

**VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
March 18, 2019 – 7:00 PM**

Present:

Trustee Lazickas
Trustee Porter - Abs
Trustee McCabe
Trustee Schoeneman
Trustee Cameron
Trustee Scheer
Mayor Peter Mercurio

Absent:

Also Present:

Cathie Thomas, Village Administrator
Matthew Hoeh, Superintendent of Public Works
Robert Pierce, Village Attorney
Bill Kramer, Building Inspector
Maureen Jerackas, Clerk-Treasurer
East Aurora Bee, East Aurora Advertiser
16 Members of the public

A Motion by Trustee Schoeneman to approve the village board minutes of March 4, 2019 as presented seconded by Trustee McCabe and carried with unanimous approval.

Trustee Cameron moved to approve the Payment of Abstract for:
March 18, 2019: #58178-58207 \$112,425.08
Seconded by Trustee Scheer and unanimously carried.

PUBLIC HEARING

- A Motion by Trustee Lazickas to open a public hearing at 7:03PM to Consideration of a Permit to allow Beekeeping (two hives) at 49 Kelter Court seconded by Trustee Schoeneman and carried with unanimous approval.
 - No Comments.
- A Motion by Trustee Scheer to close the public hearing at 7:04PM seconded by Trustee Lazickas and carried with unanimous approval.

SPEAKERS & COMMUNICATIONS (I)

Karsten Zieger from Music Fest spoke about the event and how it donates the proceeds. He said they are increasing the price and that might decrease attendance. He reviewed the changes in the application from last year. The clerk Treasurer noted that they have not turned in

the finally application yet. They will need to turn in the original with payment before it will proceed in the process and they need to check the information because what he said and what was on our forms were different. He noted they would be having 80 port a potties and having the area professionally picked up after the event. Elm and Riley will be closed and there will be a new security company. It was noted that ACES would be part of the event again. The mayor noted that they have been meeting with the village to work on issues. We want to reduce tale gating and using fencing to gate the parking lots might help.

OFFICIAL CONSIDERATIONS

- **MOTION TO APPOINT COREY SPECHT AS POLICE OFFICER**

A Motion by Trustee Lazickas, to appoint Corey Specht, to the position of Police Officer for the Village of East Aurora, effective March 25, 2019. The starting base pay rate will be Step 2, of \$24.73 per hour, with probationary, residency requirements, and other employment provisions pursuant to the of the Rules for the Classified Civil Service for Erie County and the Collective Bargaining Agreement in effect as of the date of hire, Seconded by Trustee Cameron, and was unanimously approved.

- A Motion by Trustee Scheer, to approve a Permit to allow Beekeeping (two hives) at 49 Kelder Court., was seconded by Trustee Lazickas, was unanimously approved.
- A Motion by Trustee Lazickas, to approve a Temporary Use Permit for Toy Town Car Show – Moose Lodge 370 -August 25, 2019, was seconded by Trustee McCabe, was unanimously approved.
- A Motion by Trustee Schoeneman, to approve a Temporary Use Permit for Full Circle Festival– 42 North Brewing Company –May 18, 2019, was seconded by Trustee Lazickas, was unanimously approved.
- **AWARD BROKER OF RECORD**

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

BE IT RESOLVED, that upon the recommendation of the Village Administrator, the RFP documents have been reviewed for the Insurance brokers who will service our General Insurance from the RFP with the return date of February 8, 2019 be awarded to:

Vanner Insurance Agency
11 Pinchot Court Suite 100
Amherst, NY 14228

The following resolution was seconded by Trustee Lazickas, and unanimously approved.

- Trustee Scheer asked questions about the cost of the insurance. It was explained by the administrator that this was just for the broker and the broker we choose would obtain quotes for insurance on our behalf. Trustee Scheer asked if it was unfair that the current Agent was not included in the process. The administrator reviewed the process that was used and that we were looking for how the agent could service us which is what we needed. He asked if in the clerks and Administrators professional opinions we would recommend the change. The

clerk and administrator would recommend the change as best for the village. Trustee Scheer stated that Gunner did want to speak to the board but was unavailable to come to the meeting. He asked if Gunner was aware. The administrator said she had told him we were doing this process, she didn't ask him to be included, and he did not ask to be included or ask about being included.

