

**VILLAGE OF EAST AURORA  
BOARD MEETING  
October 2, 2023 7:00 PM**

**Present:**

Mayor Mercurio  
Trustee Scheer  
Trustee Cameron  
Trustee Viger  
Trustee Flynn  
Trustee Lazickas

**Absent:**

Trustee Rabey

**Also Present:**

Maureen Jerackas, Village Clerk Treasurer  
Rich Miga, Code Enforcement Officer  
Chris Trapp, Village Attorney  
Bob Pierce, Deputy Village Attorney  
Shane Krieger, Police Chief  
Matthew Hoeh, DPW Superintendent  
Sarah Hurd, Deputy Clerk-Treasurer  
9 Members of the public  
East Aurora Advertiser

A Moment of Silence was held for the retired Village Administrator Cathie Thomas

A Motion by Trustee Cameron to approve the Village Board minutes for September 18, 2023 seconded by Trustee Flynn and carried with unanimous approval.

A Motion by Trustee Scheer, moved to approve the payment of Approval of Payment of Abstract 2023/2024 fiscal year for Voucher Nos. 63968 to 64027 for a total of \$358,335.03, seconded by Trustee Viger, and carried by unanimous approval.

**PUBLIC HEARINGS**

- A Motion by Trustee Lazickas to open a Public Hearing at 7:02pm for a Permit to maintain 3 or more dogs to Jordan Chip at 800 Martin Drive
    - Clerk-Treasurer Jerackas noted that there was a police report about a barking dog at the applicant's residence in April 2023
    - Applicant spoke about how she came into having 3 dogs, all dogs are up to date on vaccinations, not left outside unattended and are crated when applicant is not home
    - No members of the public spoke
- A Motion by Trustee Lazickas to close the Public Hearing at 7:06pm, seconded by Trustee Viger and carried unanimous approval.

- A Motion by Trustee Flynn to open a Public Hearing at 7:06 pm for a Permit to maintain 3 or more dogs to Gabrielle Regent at 342 South Grove Street, seconded by Trustee Lazickas and carried with unanimous approval.
  - No members of the public spoke
  - Applicant not at hearing

A motion by Trustee Lazickas to close the public hearing at 7:07 pm, seconded by Trustee Viger and carried with unanimous approval.
- A Motion by Trustee Scheer to open a Public Hearing at 7:07 pm for a Permit to maintain bees to Jason Rodemeyer at 338 Center Street, seconded by Trustee Lazickas and carried with unanimous approval.
  - The applicant spoke about both applications for permits for bees and chickens. He addressed how many and where these would be maintained in his yard. He also spoke about how he was learning and being trained the proper way to maintain them
  - No members of the public spoke

A Motion by Trustee Cameron to close the Public Hearing at 7:15pm, seconded by Trustee Lazickas and carried with unanimous approval.
- A Motion by Trustee Lazickas to open a Public Hearing at 7:16 pm for a Permit to maintain chickens to Jason Rodemeyer at 338 Center Street, seconded by Trustee Viger and carried with unanimous approval.
  - No members of the public spoke

A Motion by Trustee Lazickas to close the Public Hearing at 7:16pm, seconded by Trustee Flynn and carried unanimous approval.
- A Motion by Trustee Cameron to open a Public Hearing at 7:16pm for the Community Development Block Grant (CDBG) Program, seconded by Trustee Viger and carried with unanimous approval.
  - No members of the public spoke

A Motion by Trustee Lazickas to close a Public Hearing at 7:18pm for the Community Development Block Grant (CDBG) Program, seconded by Trustee Cameron and carried with unanimous approval.
- Restarted a Public Hearing for the Amendment Special Use Permit for Alex & Nick Robinson at 636 East Fillmore- tavern use with outdoor seating.
  - Applicant went generally though what was in his application
  - Applicant asked about extending hours to 7am-11pm
  - Trustee Lazickas expressed concern over the noise coming off the outdoor patio, applicant said there would be no live music and no speakers on the patio.
  - Applicant noted that there would be vegetation to help buffer the sound coming off the patio
  - Mayor Mercurio said that last applicant had the patio facing away from the residents and this application is to have the patio on resident side
  - Village board suggested a half fence 3-4 foot fence to block the sound, Assistant CEO Miga said it would need to be anchored for the wind
  - The board noted there were inconsistencies between the application and the supporting documents and wanted the information clarified
  - Applicant was questioned on the capacity, he said 22 people and 22 seats
  - Applicant was questioned on number of parking spots, he said he didn't know
  - Trustee sheer asked about a TV outside, and the applicant responded that no TVs would be outside, however they would have them inside streaming the rink.

