

**AGENDA**  
**Village Board of East Aurora**  
**November 15, 2021 Regular Meeting at 7 p.m.**  
**Board Room at 585 Oakwood Avenue**

**1. CALL MEETING TO ORDER**

- A. Pledge of Allegiance
- B. Roll Call
- C. Approval of Minutes of Village Board Meeting for November 1, 2021
- D. Approval of Payment of Abstract for 11/15/21 for Voucher Nos. 61562 to 61613 for a total of \$781,911.06

**2. SPEAKERS & COMMUNICATIONS (I)**

**3. PUBLIC HEARINGS (I)**

- A. Consider the Special Use Permit for the Poked Yolk restaurant at 227 Main Street

**4. OFFICIAL CONSIDERATIONS (I)**

- A. Approve the Special Use Permit for the Poked Yolk restaurant at 227 Main Street

**5. PUBLIC HEARINGS (II)**

- A. Local Law Amending the Village Code, Section 177- Parks, prohibiting smoking of any kind in Village Parks
- B. Local Law for the Village to Opt Out of having retail dispensaries selling cannabis within the Village limits
- C. Local Law for the Village to Opt Out of having consumption sites for cannabis within the Village limits

**6. OFFICIAL CONSIDERATIONS (II)**

- A. Negative Declaration under the State Environmental Quality Review Act (SEQRA) of a Type II Action for a Local Law Amending the Village Code, Section 177 – Parks, prohibiting smoking of any kind in Village Parks
- B. Approve a Local Law Amending the Village Code, Section 177 – Parks, prohibiting smoking of any kind in Village Parks
- C. Negative Declaration under SEQRA of an Unlisted Action for the Local Law to Opt Out of having retail dispensaries selling cannabis within the Village limits
- D. Negative Declaration under SEQRA of an Unlisted Action for the Local Law to Opt Out of having consumption sites for cannabis within the Village limits
- E. Approve a Local Law for the Village to Opt Out of retail dispensaries selling cannabis within the Village limits
- F. Approve a Local Law for the Village to Opt Out of consumption sites for cannabis within the Village limits
- G. Refer to the Historic Preservation Commission for the December 8<sup>th</sup> meeting a request for a Demolition Permit for 203 Main Street
- H. Set a Public Hearing on December 6<sup>th</sup> to consider a Minor Subdivision for 363 Prospect Avenue
- I. Adoption of a Fund Balance Policy
- J. Approval of Budget Modifications
- K. Approve Fire Apparatus Reserve Increase
- L. Approval of Budget Adjustments
- M. Advertise for bids for a new police vehicle
- N. Approve a Resolution for the Return of Unpaid Taxes
- O. Authorize the Mayor to sign the Ekos Software Agreement for tracking fuel at the DPW pumps
- P. Approve Change Order No. 1 for the Tannery Brook Culvert Replacement Project, closing out the construction agreement for \$239.96 under the amount of the original contract
- Q. Declare DPW Equipment as Surplus Property
- R. Cancel Village Board meeting January 3,2022

**7. SPEAKERS & COMMUNICATIONS (II)**

**8. DEPARTMENT HEAD REPORT**

**9. ADJOURNMENT**

**VILLAGE OF EAST AURORA  
VILLAGE BOARD MEETING  
November 1, 2021 –7:00 PM**

**Present:**

Trustee Lazickas-late @ 7:14  
Trustee Cameron  
Trustee Porter  
Trustee Rosati  
Trustee Scheer  
Mayor Mercurio

**Absent:**

Trustee Kimmel-Hurt

**Also Present:**

Shane Krieger, Chief of Police  
Matthew Hoeh, DPW Superintendent  
Maureen Jerackas, Clerk Treasurer  
Cathie Thomas-Village Administrator  
Chris Trapp, Village Attorney  
Robert Pierce, Deputy Village Attorney  
Jessica Taneff- Village Deputy Clerk  
East Aurora Advertiser  
30 Members of the public

A Motion by Trustee Cameron to approve the Village Board minutes October 18, 2021, seconded by Trustee Rosati and carried with unanimous approval.

