

VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
April 7, 2025 - 7:00 PM

Present:

Trustee Lazickas
Trustee Cameron
Trustee Viger
Trustee Rabey
Trustee Scheer
Mayor Mercurio

Absent:

Trustee Flynn

Also Present:

Maureen Jerackas, Clerk-Treasurer
Shane Krieger, Village Administrator
Patrick Welch, Police Chief
Chris Trapp, Village Attorney
Jeff Stoll, General Foreman
Rich Miga, Code Enforcement
Aaron Denz, Fire Chief
51 Members of the public

A Motion by Trustee Cameron to approve the Village Board minutes for March 17, 2025, seconded by Trustee Rabey and carried with unanimous approval.

Trustee Cameron moved to approve the payment of Abstract for April 07, 2025 with a total of \$208,249.53, seconded by Trustee Scheer, and carried by unanimous approval.

SPEAKERS AND COMMUNICATIONS (I)

- Nancy Smith-195 Sycamore- She talked about tree box sizes and stump grinding. She would like NYSEG to take care of the stump grinding. She talked about Arbor Day Celebration on April 30th. Mayor Mercurio reached out to Governor Hochul's office about tree trimming. Village Administrator Krieger spoke about O'Connell and the heritage trees. Mayor Mercurio asked about O'Connell doing the stump grinding, Village Administrator Krieger said that they will look into it.
- Jesse Griffis- Tree Board Chair- He thanked the Board for all the work they have been doing. He would like a schedule of how much more work is still to be done.
- Mike O'Connor- 779 East Fillmore- He spoke about all the things that Heart of Music Festival was doing to try to reduce issues, such as capping ticket sales to 7,000, no social media presence, increased security, using a code of conduct and no big name bands being booked.
- Mike Teanne- Board of Directors EA Rink Board- He spoke in support of the Heart of Music Festival as a benefiting venue.
- Jay Deperno- Elm Street Bakery/ General Riley House- He spoke in support of the Heart of Music Festival.
- Ed Sterno- 175 South Grove St- He supports a more conservative approach to the tree trimming in EA.
- Will Parzink- Center for the Arts- He supports the Heart of Music Festival as a charitable recipient.
- Deb Flynn- 841 East Fillmore- She supports the Heart of Music Festival as a charitable recipient.
- Burt Foster- He Supports the Heart of Music Festival as a charitable recipient.

- Joe Marcella- Main & Hamlin- He is in support of the Heart of Music Festival as a venue and has no problem following all restrictions.
- Ben Holmes- Wallenweins Hotel- He is in support of the Heart of Music Festival as a venue and has no problem following restrictions.
- Anthony Amabile- Riley Street Station- He is in support of the Heart of Music Festival as a venue and has no problem following restrictions.
- Renee & Tony Day- They spoke about the special use permit the submitted for the speakeasy.
- Stacey Blatner- 171 Sycamore St- She is in support of the Heart of Music Festival as a charitable recipient.
- Isabel Davison- Bar Manager Roycroft- She said they support the Heart of Music Festival.
- Sara Finerty- South Grove St/Owner Maine Bites- She is in support of the Heart of Music Festival.
- Victoria Sternman- EA Chamber of Commerce- She is in support of the Heart of Music Festival.
- Alex Robinson- Blue Eyed Baker- She is in support of the Heart of Music Festival.
- Captain Perkin- Firefighter- He does not support the Heart of Music Festival for safety reasons.
- Dennis McCarthy- Firefighter/EMT- He does not support the Heart of Music Festival for safety reasons.

PUBLIC HEARINGS

- A Motion by Trustee Lazickas, to open the Public Hearing at 7:59 pm to Consider a Special Use Permit Application for Jersey Mikes 160-190 Main St. James Boglioli of 93 NYRPT/Benderson Development for a proposed 12 interior seats and business hours of 10am-10pm, 7-days a week, second by Trustee Cameron and carried with unanimous approval.

