

**VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
October 6, 2025 - 7:00 PM**

Present:

Trustee Lazickas
Trustee Flynn
Trustee Rabey
Trustee Scheer
Mayor Mercurio

Absent:

Trustee Cameron
Trustee Viger

Also Present:

Maureen Jerackas, Clerk-Treasurer
Shane Krieger, Village Administrator
Patrick Welch, Police Chief
Chris Trapp, Village Attorney
Scott Jakubczak, Streets Foreman
Rich Miga, Assistant Code Enforcement Officer
16 Members of the public

Trustee Flynn moved to approve the payment of Abstract for October 6, 2025, with a total of \$503,835.89, seconded by Trustee Rabey and carried by unanimous approval.

SPEAKERS AND COMMUNICATIONS (I)

- Mayor Mercurio made the following proclamation for 2025 Red Ribbon Week:
WHEREAS, Alcohol and other drug abuse in this nation has reached epidemic stages; and
WHEREAS, It is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and
WHEREAS, The National Family Partnership is sponsoring the National Red Ribbon Campaign® offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and
WHEREAS, The National Red Ribbon Campaign® will be celebrated in every community in America during “Red Ribbon Week®”, October 23-31; and
WHEREAS, Business, government, parents, law enforcement, media, medical, religious institutions, schools, senior citizens, service organizations and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying Red Ribbons during this week long campaign; and
WHEREAS, The Village of East Aurora further commits its resources to ensure the success of the Red Ribbon Campaign®;
NOW THEREFORE BE IT RESOLVED,
that the Village of East Aurora does hereby proclaim October 23-31, 2025, as RED RIBBON WEEK® and encourages its citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug - free state.

- Mayor Mercurio reviewed the recent meeting with NYSEG about trimming trees in the Village.
- Clerk-Treasurer Jerackas reviewed the information about the change to garbage service to the waste management service.
- **Historic Updates-** Mary Ann Colopy said that a building being considered historic is when it is 50 years old, vs a landmark, which is designated when a significant person lived there, a significant event happened there, it is a significant style or of significance to the surroundings. She said that the local landmark designation gives the most protection to the outside of the building. Mrs. Colopy described the difference between the federal and state landmarking designated by the National Parks Service. She spoke about the Certified Local Government Grant, the National Park Service Grant, and what it could be used for. Mrs. Colopy stated that being in a historic district doesn't change anything for the business owners; they don't need to follow HPC rules unless they take money for any repairs. Mayor Mercurio asked what the tax credit is, Mrs. Colopy stated that around 30% state and federal, depending on the situation. Mayor Mercurio asked about local landmarking. Mrs. Colopy said that anything that is a local landmark needs repairs to go through the HPC with a certificate of appropriateness. She said that being part of a National Registered District does not constrain the business in any way. Trustee Flynn asked about the CLG grant. Mrs. Colopy said that the Village can apply for it or any individual can apply for it on their own and stated that they don't need a municipality's approval. She states that the property owners can object. Mayor Mercurio asked what is involved with this application. Mrs. Colopy said that she would send over the information.
- Tim Noon- 764 Oakwood- Village Tree Board Member- He said he came for the NYSEG update and gave a statement of support from the Village Tree Board. Mayor Mercurio said that Jesse Griffis and Nancy Smith were in attendance for those meetings.
- John Rosenberg- 340 Olean- He has concerns about the new garbage totes in the snow. Village Administrator Krieger said to clear a spot by the end of your driveway. Mayor Mercurio reviewed the garbage renewal process.
- Kurt Colopy- 365 South Grove- He asked about NYSEG coming to survey the trees. He wanted to know if it would include residents' properties. Village Administrator Krieger said yes if it's considered a right-of-way. Clerk-Treasurer Jerackas said that they would need a homeowner's permission to come onto their property.

PUBLIC HEARINGS

- Public Hearing to Consider a Local Law to amend §285-44 Sign Regulations.
 - Village Attorney Trapp said that the law is currently with him and that the Code Enforcement office had additional changes.
- The Public Hearing will remain open.