Trustee Porter moved to approve the Payment of Abstract for 61523 to 61561 for a total of \$101,643.43, seconded by Trustee Rosati carried with unanimous approval.

**SPEAKERS & COMMUNICATIONS (I)**

- Mr. & Mrs. Gese, 831 E. Fillmore, request for removal of Village Tree- Rob and Casey said the tree roots are causing damage to the sidewalk and it needs repairs and they cannot properly replace the sidewalk without damaging the tree. Last fall they tried to repair to sidewalk so no one would trip on it. They are concerned with the liability the tree is causing with damage with the sidewalks and is asking the Board to allow them to take the tree down.
- Dave Simeone-121 King St.- answered Trustee Porter's question about planting silver maples, which they no longer do and if they put up maple trees they put them far away from the sidewalks and speak to the owners to know where the sewer systems are. The Gese's hope they could plant a redbud tree in replace of the maple.

- Pat Shea-486 Griggs Place- Spoke about planting a tree in memory at Sinking Ponds. The family had requested the tree be planted at the beginning of the trail and it will be a tulip tree. Jesse Griffis from the Tree Board has given his consent. The Board has given approval for this memorial.
- Dr. Andrea Peach-116 North Grove-discussed the Board's recent decision on marijuana dispensaries and consumption areas. She has collected over 100 signatures on a petition to opt out of dispensaries and consumption locations. They would like to know what are in the final rules and regulations before opting in. There are many concerns she and others have and would like the Board to reconsider this decision of opting in.
- Trustee Porter will be abstaining with anything to do with Marijuana and all public hearings.
- Todd Bindig- 209 King St- has spoken extensively with Dr. Peach. He spoke about the negative affects it could have on people. He has a concern with consumption locations in public.
- Steven Harts-248 Walnut St.-thanked the Superintendent for removing the silo at the DPW.
- Julie Fisher-477 Fillmore Ave.-shocked and saddened by recent decision to opt in to dispensaries and consumption sites. Is adamantly against the decision.
- John Peach-116 Grove St- is against the opt in for dispensaries and consumption areas for marijuana.
- Holly-185 Green St-would like the Board to have more time to finalize the marijuana dispensary and consumption areas and would like more discussion.
- Rachel Francis-225 Sycamore St-against the opt in for marijuana dispensaries and consumption areas.
- Joe Blinde-118 Riley St-Agrees with those who spoke before and is against the opt-in for marijuana dispensaries and consumption areas.
- Eric-461 Oakwood- in agreement with those who are against the opt-in and would like the Board to reconsider their decision.
- Bob-431 Girard- against the opt in for marijuana dispensaries and consumption areas.
- Rodney Simeone-85 Byeberry Ct- against the opt in for marijuana dispensaries and consumption areas.
- Suzie-457 Warren Dr- against the opt in for marijuana dispensaries and consumption areas.
- Richard Cox-288 Perry St- against the opt in for marijuana dispensaries and consumption areas.
- Amy-425 Prospect Ave- Would like the Board to reconsider their decision for marijuana dispensaries and consumption areas.
- Dave Simeone- 121 King St- Thanked the Chief and Police for keeping East Aurora safe and was surprised the Board voted opting in for consumption areas.
- Carlos Santos-182 Oakwood- Spoke at the last VB public hearing for Cannabis. Spoke about numbers and that those who spoke today did not provide any statistics and he has pages of positive statistics. There is an MRTA that goes into great detail in how this is laid out, specifically chapter 4 that goes into adult legal consumption. He

- recommends the Board and everyone else in the room to read this and how it will work.
- Kat-182 Oakwood Ave- Was here at the last VB Public Hearing for cannabis. Spoke about other states who have dispensaries and how it has positively done in their community. She asks the Board to keep forward thinking.
  - Katherine-331 North St- Spoke at last Public Hearing and is shocked citizens didn't know about the public hearings from last time. Thanked VB for their discussion from two weeks ago and was very well thought and spoke about facts.