- Applicant reviewed application
- Catherine Gipe-37 Hamlin Ave- She has concerns about noise and garbage. Mayor Mercurio asked if the door could be closed at the back of the restaurant, and the applicant said yes.

A Motion by Trustee Lazickas to close the public hearing at 8:03 pm, seconded by Trustee Scheer and carried with unanimous approval.

- A Motion by Trustee Lazickas, to Consider a Special Use Permit Application at 203 Main St. Gina & Glen Miller of East Leaf LLC for a Cannabis Dispensary to open the Public Hearing at 8:04 pm to, second by Trustee Rabey and carried with unanimous approval.
 - Applicants reviewed the application and location. Police Chief Welch said that he checked out the other location and is satisfied with how it is being run.
 - Darius Krajewski- Owner 205 Main Street- He has concerns about a dispensary next to his law firm. He said that he didn't get much information about this happening. Mr. Krajewski asked if there would be consumption on site, Mayor Mercurio said no. He said that there could be many issues, including traffic, safety concerns, and does not think this is the best location. Village Attorney Chris Trapp explained how the NYS Cannabis Law works and what that means regarding the Village.

A Motion by Trustee Viger to close the public hearing at 8:14 pm, seconded by Trustee Lazickas and carried with unanimous approval.

- A Motion by Trustee Lazickas, to Consider a Special Use Permit Application for 636 East Fillmore Ave. submitted by Alex & Nick Robinson, to allow a painted wall sign on the East Fillmore Ave. and Riley St. facades to open the Public Hearing at 8:15 pm, second by Trustee Rabey and carried with unanimous approval.
 - Applicant reviewed application.

A Motion by Trustee Lazickas to close the public hearing at 8:16 pm, seconded by Trustee Viger and carried with unanimous approval.

- A Motion by Trustee Lazickas, to open the Public Hearing at 8:16 pm to Consider an amendment to the Special Use Permit Hop-N Hemp Tea Inc, DBA Buffalo Kind 640-650 Main St. to allow a delivery option through the brick-and-mortar dispensary, second by Trustee Viger and carried with unanimous approval.
 - The applicant thanked the Board for considering letting them have delivery.
 A Motion by Trustee Rabey to close the public hearing at 8:17 pm, seconded by Trustee Lazickas and carried with unanimous approval.
- A Motion by Trustee Cameron, to open the Public Hearing at 8:17 pm to Consider the 2025-26 Village Budget, second by Trustee Scheer and carried with unanimous approval.
 - Clerk Treasurer Jerackas said that she worked with the department heads to get the budget down to a 1.29% increase to the Village tax rate from last year. She explained that there is no increase to the water cost from the Village but is passing on the raise in water cost from the county. She said we are decreasing the cost from the debt fee but increasing the cost of the operations and maintenance, the difference should be close to 12 cents for a ¾ line. Trustee Scheer thanked Clerk Treasurer Jerackas and the department heads for their hard work. Trustee Cameron reminded the public that water and general funds are two separate funds. Mayor Mercurio thanked Clerk-Treasurer Jerackas and the department heads for working hard for the Village. Trustee Lazickas asked if the budget can be changed during the year, Clerk- Treasurer Jerackas explained the budget adjustment and modification process. No public comment.
 A Motion by Trustee Viger to close the public hearing at 8:24 pm, seconded by Trustee Rabey and carried with unanimous approval.