OFFICIAL CONSIDERATIONS

- WHEREAS, the applicant has filed Part 1 of the Short Environmental Assessment Form (SEAF) with this Board, a copy of which is included by reference and made a part hereof, relating to the proposed project at 400 Quaker Road, East Aurora, New York, wherein the applicant, Jennifer Greene of WH Greene & Associates, Inc.; and
 WHEREAS, the Village Planning Commission, after carefully and fully reviewing the application, including the Site Plan attached thereto, with any and all amendments and modifications, and considering comments and documentation presented for and against the project, voted in the majority recommending approval, with findings; and
 WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Part 1 of the SEAF submitted by applicants including the Site Plan attached thereto, and the above-referenced amendments and modifications; and

WHEREAS, the Village SEQRA Intake Committee, after their review of the above, prepared Parts 2 and 3 of the SEAF with a recommendation of the issuance of the Negative Declaration of Environmental Significance for submission to, and consideration by, the Village Board; and

WHEREAS, the Village Board of Trustees, upon taking an independent hard look and reasoned evaluation of the above-referenced information, comments and written documentation, including, but not limited to, Part 1 of the SEAF; comments, recommendations, findings and conditions of the Planning Commission, the Site Plan and the recommendation of the SEQRA Intake Committee and that Committee's completed Parts 2 and 3 of the SEAF concerning the potential environmental impacts of the project; all of which are incorporated by reference herein; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information, comments and written documentation in regard to the project, made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora as Lead Agency has determined that the proposed action described in the SEAF, submitted by the applicants, for the site plan proposed to construct of an addition to the existing commercial building at 400 Quaker Rd and expand parking, as detailed in the Site Plan Application dated June 23, 2025, is classified as an Unlisted Action and therefore issues a Negative Declaration, that this development will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared. The foregoing resolution was duly made by Trustee Rabey and seconded by Trustee Scheer and carried on October 6, 2025.

- WHEREAS, an application has been submitted for Site Plan Approval at the above-referenced property by applicant Jennifer Greene of WH Greene & Associates, Inc.,
WHEREAS, the Village Board referred the site plan to the Planning Commission for review, comment and recommendation, and the Planning Commission resolution, recommending site plan approval, with findings and no conditions; and
WHEREAS, the Village's SEQRA Intake Committee considered the application and reviewed Part 1 of the Short Environmental Assessment Form submitted by the applicant and completed Part 2 and Part 3 thereof on behalf of the Village, and it was the recommendation of the SEQRA Committee and approved by the Village Board as a Negative Declaration, including that the proposed development plan is a Unlisted Action and would have no significant environmental impact; and

WHEREAS, the Village Board at a public meeting reviewed and considered further the comments and all written materials submitted by the applicant and all other information and recommendations before the Board, including minutes of prior Village Board meetings and the recommendations from the SEQRA Intake Committee and Planning Commission, and the referral and response from the Erie County Division of Planning declaring: No Recommendation; proposed action has been reviewed and determined to be of local concern; and

WHEREAS, the Village Board received and considered the Site Plan, the above-referenced upgrades, and any and all amendments thereof; and

WHEREAS, the Village Board has separately considered the environmental impacts of the project, declared itself Lead Agency and issued a Negative Declaration of environmental significance, with the proposal classified as a Unlisted Action.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board as follows:

1. The Findings of Fact of the SEQRA Intake Committee, the resolution with findings of the Planning Commission, and the site plan application, all information included in the minutes taken in relation to the abovementioned Village Board and Planning Commission meetings are herein incorporated by reference, including the following findings of the Planning Commission:

- a. Updated drawing L100 with revision date of 7.10.25 was evaluated
- b. Responsible expansion and keeping within the purpose of the Industrial Park

c. Findings relating to the areas that are in the Town are preliminary, subject to review and approval from the Town.

2. The Resolution of the Village Board considering the environmental impacts of the project and the issuance of a Negative Declaration of environmental significance is incorporated herein by reference.

3. The Site Plan relating to the proposed project at 400 Quaker Road, East Aurora, New York, wherein the applicant proposes to construct an addition to the existing commercial building at 400 Quaker Road and expand parking, as detailed on documents submitted with the application, is hereby approved and is subject to the following additional conditions:

a.

4. The resolution is effective immediately, approving the issuance of a development, construction permit as hereinbefore set forth, subject to compliance with all applicable federal, state and local laws and codes.