A motion by Trustee Scheer, to Schedule a Public Hearing for November 15<sup>th</sup> for discussion about cannabis dispensaries, seconded by Trustee Cameron and unanimously approved.

A motion by Trustee Scheer, to Schedule a Public Hearing for November 15<sup>th</sup> for discussion about cannabis consumption areas, seconded by Trustee Rosati and unanimously approved.

## **PUBLIC HEARING**

- A Motion by Trustee Porter to open a public hearing at 8:34 PM, for Local Law Amending the Village Code pertaining to minimum lot width and as it relates to “flag lots”, was seconded by Trustee Cameron and carried with unanimous approval.
  - The Administrator spoke about the current code that allows for flag lots in the Village. Flag Lots are currently under a moratorium.
  - Terrence Kopp-363 Prospect- he knows the flag lot has come up because of him and is not personally in favor of them but feels there is a time and place for them.

On a Motion by Trustee Rosati to close the public hearing at 8:37 PM, was seconded by Trustee Cameron and unanimously approved.

## **OFFICIAL CONSIDERATIONS**

- A Motion by Trustee Cameron ,to Appoint Paul O'Brien to the position of Detective, effective immediately, seconded by Trustee Lazickas and was unanimously approved.
  - Officer O'Brien has currently been in the role temporary and he had the highest test score for the civil service test and now may become permanent.
- **Resolution of the Village of East Aurora of a Determination of Non-Significance pursuant to the State Environmental Quality Review Act in the matter of Local Law No. 6 of 2021 Amending the Village Code pertaining to minimum lot width and as it relates to “flag lots”**

A motion by Trustee Cameron,

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to Local Law No. 6 of 2021 Amending the Village Code pertaining to minimum lot width and as it relates to “flag lots”; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law 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 Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

seconded by Trustee Scheer and was unanimously approved.

- **Local Law No. 6 of 2021 of the Village of East Aurora Amending Village Code Chapters**

- **285-30.1 – Lot for every dwelling; lot frontage on street and 227-18 – Variances**

A motion by Trustee Porter,

to adopt Local Law No. 6 Amending Village Code Chapters 285-30.1 – Lot for every dwelling; lot frontage on street and 227-18 – Variances, as follows (items stricken are deleted and items underlined are added):

Part 3. Supplementary Regulations

Article 30. Regulations for Lots

- **§ 285-30.1. Lot for every dwelling; lot frontage on street.**

Every building used as a dwelling shall be located on a lot; and, except for permitted accessory dwellings, there shall be not more than one such building on a lot. No dwelling shall be erected on any lot which does not have immediate frontage on an existing or platted street or highway as provided in New York State Village Law § 7-736. Such immediate frontage shall have a minimum width of 15 feet. Such immediate frontage shall have a minimum width as set forth in Articles 20, 21 and 22 of this Chapter. Flag lots with frontage of less than ninety percent of the required frontage for a district shall be prohibited and are defined as parcels with minimal road frontage and long, narrow accessways leading to a larger lot area, normally behind other parcels with traditional

road frontage, (i.e., a lot shaped like a flagpole at the road leading to a larger lot area the shape of a flag).

**§ 227-18. Variances.**

B. Notwithstanding any provision of law to the contrary, where a plat contains one or more lots which do not comply with the Zoning Chapter regulations, application may be made to the Zoning Board of Appeals for an area variance without the necessity of a decision or determination of an administrative official charged with the enforcement of the zoning regulations. In reviewing such application, the Zoning Board of Appeals shall request the Village Board to provide a written recommendation concerning the proposed variance.

**Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

This local law shall take effect immediately upon filing with the Secretary of State. seconded by Trustee Scheer and was put on a roll call:

Trustee Cameron- aye

Trustee Lazickas- aye

Trustee Porter- aye

Trustee Rosati- aye

Trustee Scheer- aye

Mayor Mercurio- aye

- The CEO spoke more about what the code currently allows regarding to flag lots. There are some in the Village already but they are few and far in between where it is usually found in the Town and not the Village. For existing lots that don't have a required amount of frontage, there are provisions within the code that allow for lots to be underdeveloped.