OFFICIAL CONSIDERATIONS

- A motion by Trustee Cameron to
An Application of a Request for an Amended Special Use Permit, received by the Office of the Village Clerk on January 29, 2025, is hereby:
APPROVED, as submitted, for applicant James Boglioli, as agent for Benderson Development, Jersey Mikes restaurant at 160-190 Main St. with a proposed 12 interior seating and business hours of 10am-10pm, 7-days a week.
The Village Board shall be Lead Agency under the State Environmental Quality Review Act (SEQRA). A Negative Declaration is made under SEQRA and said application is determined to be an Unlisted Action. The following findings and conditions from the Village Planning Commission are incorporated herein:
 1. The proposed action is consistent with plaza and intended use of plaza.
 2. The Shoppes at Aurora Circle Plaza exceed the parking requirements
 3. No signage was included with the Special Use Permit application, therefore PC has no position*If approved, the following additional language should be part of the approval:*
Approval is Granted for the above-referenced Special Use Permit Application, as written and submitted, and with the following additional modifications and/or conditions*:

Should any part of the application and Special Use Permit approval be in conflict with any segment of the underlying Village Code (i.e., Zoning, etc.), adherence shall be with the Village Code provisions. The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Special Use Permit and its conditions. The nature, duration and intensity of the operations which are involved in, or conducted in connection with, this Special Use Permit shall not be increased or expanded without the approval of the Village Board. Any increase

or expansion shall be considered at a public hearing held in accordance with the application requirements and administrative procedures which have been adopted by the Village Board.

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

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

This Special Use Permit may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the Special Use Permit. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the Special Use Permit grantee has violated the terms and conditions of the Special Use Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Use Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee. was seconded by Trustee Viger and unanimously approved.

- A motion by Trustee Rabey to

An Application of a Request for an Amended Special Use Permit, received by the Office of the Village Clerk on January 23, 2025, is hereby:

APPROVED, as submitted, for applicant Gina and Glen Miller of East Leaf LLC. at 203 Main St to request a NYS Licensed cannabis dispensary.

The Village Board shall be Lead Agency under the State Environmental Quality Review Act (SEQRA). A Negative Declaration is made under SEQRA and said application is determined to be an Unlisted Action.

The following findings and conditions from the Village Planning Commission are incorporated herein:

Findings:

1. East Leaf Dispensary location is consistent with the Village Code and the requirements of State Office of Cannabis Management
2. The proposed use is for retail sales only with no onsite consumption allowed
3. No delivery of product proposed
4. No substantial modifications to the exterior of the building and
5. No signage was included with the Special Use Permit application, therefore PC has no position
6. The East Aurora Village Code provides that no two cannabis retail dispensaries may be located within five hundred feet of one another.
7. As an advisory commission, the Planning Commission is charged to reviewing whether the plans for the facility meet building and related requirements under the Code.
8. The Planning Commission takes no position with respect to the issuance of final permits or approvals with respect to the location of the applicant's retail establishment since that authority rests solely with the Board of Trustees.

Condition:

1. The applicant must meet with the EA Police Department prior to submitting application to the Village Board.

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

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

Should any part of the application and Special Use Permit approval be in conflict with any segment of the underlying Village Code (i.e., Zoning, etc.), adherence shall be with the Village Code provisions.

The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Special Use Permit and its conditions.

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

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

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

This Special Use Permit may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the Special Use Permit. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the Special Use Permit grantee has violated the terms and conditions of the Special Use Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Use Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee.

was seconded by Trustee Lazickas and unanimously approved.

- A motion by Trustee Viger to

An Application of a Request for an Amended Special Use Permit, received by the Office of the Village Clerk on February 12, 2025, is hereby:

APPROVED, as submitted, for applicant Alex and Nick Robinson, owners of 636 East Fillmore Avenue to allow painted wall signs on the East Fillmore Ave and Riley St facades. The Village Board shall be Lead Agency under the State Environmental Quality Review Act (SEQRA). A Negative Declaration is made under SEQRA and said application is determined to be an Unlisted Action.

The following findings and conditions from the Village Planning Commission are incorporated herein:

1. The proposed signage is interesting and esthetically pleasing that enhances the facade of the building
2. Meets the intent of the Village of East Aurora Commercial Design Guidelines for signage

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

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

Should any part of the application and Special Use Permit approval be in conflict with any segment of the underlying Village Code (i.e., Zoning, etc.), adherence shall be with the Village Code provisions.

