

VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
September 15, 2025 - 7:00 PM

Present:

Trustee Lazickas- Late
Trustee Cameron
Trustee Flynn
Trustee Viger
Trustee Rabey
Trustee Scheer
Mayor Mercurio

Also Present:

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

19 Members of the public

A Motion by Trustee Rabey to approve the Village Board minutes for August 18, 2025, seconded by Trustee Flynn and carried with unanimous approval. Trustee Cameron asked that Holly Maciejewski's name be corrected in the minutes.

Trustee Cameron moved to approve the payment of Abstract for September 2, 2025, with a total of \$210,481.22, seconded by Trustee Scheer and carried by unanimous approval.

Trustee Flynn moved to approve the payment of Abstract for September 15, 2025, with a total of \$95,232.42, seconded by Trustee Rabey and carried by unanimous approval.

SPEAKERS AND COMMUNICATIONS (I)

PUBLIC HEARINGS

- A Motion by Trustee Cameron, to open the Public Hearing at 7:04pm 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, second by Trustee Lazickas and carried with unanimous approval.
 - Assistant Code Enforcement Officer Miga reviewed the application.
- A Motion by Trustee Lazickas to close the public hearing at 7:06pm, seconded by Trustee Flynn, and carried with unanimous approval.

- A Motion by Trustee Rabey, to open the Public Hearing at 7:06pm 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, second by Trustee Cameron and carried with unanimous approval.
 - Assistant Code Enforcement Officer Miga reviewed the application.
 A Motion by Trustee Viger to close the public hearing at 7:07pm, seconded by Trustee Lazickas, and carried with unanimous approval.

- A Motion by Trustee Viger, to open the Public Hearing at 7:07pm to Consider a Site Plan Application for 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, second by Trustee Lazickas and carried with unanimous approval.
 - Assistant Code Enforcement Officer Miga reviewed the application.
 A Motion by Trustee Rabey to close the public hearing at 7:08pm, seconded by Trustee Lazickas, and carried with unanimous approval.

- A Motion by Trustee Cameron, to open the Public Hearing at 7:09pm 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, second by Trustee Scheer and carried with unanimous approval.
 - Assistant Code Enforcement Officer Miga reviewed the application and said that the voting on approving this cannot take place until the SEQRA is done.
 A Motion by Trustee Viger to close the public hearing at 7:10pm, seconded by Trustee Cameron, and carried with unanimous approval.

- A Motion by Trustee Flynn, to open the Public Hearing at 7:10pm to Consider 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, second by Trustee Lazickas and carried with unanimous approval.
 - Assistant Code Enforcement Officer Miga reviewed the application.
 A Motion by Trustee Rabey to close the public hearing at 7:11pm, seconded by Trustee Flynn, and carried with unanimous approval.

- A Motion by Trustee Cameron, to open the Public Hearing at 7:11pm to Consider a local law amending the Village Code Chapter §214 Solid Waste, second by Trustee Rabey and carried with unanimous approval.
 - Village Administrator Krieger reviewed what needed to be changed with the solid waste law in order to start new service. He said that the totes will be bigger than normal, they will need to be put at the curb and the whole Village will be serviced in three days. Mayor Mercurio asked if Village Administrator Krieger reached out to the Chamber of Commerce, he said that he will tomorrow. Mayor Mercurio asked about how the recycling will work, Village Administrator Krieger said all recycling will go in the same totes.
 A Motion by Trustee Lazickas to close the public hearing at 7:18pm, seconded by Trustee Flynn, and carried with unanimous approval.

- Public Hearing to consider a Local Law to amend §240 of the Village Code – Trees
 - Mayor Mercurio expressed that the meeting that the Village had with NYSEG went very well
 - Jesse Griffis- Village Tree Board- He agreed that the meeting was great and was happy with the new ideas. Mayor Mercurio spoke about the reclamation and NYSEG committing to look at every tree in the Village. He also stated that NYSEG said that Go Netspeed will not be continuing. Trustee Cameron asked what that means, Village Administrator Krieger said that NYSEG will be doing the tree work now instead of Go Netspeed.
 - Nancy Smith- 195 Sycamore- She asked when the draft of the plan will be ready. Village Administrator Krieger said next Monday is when they are expecting it and that they agreed to memorialize the agreement. Trustee Cameron asked if there was an agreement to come back and trim, Village Administrator Krieger said that NYSEG told him that they would come back an average of every 6 years to trim.
 - Jesse Griffis- He expressed concern over the King Street measurements and how they were done. Village Administrator Krieger said that he talked to Gina from Erie County about the silver maples on Maple Road. He discussed the 2026 maple and pine construction. Mayor Mercurio said that it was a good opportunity to do a sidewalk.
 - Holly Maciejewski- 218 Center -She said it would be nice to have a compromise over trim box size.
 - Micah White- 731 Maple- He said that the sidewalk currently on Maple is uneven and broken. Mayor Mercurio asked Village Administrator Krieger to look into it.