• **RESOLUTION DESIGNATING POLLING PLACE AND HOURS POLLS ARE OPEN**

Trustee Rosati offered the following resolution and moved for its adoption:

WHEREAS, the next General Election for officers in the Village of East Aurora, New York, will be held on Tuesday, March 15, 2022 and

WHEREAS, Section 15-104 (3) (b) of the Election Law of the State of New York states that the Village Board of Trustees must designate by Resolution the polling place in each election district, and the hours during which polls are open.

NOW, THEREFORE, BE IT RESOLVED:

- 1) That the one (1) polling place in the Village of East Aurora will be in the East Aurora Municipal Center, 575-585 Oakwood Ave, East Aurora, New York 14052; and

2) Polls will be open for the General Village Election to be held on Tuesday, March 15, 2022, between the hours of 12 noon and 9:00 pm.

The foregoing resolution was duly seconded by Trustee Cameron and unanimously adopted.

- A Motion by Trustee Cameron , to Refer to the Planning Commission for the November 9<sup>th</sup> meeting the proposed Subdivision for 363 Prospect, seconded by Trustee Scheer and was unanimously approved.
- A Motion by Trustee Lazickas , to Refer to the Planning Commission for December 7<sup>th</sup> a Site Plan Application for 636 E. Fillmore – Blue Eyed Baker, seconded by Trustee Porter and was unanimously approved.
- A Motion by Trustee Cameron , to Refer to the Planning Commission for December 7<sup>th</sup> a Special Use Permit for 636E. Fillmore – Blue Eyed Baker, seconded by Trustee Rosati and was unanimously approved.
- A Motion by Trustee Porter, to Approve Temporary Use Permit for The Greater East Aurora Chamber of Commerce for Sat. Dec. 18,2021 7-8PM for the Carolcade, seconded by Trustee Lazickas and was unanimously approved.
- A Motion by Trustee Cameron, for the Mayor to Sign an agreement Participating in the Erie County Fire Mutual Aid Plan, seconded by Trustee Porter and was unanimously approved.
- A Motion by Trustee Porter, for the Mayor to Sign a Settlement and Release Agreement with NYSEG regarding past Gross receipts, seconded by Trustee Scheer and was unanimously approved.
  - This was an audit that was started before the Clerk-Treasurer got here and we deal with Computel. We will be getting about 9k back which 3k will be going to Computel with their services

#### **DEPARTMENT HEAD AND TRUSTEE REPORTS**

- Police Chief- they received the Lt. results for the civil service test and will be filling their 4<sup>th</sup> Lt. position coming up. They have interviewed more candidates to fill 2 of their open police positions. The Police Officers will participate in no shave November and

December and will be donating to the Adult Daycare Services. Remind everyone off street parking ban will be in place November 15<sup>th</sup>.

- DPW Superintendent- are still picking up leaves and would like to have complete before the snow comes.
- Code Enforcement Officer- none
- Clerk-Treasurer- Taxes were due today and it was the last day; if they weren't paid they will be re-levied. She will have a review for the fund balance for the next meeting and she also plans to have some budget modifications at the next meeting.
- Village Administrator- Doing final items for the culvert parking lot project and there will be one last change order to be approved at the next meeting.
- Trustee Cameron- none
- Trustee Rosati- Continues to hear people commenting on more trash cans between Rite Aid and the Middle School. The Superintendent said they would look into putting more out in that area.
- Trustee Porter- none
- Trustee Scheer- none
- Mayor Mercurio- Thanked the holiday decoration volunteers for all their help this year and if anyone is interested in helping please contact the Mayor.

#### **ADJOURNMENT**

A Motion was made by Trustee Lazickas to adjourn the meeting at 9:00 pm.  
Seconded by Trustee Porter and unanimously carried.

