron, unanimous approval.

## **SPEAKERS & COMMUNICATIONS (II)**

- Tony Rosati, 350 Oakwood Ave

Mr. Rosati asked if there could be a letter drafted to the Public Utilities Commission or have the Board pass additional laws requiring for NYSEG to trim around the power lines to prevent the level of damage experienced during the recent storms. Trustee Cameron advised she will talk to the Village Tree Board to see if there is anything that can be done on the Village's end in having the trees be trimmed in a more proactive manner.

Mr. Rosati inquired if there are plans to reopen the discussion with the culvert. Mayor Mercurio stated the Village has been waiting until the summer months when Tannery Brook will be drier and allow for the engineers to have a better look at what may need to be resectioned.

- Jerry Thompson, 160 Pine Street

The pothole situation along Pine Street has deteriorated to the point of misery for the drivers of that street. The number of heavy trucks traveling along that area necessitates a more permanent fix than the cold-patch utilized in the past. Mr. Thompson offered to contact Erie County Legislature Joe Lorigo to aid in having this County Road receive attention.

- Pamela Sieracki, 505 Fillmore Ave

Ms. Sierackis shared her disappointment concerning the development at 502 Main Street. The building codes for the Village are easily accessible; she finds it hard to believe that any business owner would not be versed in the zoning codes of a property they are purchasing. Mr. Sieracki stood and reiterated the importance of the Village to communicate the requirements of the Village code and see if the education process can be modified.

- Rachel Smith, 502 Main Street

Ms. Smith states she had thoroughly researched the property prior to purchase and actually utilized a prior development plan submitted and approved by the former property owner. The intention is to develop a Zen garden in the back yard where the dead trees she had taken down once stood. Ms. Sieracki advised that her research of the Village Code indicates any sort of development in line with what Ms. Smith is proposing requires for her to go through the Development Plan process.

## **ADJOURNMENT**

Motion was made by Trustee Cameron to adjourn the meeting at 8:43 pm. Motion seconded by Trustee Schoeneman and unanimously carried.

Respectfully submitted,

Nancy A. Burkhardt  
Deputy Clerk