The Public Hearing will remain open.

- Public Hearing to Consider a Local Law regulating the use of Electric/motorized scooters and bikes.
 - Mayor Mercurio said that the law was reviewed by the Village Bike Board, sent to Village Attorney Trapp who reviewed and made changes and sent it back to the Village Bike Board. Village Administrator Krieger said that people were concerned that mobility scooters are being included in the law, he explained that it did not include them.

The Public Hearing will remain open.

- 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 should be ready before the next meeting.

The Public Hearing will remain open.

OFFICIAL CONSIDERATIONS

- A motion by Trustee Lazickas,
An Application of a Request for an Amended Special Use Permit, received by the Office of the Village Clerk on June 10, 2025, is hereby:

APPROVED, as submitted, for applicant Feng Lin, as submitted for Touka Kitchen to remove the existing kitchen from the old Wild Ginger location and connect this space with the Touka kitchen.

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:

- Change from two restaurants to one with minimal change
- No other impact of the site on the surrounding area

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.

Seconded by Trustee Scheer and unanimously approved.

- A motion by Trustee Rabey,
An Application of a Request for an Amended Special Use Permit, received by the Office of the Village Clerk on July 16, 2025, is hereby:

APPROVED, as submitted, for applicant Nathan and Chelsea Root, as owner for Left Coast Taco for the expansion of their restaurant into the former furniture fabrication area, approval to use the attached arcade permanently, and for outdoor music during the summer.

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:

- Expansion of the restaurant into an abandoned attached building to provide indoor seating
- The outdoor music on the back patio ends at 9:00 pm, and in ordinance with the Village code
- The proposed arcade is a unique business for the community

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, seconded by Trustee Viger and unanimously approved.

- Resolution of the Village of East Aurora of a Determination of Non-Significance pursuant to the State Environmental Quality Review Act (SEQRA) in the matter of the Site Plan Application for 54 Elm Street, to add an 8'x 20' shipping container behind the building that will house an arcade and it will be connected to the building by a 8'x8' entryway. 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 54 Elm Street, East Aurora, New York, wherein the applicant, Nathan and Chelsea Root, as owners of Left Coast Taco; 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 add an 8' x 20' shipping container behind the building that will house an arcade and it will be connected to the building by a 8' x 8' entryway at 54 Elm Street, as detailed in the Site Plan Application dated July 16, 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 Scheer and seconded by Trustee Cameron and carried on September 15, 2025.

- Resolution of the Village Board of East Aurora Approving the Site Plan for 54 Elm Street, applicant Nathan and Chelsea Root add an 8' x 20' shipping container behind the building that will house an arcade and it will be connected to the building by a 8' x 8' entryway

WHEREAS, an application has been submitted for Site Plan Approval at the above-referenced property by applicant Nathan and Chelsea Root,

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

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 an 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 above-mentioned Village Board and Planning Commission meetings are herein incorporated by reference, including the following findings of the Planning Commission:

- Expansion to an unused vacant space, utilizing the existing patio with no modifications.
- The shipping container is in keeping with the industrial aesthetics of the area in which it is proposed, and might not be appropriate elsewhere in the Village.
- Supports existing business.

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 54 Elm Street, East Aurora, New York, wherein the applicant proposes to add an 8' x 20' shipping container behind the building that will house an arcade and it will be connected to the building by a 8' x 8' entryway as detailed on documents submitted with the application, is hereby approved and is subject to the following additional conditions:

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 Lazickas and seconded by Trustee Flynn and carried on September 15, 2025.

- A motion by Trustee Cameron,

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

APPROVED, as submitted, for applicant Michael Bowen application for Cluck Cluck Moo Moo, LLC for a dine-in and take-out restaurant and no outdoor seating at 597 Oakwood Avenue.

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.

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, seconded by Trustee Flynn and unanimously approved.