- A Motion was made by Trustee Cameron Seconded by Trustee Lazickas to table the Garbage Bid award and it was unanimously approved.
 - Questions about the bid and the spreadsheet provided by Waste management for an alternate proposal were brought up.
- A Motion by Trustee Schoeneman, to schedule the Public Hearing on the 2019/20 Tentative Village Budget on April 15th was seconded by Trustee McCabe, was unanimously approved.
- A Motion by Trustee Lazickas, to schedule a public hearing on April 22, 2019 for a special use permit for Anita and Drew Pfeiffer – Mambrino King 640 Main St, was seconded by Trustee Schoeneman, was unanimously approved.
- A Motion by Trustee Cameron, to schedule a public hearing on April 15, 2019 for a special use permit for Eric Gawron– Taste 643 Main St #3, was seconded by Trustee Lazickas, was unanimously approved.
- **AMENDMENT OF THE PURCHASING POLICY OF THE VILLAGE OF EAST AURORA**

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

WHEREAS, the Village of East Aurora enacted a purchasing policy in 2005 in order to be in conformity of General Municipal Law 104-b; and,

WHEREAS, the Purchasing Policy requires an annual review of the Policy; and

WHEREAS, the Purchasing Policy of the Village of East Aurora and the General Municipal Law 104-b, both allow the Village to procure goods or equipment via OGS State Contract or Piggy Back Purchasing, whichever may be in the best interest of the Village; and

WHEREAS, the Village was given misinformation on a purchase where the Village representative believed purchasing policy requirements would be fulfilled; and

WHEREAS, the Village needs to reinforce and strengthen the process for purchase contacts to ensure all requirements set forth in General Municipal Law 104-b are followed.

NOW THEREFORE, BE IT RESOLVED, that the Purchasing Policy of the Village of East Aurora shall be amended, as follows:

The following policy applies to purchases made by Department Heads and/or their designees, which fall under the heading of “Exceptions to the Competitive Bidding” requirements, which include the following:

- purchasing or leasing off a State Contract through the New York State Office of General Services;

- purchasing or leasing through the “mini-bid” process through the New York State Office of General Services; and/or
- purchasing or leasing utilizing the “Piggybacking” process, permitted by the New York State Office of General Services.

All of the above-referenced methods of purchasing or leasing require approval in advance by the Village Administrator and the Village Board. Such approval process of the purchasing method shall include the Administrator reviewing the documents with the Clerk-Treasurer to ensure the documents are complete and in the best interest of the Village.

Once the cost is obtained by the Department Head and all pertinent documentation is reviewed and approved by the Administrator, the purchase and bid award must be approved by Resolution of the Village Board. No purchases shall be made, nor purchase contracts signed and/or executed, including that no delivery and/or possession of any services, materials and/or equipment shall occur prior to receiving the abovementioned required approvals of the Village Administrator and Board.

The foregoing resolution was seconded by Trustee McCabe and was unanimously approved.

- A Motion by Trustee Schoeneman, to approve paying the bill for \$20,954 to DeLacy Ford a new vehicle for the Department Public Works, was seconded by Trustee Cameron, was unanimously approved
- A Motion by Trustee Cameron, to hire the Cohen Law Group law firm for a flat fee of \$6,900 to draft a renewal of the cable franchise agreement and negotiate said agreement with Charter Communication/ Spectrum was seconded by Trustee McCabe, was unanimously approved.
- A Motion by Trustee Cameron, to refer the Development plan for 0 and 41 Hamlin to the Planning Board was seconded by Trustee McCabe, was unanimously approved.
- A Motion by Trustee Lazickas, sign BA Bank card associates for water bill collection via credit card and the internet with Logics. No charge to the village. was seconded by Trustee Cameron, was unanimously approved.
- **PERMISSION – CLIMATE SMART COMMUNITITES GRANT APPICATION**