The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Special Use Permit and its conditions.

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

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

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

This Special Use Permit may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the Special Use Permit. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the Special Use Permit grantee has violated the terms and conditions of the Special Use Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Use Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee. was seconded by Trustee Scheer and unanimously approved.

- A motion by Trustee Viger to

An Application of a Request for an Amended Special Use Permit, received by the Office of the Village Clerk on August 5, 2024, is hereby:

APPROVED, as submitted, for applicant Andrew Krouse of Hop-n-Hemp Tea, Inc. at 640-650 Main Street to request a NYS Licensed cannabis dispensary.

The Village Board shall be Lead Agency under the State Environmental Quality Review Act (SEQRA). A Negative Declaration is made under SEQRA and said application is determined to be an Unlisted Action.

The following findings and conditions from the Village Planning Commission are incorporated herein:

Findings:

1. The East Aurora Village Code provides that no two cannabis retail dispensaries may be located within five hundred feet of one another.
2. Another cannabis retail dispensary was previously granted approval by the Board of Trustees which would be located within the distance prohibited by the Code.
3. As an advisory commission, the Planning Commission is charged to reviewing whether the plans for the facility meet building and related requirements under the Code.
4. The Planning Commission takes no position with respect to the issuance of final permits or approvals with respect to the location of the applicant's retail establishment since that authority rests solely with the Board of Trustees.
5. No parking requirements are applicable due to the proximity of the Village parking lot and they have 7 parking spaces provided including 1 handicap space.
6. Hours of operation are consistent with those of nearby businesses.
7. Signage adheres to the Village code.
8. The proposed business will improve the building facade.
9. There will be no onsite consumption, and measures will be taken to ensure no odors are produced.
10. The site for this business is in a discrete location.

Condition:

1. The applicant must meet with the EA Police to obtain their satisfaction that the store will have sufficient security measures employed.

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

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

Should any part of the application and Special Use Permit approval be in conflict with any segment of the underlying Village Code (i.e., Zoning, etc.), adherence shall be with the Village Code provisions.

The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Special Use Permit and its conditions.

The nature, duration and intensity of the operations which are involved in, or conducted in connection with, this Special Use Permit shall not be increased or expanded without the approval of the Village Board. Any increase or expansion shall

be considered at a public hearing held in accordance with the application requirements and administrative procedures which have been adopted by the Village Board.

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

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

This Special Use Permit may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the Special Use Permit. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the Special Use Permit grantee has violated the terms and conditions of the Special Use Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Use Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee. was seconded by Trustee Lazickas and unanimously approved.

- **ADOPT 2025-2026 BUDGET**

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

BE IT RESOLVED, the Budget for the Village of East Aurora for the fiscal year 2025/2026 is hereby **ADOPTED** with a tax rate of \$ 22.098 per thousand.

BE IT FURTHER RESOLVED, the pay raises for the nonunion staff for the 2025/2026 fiscal year are included in the budget.

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

Trustee Lazickas - Aye

Trustee Viger- Aye

Trustee Rabey - Aye

Trustee Flynn - Absent

Trustee Cameron - Aye

Trustee Scheer - Aye

Mayor Mercurio – Aye

- **ADOPT 2025-2026 WATER BUDGET AND RATE SCHEDULE**

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

BE IT RESOLVED, the \$1,839,312 Water Budget for the Village of East Aurora for the fiscal year 2025/2026 is hereby **ADOPTED** with the following rate schedule:

2025-2026 PROPOSED WATER RATES

2025-26 ECWA RATES			
2024-25 RATE	2025-26 RATE	INCREASE	PERCENT
3.64	4.04	\$ 0.40	10.99%

Inside Village RATE/1000 Gallons			
Consumption	Current	Proposed	Difference
0-5	\$5.22	\$5.62	\$0.40
6-75	\$6.69	\$7.09	\$0.40
OVER 75	\$6.31	\$6.71	\$0.40
Outside Village			
Consumption	Current	Proposed	Difference
0-5	\$7.83	\$8.43	\$0.60
6-75	\$10.02	\$10.62	\$0.60
OVER 75	\$9.41	\$10.01	\$0.60