- A motion by Trustee Flynn, to Approve a Local Law amending the Village Code Chapter §214 Solid Waste, Seconded by Trustee Rabey, with a roll call vote:
Trustee Lazickas- Aye
Trustee Flynn- Aye
Trustee Cameron- Aye
Trustee Viger- Aye
Trustee Rabey- Aye
Trustee Scheer- Aye
Mayor Mercurio- Aye
- A motion by Trustee Lazickas, to Approve a Temporary Use Permit for Buffalo Autism Project, Brian Moeller for Crawlween, October 11, 2025, from 2-8 pm, seconded by Trustee Viger, and unanimously approved.
- A motion by Trustee Lazickas, to Approve a Temporary Use Permit, Tara White of Til Death Tattoos and Piercings at 391 Olean Road, for #Tell us your story flash event on October 12, 2025, from 10 am-6 pm, seconded by Trustee Flynn, and unanimously approved.
- A motion by Trustee Rabey, to Approve a Temporary Use Permit for Erie Cattaraugus Trail Association – Doug Bush, October 4, 2025, 6:30 am-10:30 am for the EA2EVL Fondo charity bike ride, seconded by Trustee Cameron, and unanimously approved.
- A motion by Trustee Lazickas, Approve a Peddler Solicitor Permit for Michael Yohe to operate a horse-drawn carriage, seconded by Trustee Scheer, and unanimously approved.
- A motion by Trustee Flynn, to Set a public hearing on October 20, 2025 for 0 Pine Street – Aaron Romanowski, Alliance Homes – Subdivision application to request the parcel be subdivided into three lots for the construction of single-family dwellings, seconded by Trustee Cameron, and unanimously approved.
- A motion by Trustee Cameron, to Approve the purchase a 2026 Chevrolet Silverado 2500 with Tommy Gate at \$57,280.00 per Erie County contract 240059-004, seconded by Trustee Rabey, and unanimously approved.
 - General Foreman Stoll reviewed that this was replacing a multi-use truck that was in need of replacing.
- A motion by Trustee Viger, to Appoint Ethan Cole to the position of Laborer with the DPW to commence on September 22, 2025, seconded by Trustee Lazickas, and unanimously approved.
 - General Foreman Stoll said that he is very excited for Ethan to start and that he is a local guy.
- A motion by Trustee Flynn, to Appoint Tyler J. Baker to the position of Part-Time Public Safety Dispatcher to commence on September 16, 2025, seconded by Trustee Viger, and unanimously approved.
 - Police Chief Welch said that they were looking for part time dispatchers and he said that Tyler will make a great addition.

- A motion by Trustee Lazickas, to Approval to accept a new scoreboard for Hamlin Park from the East Aurora Youth Football and Cheerleading Executive Board, seconded by Trustee Rabey, and unanimously approved.
 - General Foreman Stoll said that East Aurora Little Loop gifted the Village a new scoreboard for Hamlin Park. He said that there may be a cost involved in installing it. Mayor Mercurio asked about the electric at the park, General Foreman Stoll said that they are working on the electric now. He said that it will be around ten thousand dollars for the poles and working on getting a quote to the insurance company.
- 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 Lazickas, and no motion was made.

A motion by Trustee Cameron, to Table a Local Landmark application for 670 Main Street as recommended by the Historic Preservation Commission, seconded by Trustee Lazickas, and unanimously approved.

 - Assistant Code Enforcement Officer Miga reviewed the application
 - Mary Ann Colopy- Chairwoman Historic Preservation Commission- She said that they are not concerned with the renovations going on and are just looking at the outside of the building. She also reviewed the findings of the Village Historic Preservation Commission and the reasoning for their recommendation for the nomination.
 - Clinton Brown- Clinton Brown Architects- He said that he is there representing Carner Development for this application. He said that they are looking for designation from the Village because it helps to get state tax credits. Mayor Mercurio asked what happens if any further changes are made to the building. Mr. Brown said any further changes, if the application is approved, to the exterior would have to be approved through the Village Historic Preservation Commission. Mayor Mercurio asked if he had any knowledge about the parking lot. Mr. Brown said he doesn't know anything about the parking lot.
 - Mary Ann Colopy- Chairwoman Historic Preservation Commission- She said that they are not landmarking the parking lot, just the exterior of the building that can be seen from the street. She also let the Village Board know that she is looking for more members for the Village Historic Preservation Commission since she believes that there will be a few openings soon.
 - Assistant Code Enforcement Officer Miga reviewed the parking agreement part of the Special Use Permit with 670 Main.
 - Mayor Mercurio asked if the Village Board would like more time to review, Trustee Lazickas said yes and Trustee Rabey asked if there is a reason for an immediate vote. Mr. Brown said he would like the application to be voted on tonight and taken very seriously because they need to pursue the next level of applications for tax credits. He said that 40 percent of the qualified cost that they put into the project can come back to them as state and federal tax credits which helps them fund the next project. Mayor Mercurio said that the Village Board needs more time to review the issue.