- Attorney Trapp said that there was an inconsistency with the drawings the applicant had and the application that was given
- Mayor Mercurio said they need clarification on this application
- No members of the public spoke
- Village Board decided to leave Public Hearing open and have Trustees send concerns and questions to Clerk-Treasurer Jerackas to address with applicant

## **SPEAKERS & COMMUNICATIONS (I)- none**

## **OFFICIAL CONSIDERATIONS-**

- A Motion by Trustee Cameron to Approve a permit to maintain 3 or more dogs to Jordan Chip- 800 Martin Drive, seconded by Trustee Lazickas and carried with unanimous approval.
- A Motion by Trustee Scheer to Approve a permit to maintain 3 or more dogs to Gabrielle Regent- 342 South Grove Street, seconded by Trustee Lazickas and carried with unanimous approval.
- A Motion by Trustee Flynn to Approve a permit to maintain bees to Jason Rodemeyer at 338 Center Street, seconded by Trustee Lazickas and carried with unanimous approval.
- A Motion by Trustee Lazickas to Approve a permit to maintain chickens to Jason Rodemeyer at 338 Center Street, seconded by Trustee Cameron and carried with unanimous approval.
- A Motion by Trustee Viger for the Mayor to sign a contract with Erie County for the CDBG program, seconded by Trustee Lazickas and carried with unanimous approval.

## **RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN A CONTRACT WITH ERIE COUNTY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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

WHEREAS, the Village Board of the Village of East Aurora desires to enter into a contract to participate in the Erie County Community Development Block Grant (ECCDBG) program for the following projects, listed in order of their ranking of priority by the East Aurora Village Board:

1. 2023-2024 Rural Transit Service Van Program; and

WHEREAS, the Village Board of the Village of East Aurora deems it in the public interest to authorize the Mayor of the Village of East Aurora to sign, submit and execute contracts for ECCDBG- funded projects, upon approval of the ECCDBG program for the aforementioned projects.

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of East Aurora hereby authorizes the Mayor of the Village of East Aurora to sign, submit and execute contracts for ECCDBG- funded projects, upon approval of ECCDBG program for the following projects, listed in order of their ranking priority:

1. 2023-2024 Rural Transit Service Van Program; and

BE IT FURTHER RESOLVED that the Village Clerk–Treasurer forward a certified copy of this resolution to the ECCDBG Erie County Consortium. The foregoing resolution was seconded by Trustee Lazickas, and duly put to a roll call vote which resulted in the following:

Trustee Cameron-aye  
Trustee Lazickas-aye  
Trustee Flynn-aye  
Trustee Viger-aye  
Trustee Scheer-aye  
Mayor Mercurio-aye  
The motion was approved

- A Motion by Trustee Flynn to Approve a Temporary Use Permit for Holly Layer-Turk EA Trot- November 23<sup>rd</sup> from 9-11am, seconded by Trustee Scheer and carried with unanimous approval.
- A Motion by Trustee Cameron to set a Public Hearing for the Cable Franchise agreement for November 20th, seconded by Trustee Viger and carried with unanimous approval.
- A Motion by Trustee Viger to Approve a 30 day waiver for a liquor license for Autumnvale Group LLC- 404 Main Street, seconded by Trustee Flynn and carried with unanimous approval.
- A Motion by Trustee Cameron to Approve a 30 day waiver for a liquor license for Rooted Foods LLC dba Pizzeria Florian- 650 Main Street, seconded by Trustee Lazickas and carried with unanimous approval.
- A Motion by Trustee Lazickas to cancel the Village Board meeting January 2, 2024, seconded by Trustee Cameron and carried with unanimous approval.
- A Motion by Trustee Lazickas to Approve budget adjustments for the 2023/2024 fiscal year, seconded by Trustee Viger and carried with unanimous **approval.**

Budget Transfers	2023-24					
FROM				TO		
A.5.1990.0400	Contingency	\$ 24,000.00		A.5.3410.0460	Fire Department Vehicle maintenance	\$ 24,000.00

**NEW BUSINESS-** none

**OLD BUSINESS-** none

**SPEAKERS & COMMUNICATIONS (II)**

## **Department Head and Trustee Reports**

Police Chief – talked about added law enforcement to lower main street area, also submitted an application for a tech grant to obtain pole camera

DPW Superintendent – wrapping up seasonal maintenance likes leaves and getting ready for plowing

Code Enforcement- office has been busy, Liz is returning on October 12th

Clerk-Treasurer –AUD submitted to auditors, looking at critical infrastructure grant for police

Trustee Scheer – Hamlin Park Committee going well, excited to see veterans flags back up

Trustee Cameron – None

Trustee Flynn – None

Trustee Lazickas – Hamlin Park meeting went well

Trustee Viger – None

Mayor Mercurio – noted Cathie Thomas was an energetic, experienced, knowledgeable co-worker and a good friend that was taken from her husband and us too soon, her celebration of life held October 9, 2023 in Webster, NY

## **ADJOURNMENT**

A Motion was made by Trustee Lazickas to adjourn the meeting at 7:50pm. Seconded by Trustee Viger and unanimously carried.

Respectfully submitted,  
Sarah Hurd  
Village Deputy Clerk-Treasurer