Inside Village RATE/CUBIC FEET (748 Gallons)			
Consumption	Current	Proposed	Difference
0-6	\$3.92	\$4.22	\$0.30
7-100	\$5.02	\$5.32	\$0.30
OVER 100	\$4.73	\$5.03	\$0.30

DEBT SERVICE COST			
	2024-25	2025-26	
	Current	Proposed	Difference
	\$34.25	\$30.75	-\$3.50

Operation and Maintenance			
	2024-25	2025-26	
	Current	Proposed	Difference
5/8"	\$36.56	\$40.58	\$4.02
1"	\$49.48	\$54.92	\$5.44
1.5"	\$70.67	\$78.44	\$7.77
2"	\$120.15	\$133.36	\$13.21
3"	\$141.34	\$156.89	\$15.55
4"	\$282.68	\$313.77	\$31.09
6"	\$494.69	\$549.10	\$54.41
8"	\$636.03	\$705.99	\$69.96

The following resolution was seconded by Trustee Viger and unanimously approved.

- A motion by Trustee Viger to approve permission for the Mayor to sign the 2025/2026 Tax Warrant, The following resolution was seconded by Trustee Lazickas, and duly put to a roll call vote which resulted in the following:
 Trustee Lazickas - Aye
 Trustee Viger- Aye
 Trustee Rabey - Aye
 Trustee Flynn - Absent
 Trustee Cameron - Aye
 Trustee Scheer - Aye
 Mayor Mercurio – Aye
- A motion by Trustee Viger, to Set a public hearing April 21, 2025 to consider the Village's Annual MS-4 Report, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Viger, to Permission to advertise an RFP for Refuse services once the RFP documents are ready, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Lazickas, Refer to the Planning Commission May 6, 2025 a Special Use Permit Application to operate a B&B at 77 Knox Rd. as submitted by Christopher Sterlace, owner. This existing non-conforming owner-occupied two-family dwelling is located in the Single-Family Residence zone. Operation of a B&B is allowed to use, by Special Use Permit, for an owner-occupied residence, seconded by Trustee Cameron, and unanimously approved.
- A motion by Trustee Viger, to Refer to the Planning Commission May 6, 2025 a Special Use Permit application for the General Riley House at 644 Oakwood Ave. as submitted by Anthony Day to continue operating as it has, with the speakeasy, light food, outdoor seating, and occasional outdoor music, seconded by Trustee Rabey, and unanimously approved.
- A motion by Trustee Viger, to Refer to the Planning Commission May 6, 2025 an amended Site Plan for reconfiguration of the patio and parking lot for Left Coast Taco 54 Elm St. Nathan and Chelsea Root to relocate the entrance, add landscaping between the parking areas and sidewalks, and permanently install the patio at the front of the building, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Scheer, to Refer to Planning Commission May 6th, 2025, a Special Use Permit Application for Left Coast Taco 54 Elm St. as submitted by Nathan Root to add an 8'x 20'shipping container behind the building that will house an arcade, seconded by Trustee Viger, and unanimously approved.
- A motion by Trustee Viger, to Refer to Planning Commission May 6th, 2025, a Special Use Permit Application for Left Coast Taco 54 Elm St. as submitted by Nathan Root to add an 8'x 20'shipping container behind the building that will house an arcade, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Cameron, to Refer to Planning Commission May 6th, 2025, a Site Plan application for 425-433 Prospect Ave. by Chris Contento to add a balcony to a third-floor apartment over an existing bump out on the second floor, seconded by Trustee Rabey, and unanimously approved.
- A motion by Trustee Lazickas, to Approve a Temporary Use Permit for Victoria Stuman Greater EA Chamber of Commerce Sidewalk Sale Street Festival on July 25th from 10-5pm and 26th 10-4pm, seconded by Trustee Rabey and unanimously approved.