The foregoing resolution was duly made by Trustee Scheer and seconded by Trustee Flynn and carried on October 6, 2025.

- A motion by Trustee Lazickas, to Approve a Temporary Use Permit for Holly Layer of East Aurora Runners to hold the Turk-EA-Trot on November 27, 2025, at 9 am, seconded by Trustee Flynn, and unanimously approved.
 - Mayor Mercurio asked Police Chief Welch if they have any issues with the event, Police Chief Welch said that the route is approved by the police department.
- A motion by Trustee Rabey, to Approve a Temporary Use Permit for Victoria Sturman of the EA Chamber of Commerce Carolcade Saturday, December 20, 2025, 7-8 pm on Main Street in front of Vidler's, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Flynn, to Approve a Temporary Use Permit for Victoria Sturman of EA Chamber of Commerce Holiday Magic in the Village, Saturday, December 20, 2025, 12 - 4 pm at the Roycroft Campus, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Scheer, to Approve a Temporary Use Permit for Joel Brandon of EA Rotary Foundation Inc East Aurora Wonderland on Friday, December 5, 12 & 19 from 12-8 pm; Saturday, December 6 & 13 from 10 am-8 pm, December 20 from 10 am-5 pm and Sunday, December 7 & 14 from 12-4 pm at the Roycroft Campus, seconded by Trustee Rabey, and unanimously approved.
 - The applicant spoke about the event. He said that the Town Highway Department is letting the EA Rotary build wooden booths and store them behind the highway garage. He said that the entertainment stage will be collapsible and the Roycroft will provide electricity.
- A motion by Trustee Flynn, to Approve a Local Landmark application for 670 Main Street as recommended by the Historic Preservation Commission, seconded by Trustee Rabey, and no vote was taken, and the motion was withdrawn.

A motion by Trustee Flynn to withdraw her motion and table to Approve a Local Landmark application for 670 Main Street as recommended by the Historic Preservation Commission, seconded by Trustee Rabey and unanimously approved.

- Mayor Mercurio said that he appreciates the work that Maryann has done, he said that he would like to speak with SHPO and hear the reason why they denied their application. He would also like to talk to the HPC member who voted against it. Mary Ann Colopy said that they were denied because in order for them to have applied for the tax credits, they needed to have worked with SHPO from the beginning, because they did things to the interior of the building that SHPO would not have approved that changed the character of the building. Village Attorney Trapp asked about any exterior changes that were made. Assistant Code Enforcement Officer Miga said that part of the site plan application was modifications to the existing structure that included two garage doors, one of the breezeways, modifications to the windows, and the mezzanine level, where they added a roof structure. Mrs. Colopy reviewed the levels of preservation and how specific SHPO is. Trustee Lazickas said that he had some concerns about the explanation regarding the classical revival. He said that typically, classical revival has columns and pediments. He said that there was a pediment in the blasters that appeared in earlier pictures and that it was no longer accurate. He said the building is not symmetrical either and that the dentils are the only thing that seems to be significant to the style. He said that the structure of the bank was used everywhere and doesn't see it qualifying based on architecture or that Seymore Knox was a true connection to the building. Mrs. Colopy reviewed her opinions on all of this and gave information on the groups that had already come and looked at this structure. She said that the building was made usable for today's usage. Trustee Lazickas asked about the 5 points of criteria. Mrs. Colopy said that it only needs to meet one of the five points, not all five, and that it is a significant presence in the neighborhood. Mayor Mercurio said that we would like more time to work on this and would like to bring it back to the Oct 20th meeting. Peter Sorgi said that he is the attorney for Carner Development and has concerns over this application not being voted on at the last meeting. He reviewed the reasons why he believes this is unfair to his client. Mr. Sorgi requested that the Village Board vote on this application tonight. Mayor Mercurio said that he would still like more time to review the information. Trustee Flynn withdrew her motion and Trustee Rabey withdrew his second.