Respectfully submitted,

Jessica Taneff  
Village Deputy Clerk





**Village of East Aurora  
VEA 11/1/2021**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	61566	Amazon	10/28/2021	1CRL-MCGK-43R9	\$112.92	Office Supplies	2022	6	11/15/2021		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1	VEA replacement filter	A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$42.99			
				2	DPW Replacement filter	A.5.1490.0403	PUBLIC WORKS ADMINISTRATION - OFFICE SUPPLIES	\$42.99			
				3	EAPD Anti UV Door Stic, window fil, and glass covering.	A.5.3120.0403	POLICE DEPARTMENT - OFFICE SUPPLIES	\$26.94			
Total vouchers for Amazon: 1					\$112.92						
BANK OF HOLLAND GEN CHECK - 00100	61578	AURORA PAINT POT	10/01/2021	3191	\$69.74	STRIPING MATERIALS	2022	6	11/15/2021		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1		A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS	\$69.74	2022000141	10/01/2021	
Total vouchers for AURORA PAINT POT: 1					\$69.74						
BANK OF HOLLAND GEN CHECK - 00100	61599	BLUE CROSS & BLUE SHIELD OF WESTERN NEW YORK	11/15/2021	213050000215	\$59,984.50	Group ID 00417549 Health Insurance; 49 Enrollees; December 2021	2022	6	11/15/2021		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1	Health Insurance General Fund Active Employees; 28 Enrollees; December 2021	A.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$36,396.33			
				2	Health Insurance General Fund Retirees; 16 Enrollees; December 2021	A.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIREEES	\$18,877.68			
				3	Health Insurance Water Fund Active Employees; 4 Enrollees; December 2021	F.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$3,915.50			
				4	Health Insurance Water Fund Retirees; 1 Enrollee; December 2021	F.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIREEES	\$794.99			
Total vouchers for BLUE CROSS & BLUE SHIELD OF WESTERN NEW YORK: 1					\$59,984.50						
BANK OF HOLLAND GEN CHECK - 00100	61588	CARQUEST AUTO PARTS	10/29/2021	672029-675034	\$750.88	OCTOBER 2021	2022	6	11/15/2021		



Village of East Aurora  
VEA 11/1/2021

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
				<b>Line Number</b>		<b>Detail Description</b>					
				1	A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$367.18	2022000152		10/01/2021
				2	A.5.7550.0470	CELEBRATIONS - OPERATING EXPENSES		\$4.54	2022000152		
				3	A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$379.16	2022000152		
<b>Total vouchers for CARQUEST AUTO PARTS: 1</b>					<b>\$750.88</b>						
BANK OF HOLLAND GEN CHECK - 00100	61593	CINTAS CORPORATION	10/28/2021	4097738411-4100032750	\$560.02	OCTOBER 2021	2022	6	11/15/2021		
				<b>Line Number</b>		<b>Detail Description</b>					
				1	A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$234.26	2022000143		10/01/2021
				2	A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$203.56	2022000143		10/01/2021
				3	A.5.1640.0480	CENTRAL GARAGE - UNIFORMS		\$122.20	2022000143		10/01/2021
<b>Total vouchers for CINTAS CORPORATION: 1</b>					<b>\$560.02</b>						
BANK OF HOLLAND GEN CHECK - 00100	61586	CLARK EQUIPMENT COMPANY	10/21/2021	2429868-2522422	\$12,827.44	Compact Excavator, UV34, S64 skid steer, T450 Bobcat track loader NYS contract #PC67141	2022	6	11/15/2021		
				<b>Line Number</b>		<b>Detail Description</b>					
				1	A.5.8560.0200	watering truck	SHADE TREES - EQUIPMENT	\$2,095.50	2022000059		07/09/2021
				2	F.5.8340.0200	compact excavator	TRANSMISSION AND DISTRIBUTION - EQUIPMENT	\$2,224.26	2022000059		07/09/2021
				3	A.5.5110.0200	S64 skidsteer	STREET MAINTENANCE - EQUIPMENT	\$2,960.39	2022000059		07/09/2021
				4	A.5.5110.0200	track loader skid steer	STREET MAINTENANCE - EQUIPMENT	\$2,586.90	2022000059		07/09/2021
				5	F.5.8340.0200	S64 Skidsteer	TRANSMISSION AND DISTRIBUTION - EQUIPMENT	\$2,960.39	2022000059		07/09/2021
<b>Total vouchers for CLARK EQUIPMENT COMPANY: 1</b>					<b>\$12,827.44</b>						
BANK OF HOLLAND GEN CHECK - 00100	61608	CLEAN MD COMMERCIAL CLEANING INC.	11/10/2021	12208	\$586.51	EAFD Monthly Cleaning 10/10-9/9/21	2022	6	11/15/2021		
				<b>Line Number</b>		<b>Detail Description</b>					