- Applicant stated that Friday are the brick and mortar business putting items on the sidewalk to sell and that Saturday was the festival.
- A motion by Trustee Cameron, to Approve a Temporary Use Permit for Victoria Stuman Greater EA Chamber of Commerce Taste of East Aurora on September 6th 11-3pm, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Viger, to Approve a Temporary Use Permit for Roycroft Campus Curt Maranto for their Founder's Day celebration May 31 from 3-7:30, seconded by Trustee Lazickas, and unanimously approved
- A motion by Trustee Lazickas, to Approve the following new members of the East Aurora Fire Department, Gregory Richter, Roger Evans, Elizabeth Parker & Grace Kwitek, seconded by Trustee Rabey, and unanimously approved
 - Fire Chief Denz said that one is a return and the others are new members and that they are all great people.
- A motion by Trustee Rabey, to Accept a donation of a 2025 Can-Am Defender Pro off-road vehicle for use in Fire protection, seconded by Trustee Lazickas, and unanimously approved with Trustee Viger abstaining.
- MODIFY 2024/2025 BUDGET April 7, 2025
 Trustee Rabey, offered the following resolution and moved for its adoption:
 BE IT RESOLVED, the Clerk – Treasurer is hereby authorized to modify the 2024/2025 Budget in the following manner:
 Asset Forfeiture to Unclassified 4.2770 - \$ 124.87
 Expenditures – Police Department Supplies 5-3120.0470 - \$ 124.87 ammo
 The following resolution was seconded by Trustee Scheer and unanimously approved.
- A motion by Trustee Scheer, to Approve a Temporary Use Permit for Heart of Music Festival June 7, 2025 with the following restrictions:
 - Event hours will be 12pm-8pm with bars closing at 10pm
 - Pending an approved Certificate of Liability Insurance submitted to the clerk's office
 - Part 18 paperwork filled out with 10,000 people
 - Both fire and police chiefs need sufficient coverage the final determined will be made by the Village Board
 - No backpacks in the venues or on the shuttles
 - The shuttle stops need signage
 - Persons Alley needs to be closed
 - Fillmore Ave between Church and Riley needs to be closed
 seconded by Trustee Lazickas with 5 Ayes and 1 Nay.
 - Police Chief Welch stated that he has issues with the event. He will need additional manpower and help from other agencies. He stated that he knows the great things it does for the community, but public safety is his responsibility. He is aware most issues don't come from businesses. He stated that if this permit passes, business owners will need to police your own property. He also has concerns about consumption and public gathering in streets with alcohol not bought at the venue. Police Chief Welch stated that fencing is helpful but Riley Street is still a problem. He said that with no open container law, it is very hard to control. He said that you can't kick people out if they brought their own because there is no law and that he will do everything he can to run the event if the Village Board votes yes, even though he