- A motion by Trustee Scheer, to Give Permission to Surplus (2) two Ford Explorer Interceptors, seconded by Trustee Flynn, and unanimously approved.
- A motion by Trustee Scheer, to Approve the Mayor to sign the STOP DWI contract with Erie County for 2024-2025, seconded by Trustee Lazickas, and unanimously approved.
 - Police Chief Welch reviewed why this has old years involved.
- A motion by Trustee Rabey, to Award the Bid for the DPW roof replacement to Titan Roofing Inc for \$414,800.00, seconded by Trustee Flynn, and unanimously approved.
- A motion by Trustee Rabey, to Approve the bids for the 2025 Auctions International DPW vehicles, seconded by Trustee Lazickas, and unanimously approved.
 - Streets Foreman Jakubczak said that the difference in prices because one of the vehicles needs a lot of repairs.
- A motion by Trustee Scheer, to Approve Budget Adjustments for the 2025/2026 fiscal year, seconded by Trustee Rabey, and no motion was made.

- A motion was made by Trustee Rabey, to give permission for the Village to accept the grant funding from Erie County Planning for a Senior Housing Feasibility Study, seconded by Trustee Lazickas and unanimously approved.
- A motion was made by Trustee Lazickas, to give permission for the Mayor to sign the intermunicipal agreement with Erie County, seconded by Trustee Flynn and unanimously approved.

NEW BUISNESS

- Touka Sushi & Hibachi - 30 Day Liquor Advanced notice- The Village Board had no issues with this.

OLD BUISNESS

SPEAKERS AND COMMUNICATIONS (II)

- Holly Maciejewski- 218 Center- She was upset about the way that the Village Board was spoken to during
- Rob Goller- Village Historian- He thanked the Village Board for the Carolcade approval and plans to keep it the same. He said that he believes that having a historic district adds to the charm of the Village. Village Historian Goller explained why he isn't a member of the HPC but helps with gathering unbiased information. Trustee Flynn asked if there is any downside to having a historic district, Village Historian Goller said that he didn't see any but told the Village Board to reach out to other mayors with historic districts.

Department Head and Trustee Reports

Police Chief – He said that is business as usual and that there has been a lot of bike education. He said there is possibly another Hallmark event and spoke about Safety Pup.

Streets Foreman- He said that the DPW put up the new score board at Hamlin Park and are retro fitting the dump trucks to do leaf collection. He said that the DPW is finishing road striping and continuing preventative maintenance on snow removal equipment. Mayor Mercurio asked if there are any updates on Main Street from the State, Streets Foreman Jakubczak said that there was nothing official. Police Chief Welch said Mill Street will be shut down next Monday and will be shut down from 20A to the sewage treatment plant.

Assistant Code Enforcement Officer- He announced that we are in a temporary burn ban until October 15th and that NYS has published the new code that will go into effect on Dec 31st that has to do with new construction being fossil fuel free.

Village Administrator- He said that the clerk's office is doing a great job returning calls and helping residents with the garbage transition. He said that the office has been working with Waste Management on issues and concerns and Clerk- Treasurer Jerackas said the trucks will be doing a sweep of the Village for anyone who missed their garbage day this week.

Village Clerk-Treasurer- She said that she attended the event held by the Aurora Players and said it was very nice. She said that she has department heads working on their capital committee report updates so she can start working on the capital plan for next year.

Trustee Lazickas- none

Trustee Scheer- none

Trustee Rabey- none

Trustee Flynn – none

Mayor Mercurio- He said that Clerk-Treasurer Jerackas and Village Administrator Krieger did a lot of research and are taking all the calls on the totes. He thanked Scott Bieler for the donation to the Aurora Players. He said that he spoke with the owners of Main and Hamlin, who would like to help get a new playground at Hamlin Park. Trustee Scheer has concerns over the school fundraising for a playground at the same time as fundraising for the Hamlin Park playground. Mayor Mercurio said that the community is big enough for multiple

playgrounds. Police Chief Welch said that only the Hamlin Park playground is accessible to the public from sunup to sundown. Trustee Flynn asked about the cost, Trustee Scheer said that playground costs are about \$300,000-\$400,000. Mayor Mercurio said he would like to check with the school to see if we can both fundraise without hurting opportunities.

ADJOURNMENT

A motion was made by Trustee Rabey to adjourn the meeting at 8:36 pm. Seconded by Trustee Flynn and unanimously carried.

Respectfully submitted,

Maureen Jerackas
Village Clerk-Treasurer