

VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
August 18, 2025 - 7:00 PM

Present:

Trustee Lazickas
Trustee Cameron
Trustee Flynn
Trustee Viger
Trustee Rabey
Mayor Mercurio

Absent:

Trustee Scheer

Also Present:

Maureen Jerackas, Clerk-Treasurer
Shane Krieger, Village Administrator
Patrick Welch, Police Chief
Chris Trapp, Village Attorney
Jeff Stoll, General Foreman
Rich Miga, Assistant Code Enforcement Officer

21 Members of the public

A Motion by Trustee Cameron to approve the Village Board minutes for August 04, 2025, seconded by Trustee Flynn and carried with unanimous approval.

Trustee Rabey moved to approve the payment of Abstract for August 18, 2025, with a total of \$509,923.99, seconded by Trustee Lazickas and carried by unanimous approval.

SPEAKERS AND COMMUNICATIONS (I)

- Douglas Crow- 1951 Davis Road- Chairman of the Town Planning Board- He said that the Town Planning Board wants the Village to be the lead agency on the project for 400 Quaker and they would prefer to defer to the Village Board.

PUBLIC HEARINGS

- Public Hearing to consider a Local Law to amend §240 of the Village Code - Trees
 - Holly Macijeski- 261 Center- She spoke on the tree law and thanked everyone for all their hard work.
 - Kim DePerno- 72 Elm Street (Elm Street Bakery)- She asked when the verbiage would be done. Clerk-Treasurer stated that it would be the Thurs or Friday before the next Board meeting on September 15th.
 - Nancy Smith- 195 Sycamore- She asked if they could get the changes done earlier. Village Attorney Trapp said that he can get it done as quickly as it can be forwarded.The Public Hearing will remain open.
- Public Hearing to Consider a Local Law regulating the use of Electric/motorized scooters and bikes

- Seth Kaiser- Village Pedestrian Bicycle Board Chair- He said he is hoping to have a meeting this Friday
- Michael White- 731 Maple- He asked to come to the meeting. Clerk Treasurer Jerackas stated that a room at the Village Hall would be booked, and it will be advertised and open to the public.
- Seth Kaiser- Village Pedestrian Bicycle Board Chair- He asked if there was going to be an increased presence for enforcing bike laws. Police Chief Welch stated that they are working on educating and enforcing.

The Public Hearing will remain open.

- Public Hearing to Consider a Local Law to amend §285-44 Sign Regulations.
The Public Hearing will remain open.
- A Motion by Trustee Lazickas, to open the Public Hearing at 7:39pm to consider Local Law Moratorium on unnecessary tree trimming in the village, second by Trustee Cameron and carried with unanimous approval.
 - Village Attorney Trapp said that this is to extend the moratorium on tree trimming until the Village Board can pass a local law for 90 days.
 - Nancy Smith- She asked about 30 days with 30-day extenders. Village Attorney Trapp said that it's not desired by the courts.
 - Holly Maciejewski- 218 Center- She asked about filing with the Secretary of State. Village Attorney Trapp said that unless it's numbered wrong, they just accept it.

A Motion by Trustee Lazickas to close the public hearing at 7:46pm, seconded by Trustee Rabey, and carried with unanimous approval.

OFFICIAL CONSIDERATIONS

- A motion by Trustee Cameron, to Approve a Local Law extending the moratorium on unnecessary tree trimming in the village as follows:

WHEREAS, the Village of East Aurora has been designated as a Tree City based on the expansive tree canopy throughout the Village and its overall beauty throughout the community, and

WHEREAS, urban forests have long been recognized as important aspects of any densely populated municipality, and

WHEREAS, trees enhance the property values on the properties upon which they are located and provide habitats for birds and animals in a community, and

WHEREAS, excessive trimming has occurred not for regular maintenance by an existing utility, but rather for capital investments by a third party that wishes to enter the Village for profit purposes, and

WHEREAS, questions exist with respect to the rights of the respective parties to engage in such work in the Village, and

WHEREAS, the preservation of historic districts within the Village, such as Roycroft, Fillmore Avenue, and East Main Street, as examples, is critical to the life and fabric of the Village, and