has issues. The Village Board discussed the possibilities of other police resources and the unknown cost. The Village Board had a discussion over tabling versus a resolution with restrictions. The Code Enforcement office will be checking occupancy and fire code and stated that it will be enforced at the event. The Village Board had a discussion over the issue of tailgaters. Fire Chief Denz discussed multiple issues previously relayed to the Village Board. He stated that all members of the EA Fire Dept are volunteers, community orientated people and some say they will not be doing the event because of the treatment they receive. He said they would have to call for mutual aid if the event needed more help. He discussed previous issues that happened with this event and that the Part 18 paperwork needs to be done. Fire Chief Denz stated that the public risk is too great. Mayor Mercurio started a discussion about parking and towing during the event. The Village Board had another discussion on tabling the application versus approving with restrictions. Clerk-Treasurer Jerackas stated that the Heart of Music was asked to submit their application early for review but didn't submit it until the Tues before the Village Board meeting. Chris Welch stated that he needs approval now to move forward with the event in a timely fashion and stated that he didn't turn it in sooner because the application wasn't complete. He also spoke about what the Heart of Music Festival is doing to reduce the footprint of the event. Clerk- Treasurer Jerackas noted that the Police Chief asked for reduced hours because our officers work extra-long hours because they either work the event and then their regular hours or their regular hours and then the event, which is a lot when working this event. Fire Chief Denz discussed how the changes don't solve the problem of the ambulance eta and extra security can't transport people with medical issues. The Village Board discussed making the hour changes by restriction as the Village asked from the beginning 1pm-9pm or 12pm-8pm were proposed. Fire Chief Denz discussed calling in other agencies, them using their own time, vehicles and gas used. The Village Board discussed whether hour changes and other items can be restricted. Trustee Viger asked if there was going to be a paid parking lot at the rink, and the applicant said yes. She asked for signage, crossing guards and cones at the bus stops. The applicant agreed. She asked about the free water stations, the applicant said they can't due to health and safety issues. Trustee Viger asked for reduced cost water at the event. She asked for bags to be checked on the bus and not let into events. She expressed the fact that backpacks should not be allowed in the venue, bars or at the rink, due to it being a safety issue. Trustee Viger stated that Persons Alley needs to be closed and said that construction lights which are needed were not put on the permit and were missed in previous years. The Village Board had a discussion about ticket sales and applicant agreed to hard stop at 7,000.

NEW BUSINESS

- 30 day Liquor License- General Riley House- 644 Oakwood Ave.- Clerk Treasurer Jerackas explained that they received the 30 day notice and asked the Board if there was any issue. Board members had none.
- Construction of Town Courts- Clerk-Treasurer Jerackas explained what is happening at the Town's Judicial courts and asked the Board to review, potentially have approvals at future Board meetings for this.

OLD BUSINESS

- Hamlin Park- Memorial Plaque, court usage- Trustee Lazickas is going to get more information. Trustee Scheer spoke about the pickleball courts and maybe changing them into multipurpose courts, Board members will discuss it at a future meeting.

SPEAKERS AND COMMUNICATIONS (II)

- **Dennis McCarthy- Firefighter/ EMT-** He expressed more safety concerns about the Heart of Music Festival. Trustee Viger expressed that if there are issues this year with the festival, she will be advocating for an open container law and thanked the firefighters for showing up to the meeting.

Department Head and Trustee Reports

Police Chief – He thanked the Board for sending his officers for training. He said that the Bunny Hop is coming up and they are ready.

Fire Chief- He spoke about the training that his firefighters went to and spoke briefly about a house fire they were fighting last night.

General Crew Chief – He thanked his crew for a great job on a water leak repair. Mayor Mercurio thanked him and his team.

Code Enforcement – He said that the Code Enforcement Dept will be reaching out to all establishments involved in the Heart of Music Festival about getting fire inspections done.

Village Administrator- He spoke about Go Net Speed going door to door. Clerk-Treasurer expressed the need for them to get permits.

Clerk Treasurer- She talked about going to government finance officer training, continuing work with transitioning software and getting tax bills ready.

Trustee Viger- She would like to set a public hearing for a bait and shoot program in regards to the deer in the Village.

Trustee Scheer- none

Trustee Cameron – none

Trustee Lazickas- none

Trustee Rabey- none

Mayor Mercurio- none

EXECUTIVE SESSION-

- A motion by Trustee Rabey to open an executive session at 10:30pm for discussion of particular personnel and security, seconded by Trustee Lazickas, and unanimously approved.
A motion by Trustee Rabey to close the executive session at 11:19pm, seconded by Trustee Lazickas and unanimously approved.

ADJOURNMENT

A Motion was made by Trustee Lazickas to adjourn the meeting at 11:19pm. Seconded by Trustee Scheer and unanimously carried.

Respectfully submitted,

Maureen Jerackas
Village Clerk-Treasurer