NEW BUISNESS

- 30-day period for inclusion of predominantly viable Agricultural Lands into existing Agricultural Districts.
 - Village Administrator Krieger explained that this is done every year by the county and that more information can be found on the website and the Village Clerks Office.

- Village Administrator Krieger said that he spoke to a resident who lives on North Willow about concerns over what is considered a fence according to the Village Code and the resident wants the Village Board to review. Assistant Code Enforcement Officer Miga said he is aware of the conditions between the two properties and he said that it is correct that there is no specific language defining what a fence is. Trustee Flynn asked if Village Attorney Trapp can work with the Village Board on defining what a fence is for easier enforcement, Village Attorney Trapp said that he can. Assistant Code Enforcement Officer noted that it shouldn't include defining a wall as that is already in the code.

OLD BUSINESS

- Police Chief Welch has a date change request for the Aurora Ice Association End of Summer 5K event. They would like to change the date from 9/20/2025 to 9/21/2025 due to the market traffic. Mayor Mercurio asked if the stakeholders are ok with the date change, Police Chief Welch said that they are. **A motion by Trustee Rabey, to Approve an Amended Temporary Use Permit for Aurora Ice Association, Scott More, September 21, 2025, 11 am-1 pm, for their end-of-summer classic 5K, seconded by Trustee Lazickas, and unanimously approved.**

SPEAKERS AND COMMUNICATIONS (II)

- Kirk Colopy- 365 South Grove- He wanted to thank the Village Board, the DPW and the Erie County grant for the updated playground equipment. He said that as the East Aurora Rotary Club president, they received \$2,500 from the Heart of Music to purchase trees and the Rotary Club will match that amount. He said that he talked with Village Administrator Kriger about replacing a tree in Hamlin Park. Mr. Colopy also said that the East Aurora Rotary would like to replace the flagpole at Hamlin Park as well.
- Dana Dahleiden- 309 North- He is looking to get a zoning variance to open and B&B on a building he owns and that his family member occupies on the Roycroft Campus. Village Attorney Trapp reviewed the process through the ZBA and the process of having a Zoning Local Law change. Assistant Code Enforcement Officer Miga said that the Zoning District was commercial residential in that area and B&Bs were not allowed. Village Attorney Trapp said that he will work with Code Enforcement Officer Cassidy and Assistant Code Enforcement Officer Miga to gather more details about this.
- Micha White- 731 Maple- He asked why there was a restriction on B&B's. Village Attorney Trapp explained that they are only allowed in certain zones. Assistant Code Enforcement Officer Miga explained that B&Bs are only allowed in residential zones. Mr. White said that he doesn't believe it hurts the Village. Trustee Scheer said that air B&B's can ruin a Village because the people staying there don't care about the area. Mayor Mercurio said they want the Village to be a great place to live not just a good place to party. Trustee Lazickas said when people spend a lot of money on a home and are disappointed to learn that a short term rental is next-door.

Department Head and Trustee Reports

Police Chief – He said that the Taste of EA had no issues and they had lots of interactions with the residents about the e-bike laws. He said the traffic control portion of Borderlands went well and the event was well staffed with State Park Police.

Streets Foreman – He said that Park Place is just about finished and are taking down the flowers on Main Street and putting up the rest of the veteran's banners. He said that the DPW is doing tree work and stump grinding. He said a resident contacted him about a tree in the right of way on Girard that they wanted removed, Mayor Mercurio asked if General Foreman Stoll could send over the information.

Code Enforcement – He said that last Tuesday that the Code Enforcement Officers went out and took down all the signs that were put up on the poles in the Village right away, he thanked the DPW for help. He said that a meeting with the DEC about floodplains will be on Friday. They currently do not have any floodplain permits.

Village Administrator- He said two dump trucks going into auction on Monday, bid approval will be on the next agenda.

Trustee Viger- none

Trustee Flynn- none

Trustee Rabey- none

Trustee Scheer- He said that they had a Hamlin Park Committee meeting where they looked at the new bathrooms and playground equipment and said that it looks great. He thanked the DPW for all their work.

Trustee Cameron- none

Trustee Lazickas – He said that he missed the Hamlin Park meeting but wanted to thank Mr. Colopy for the flagpole. He also said the Cicero Hamlin plaque is done and is getting sent soon.

Mayor Mercurio- He said he appreciates NYSEG and the negotiations. He said the Taste of EA and Borderlands went great.

ADJOURNMENT

A motion was made by Trustee Lazickas to adjourn the meeting at 8:24 pm. Seconded by Trustee Rabey and unanimously carried.

Respectfully submitted,

Sarah Hurd

Village Deputy Clerk-Treasurer