WHEREAS, there is an economic value to the Village which has been used on multiple occasions for purposes of movie and other theatrical productions, which may be harmed by virtue of the unwarranted destruction of the tree canopy in the Village, and

WHEREAS, the safety of the residents and property within the Village of East Aurora is of paramount importance, and

WHEREAS, there exist provisions in the Village Code addressing Historic Preservation which must be aligned with this most recent action,

NOW, BE IT THEREFORE RESOLVED, that the Village of East Aurora, acting in the best health and safety interests of the residents and property owners of the Village hereby suspends the further trimming of trees by any entity within the Village limits, except for emergency purposes and then only upon prior notice to the Village, and declares a ninety (90) day moratorium on the trimming of any trees within the right of way owned by the Village in the Village of East Aurora pending further recommendations from the Code Enforcement Office, the Village Administrator, the Village Attorney, and the development of a local law pertaining to same, and

BE IT FURTHER RESOLVED, that the Village can end the moratorium via a resolution once a new law is adopted.

Seconded by Trustee Viger, with a roll call vote:

Trustee Lazickas- Aye

Trustee Flynn- Aye

Trustee Cameron- Aye

Trustee Viger- Aye

Trustee Rabey- Aye

Mayor Mercurio- Aye

- A motion by Trustee Lazickas, to set a Public Hearing for September 15, 2025, to consider a Special Use Permit for Feng Lin at 16 Buffalo Rd to remove the existing kitchen from the old Wild Ginger location and connect this space with the Touka Kitchen, seconded by Trustee Flynn, and unanimously approved.
- A motion by Trustee Rabey, to Set a Public Hearing for September 15, 2025, to consider an amended Special Use Permit, Nathan & Chelsea Root of Left Coast Taco at 54 Elm St, to expand their restaurant into the former furniture fabrication area, approval to use the attached arcade permanently, and for outdoor music during the summer, seconded by Trustee Cameron, and unanimously approved.
- A motion by Trustee Lazickas, to Set a Public Hearing for September 15, 2025, to consider a Site Plan Application, Nathan & Chelsea Root of Left Coast Taco at 54 Elm St, to add an 8'x20' shipping container behind the building that will house an arcade, and it will be connected to the building by an 8'x8' entryway, seconded by Trustee Cameron, and unanimously approved.
- A motion by Trustee Rabey, to Set a Public Hearing for September 15, 2025, to consider a Site Plan Application, Jennifer Greene at 400 Quaker Rd, to construct an existing commercial building addition, parking lot expansion, and stormwater measures, seconded by Trustee Flynn, and unanimously approved.
- A motion by Trustee Viger, to Refer to the Planning Commission, September 9, 2025, a Special Use Permit, Michael Bowen of Cluck Cluck Moo Moo at 597 Oakwood Ave, for a dine-in and take-out restaurant and no outdoor seating, seconded by Trustee Lazickas, was not voted on
- A motion by Trustee Lazickas, to withdraw the motion to Refer to the Planning Commission, September 9, 2025, a Special Use Permit, Michael Bowen of Cluck Cluck Moo Moo at 597 Oakwood Ave, for a dine-in and take-out restaurant and no outdoor seating, seconded by Trustee Viger, and unanimously approved to withdraw.