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

WHEREAS, the Village Board of Trustees of the Village of East Aurora has determined that it is in the Village’s best interest to apply for funding to assist in the financing of the Tannery Brook Culvert Project: and

WHEREAS, affordability for the Village’s residents and property owners is a significant concern in advancement of the proposed projects,

NOW, THEREFORE, be it RESOLVED as follows:

The Village Board of Trustees of the Village of East Aurora authorizes Municipal Solutions, Inc. to assist the Village Clerk- Treasurer in preparing the applications for Climate Smart Communities Grant funding for up to 50% of the Tannery Brook Culvert Project Costs projected to be 2,375,000.00 (50% local match requirement): and

The Village Board of Trustees authorizes Mayor Peter Mercurio and Village Clerk/Treasurer Maureen Jerackas to execute the applications necessary to apply for Climate Smart Communities grant and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the Village of East Aurora's obligations under the grant agreement.

The foregoing resolution was seconded by Trustee Cameron, and unanimously approved.

- **Authorization and Appropriation of Local Match (50% local match)**

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

BE IT RESOLVED, that the Village authorizes and appropriates a minimum of 50% local match as required by the Climate Smart Communities Grant Program for the Village of East Aurora Tannery Brook Culvert Project. Under the Climate Smart Communities Grant Program, this local match must be at least 50% of the total project cost. The maximum local share appropriated, subject to any changes agreed to by the Mayor, and shall be approximately \$1,187,500.00 based upon a total estimated maximum project cost of \$2,375,000. The Mayor may increase this local match through the use in kind services without further approval for the Village of East Aurora.

The foregoing resolution was seconded by Trustee Scheer, and was unanimously approved

- A Motion by Trustee Schoeneman, to declare surplus property as requested by Chief Krieger was seconded by Trustee Cameron, was unanimously approved.

- 1) Two (2) Ford Crown Victoria **police car cages** (barrier between front and rear seats) and accessories.
 - To be auctioned by Auction International (unknown value)
- 2) Six (6) Ford Crown Victoria police **car radio consoles**
 - To be disposed of (no value)
- 3) Three (3) Ford Crown Victoria police car **push bars**
 - To be disposed of (no value)
- 4) Vehicle **computer mounts and assorted parts**
 - To be disposed of (no value)
- 5) Konica Minolta copier/printer(from police department)
 - Certified disposal
- 6) Toshiba copier/printer (from front office)
 - Certified disposal

- **MOTION TO APPOINT JOYCE JEZEWSKI AS A TEMP PART TIME CLERK TYPIST**

A Motion by Trustee Lazickas, to appoint Joyce Jezewski to the position of Temp Part Time Clerk-Typist for the Village of East Aurora, effective March 19, 2019. The starting base pay rate will be \$23.00 per hour, seconded by Trustee McCabe and unanimously approved.

DEPARTMENT HEAD AND TRUSTEE REPORTS

- Police – None
- DPW – Spring Cleaning, Leaves Saturdays 9-2
- Code – Trustee Porter had called him about activity near 41 Hamlin – he said they were doing remedial working and put up a fence to secure the property. The burnt out house on Girard, needs her brother to sign it over claims he will.
- Administrator – Budget
- Clerk -Treasurer – already reported
- Trustee McCabe –None
- Trustee Cameron - None
- Trustee Scheer – None
- Trustee Schoeneman – None
- Trustee Porter – Abs
- Trustee Lazickas – Asked about extending voting hours. It was noted that the board of elections is only available to assist til 9:30 pm
- Mayor Mercurio – None

SPEAKERS & COMUNICATIONS (II)

- none

EXECUTIVE SESSION

A Motion was made by Trustee Cameron to enter into executive session at 8:16 pm for discussion about particular department heads. Seconded by Trustee Schoeneman and unanimously carried.

A Motion was made by Trustee Cameron to end executive session at 8:48 pm. Seconded by Trustee Schoeneman and unanimously carried.

ADJOURNMENT

A Motion was made by Trustee McCabe to adjourn the meeting at 8:48 pm. Seconded by Trustee Lazickas and unanimously carried.

Respectfully submitted,

Maureen Jerackas
Clerk-Treasurer