- A motion by Trustee Viger, to set a Public Hearing for September 15, 2025, a Special Use Permit, Michael Bowen of Cluck Cluck Moo Moo at 597 Oakwood Ave, for a dine-in and take-out restaurant and no outdoor seating, seconded by Trustee Lazickas, and unanimously approved.
 - Trustee Cameron asked why this application was going to planning, and Trustee Viger agreed. Assistant Code Enforcement Officer Miga said that it's a different substantial setup inside, but it is up to the Village Board.
 - Michael Bowen- King St- He said the previous business David's prepared, cooked food, and then froze it. He noted that it will likely have eight seats and not be a full-service restaurant. Assistant Code Enforcement Officer Miga said that he doesn't have any issue if planning is skipped.
- A motion by Trustee Cameron, to declare the Village of East Aurora lead agency for the site plan application for the 400 Quaker Rd projects, seconded by Trustee Rabey, and unanimously approved.
- A motion by Trustee Lazickas, to appoint Adam Bove to the position of Mechanic at the DPW to start August 18, 2025, seconded by Trustee Flynn, and unanimously approved.
- A motion by Trustee Cameron, to give Permission to advertise for a bid to have the DPW roof repaired, seconded by Trustee Rabey, and unanimously approved.
- A motion by Trustee Viger, to give Permission to set a public hearing on September 15, 2025, to amend the Village Code Chapter §214 Solid Waste, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Cameron, to Award Waste Management as the Village's vendor for Refuse and Recycling Services from the Request for Proposal submissions, seconded by Trustee Rabey, and unanimously approved.
 - Kirk Colopy- 365 South Grove- He asked about recycling old totes if you have them. Clerk-Treasurer Jerackas said that she would look into this.

SPEAKERS AND COMMUNICATIONS (II)

- Kirk Colopy- 365 South Grove- He has concerns about 189 Maple Street and asked if there is a demo permit. Assistant Code Enforcement Officer Miga replied that it was part of the entire building permit. Mr. Colopy asked about Historic Preservation reviewing the application for the permit. Assistant Code Enforcement Officer Miga said that they didn't need that because of how they did their project. He stated that his department is working with the HPC on fixing the wording in the code to help prevent this situation from happening again. Mr. Colopy believes that they are skirting the demo laws by leaving up just one wall and is concerned about this. Mayor Mercurio asked why it was done this way. Assistant Code Enforcement Officer Miga believes it had to do with someone in the household having ADA needs, and the permit said that an addition was being put on. Trustee Lazickas agrees with Mr. Colopy's concerns and noted that only one wall was left on the structure. Assistant Code Enforcement Officer Miga said that Code and HPC started discussing more enforcement for additions, demo, and alterations at the last meeting. Village Attorney Trapp asked if there was a stop-work order. Assistant Code Enforcement Officer Miga said there is no stop-work order. Code Enforcement Officer Cassidy contacted the contractor this afternoon, but was unable to get a hold of anybody to discuss what happened over the weekend. Trustee Flynn asked Village Attorney Trapp to work on this issue to prevent this from happening again.

Department Head and Trustee Reports

Police Chief – He said the police department is preparing for the car show. He said that he is working with Jenn Brazil for the Borderland Festival, with the larger crowds being expected. He said that the police department is working on e-bike education. He said that the full-time SRO is doing training funded by the school and that Lieutenant O'Hara is half done with his tactical training.

Streets Foreman – He said that the Park Place water line is in, the roadbed is in, they are working on the storm sewer on Tuesday, hopefully curbs will be in on Friday, and then they will be paving. He said that they are taking down half the summer banners, putting up the veterans' banners before the car show, and will put up the rest when the flowers come down.

Code Enforcement – none

Village Administrator- He said that he is working on the parking lot and alley leases on the Vidler's block. Trustee Cameron asked if there was any information on when that parking lot would be open. He said no information on when it will be open to the public. He said he is looking into the special use permit in regard to the parking lot.

Clerk Treasurer- none

Trustee Viger- none

Trustee Cameron – none

Trustee Flynn- none

Trustee Lazickas- He said that he had the pleasure of cutting the ribbon for Ray's Way, and it was fantastic.

Trustee Viger- She asked about looking into better bike racks. Mr. Kaiser asked about a proactive approach to the ECRT route when it's ready. Village Attorney Trapp stated that most of the roads involved are not village roads. Trustee Cameron agreed that we need to look into being more bicycle safe for residents. Mayor Mercurio said that we should look into where more bike racks are needed and currently located.

Mayor Mercurio- none

ADJOURNMENT

A motion was made by Trustee Lazickas to adjourn the meeting at 8:30 pm. Seconded by Trustee Rabey and unanimously carried.

Respectfully submitted,

Maureen Jerackas
Village Clerk-Treasurer