**Village of East Aurora  
VEA 11/1/2021**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
	1	EAFD Monthly Cleaning	10/10-9/9/21	A.5.3410.0470		FIRE DEPARTMENT - JANITORIAL SUPPLIES		\$586.51			

Total vouchers for CLEAN MD COMMERCIAL CLEANING INC.: 1 \$586.51

BANK OF HOLLAND GEN CHECK - 00100	61605	Dave Simeone	11/09/2021	Reimbursement	\$15.00	Reimbursement for 2021 Western Finger Lakes ReLeaf Fall Workshop for Aurora Tree Board.	2022	6	11/15/2021		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	Reimbursement for 2021 Western Finger Lakes ReLeaf Fall Workshop for Aurora Tree Board.	A.5.8560.0410	SHADE TREES - CONTRACT SERVICES	\$15.00		

Total vouchers for Dave Simeone: 1 \$15.00

BANK OF HOLLAND GEN CHECK - 00100	61613	EAPD PETTY CASH	11/15/2021	reimbursement 4/30/21-11/10/21	\$88.19	Reimbursement of EAPD Petty cash for employee purchases made 4/30/21-11/10/21 on behalf of Dept.	2022	6	11/15/2021		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	4/30/21-meal for prisoner	A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES	\$9.56		
2	7/13/21-meal for prisoner	A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES	\$6.88		
3	8/25/21-USB devices for surveillance	A.5.3120.0403	POLICE DEPARTMENT - OFFICE SUPPLIES	\$12.27		
4	9/17/2021-meal for prisoner	A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES	\$9.99		
5	10/14/2021-Postage for evidence to DA	A.5.3120.0403	POLICE DEPARTMENT - OFFICE SUPPLIES	\$13.80		
6	10/14/2021-lunch on trip to DCJS for Chief	A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES	\$15.65		
7	10/31/2021-prisoner meal	A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES	\$11.95		
8	11/10/21-prisoner meal	A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES	\$8.09		

Total vouchers for EAPD PETTY CASH: 1 \$88.19

BANK OF HOLLAND GEN CHECK - 00100	61565	EAST AURORA ADVERTISER	10/26/2021	October, 2021 Legal Notices	\$57.75	For VEA: Inv. #175107, 175622, 175623, 175624, 175625	2022	6	11/15/2021		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
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Village of East Aurora  
VEA 11/1/2021

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
	1		For VEA: Inv. #175107, 175622, 175623, 175624, 175625		A.5.1325.0410	VILLAGE ADMINISTRATOR - LEGAL NOTICES AND ADVERTIS		\$57.75			

Total vouchers for EAST AURORA ADVERTISER: 1 \$57.75

BANK OF HOLLAND GEN CHECK - 00100	61579	EAST AURORA AUTO PARTS	10/26/2021	582573-584331	\$1,202.29	OCTOBER 2021	2022	6	11/15/2021		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1		A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$0.00	2022000145	10/01/2021
2		A.5.3410.0460	FIRE DEPARTMENT - VEHICLE MAINTENANCE & PARTS	\$1,149.81	2022000145	
3		A.5.7550.0470	CELEBRATIONS - OPERATING EXPENSES	\$52.48	2022000145	

Total vouchers for EAST AURORA AUTO PARTS: 1 \$1,202.29

BANK OF HOLLAND GEN CHECK - 00100	61581	EIGHTY FOUR LUMBER	10/21/2021	632-675139	\$37.20	OCTOBER 2021	2022	6	11/15/2021		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1		A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS	\$37.20	2022000150	10/01/2021

Total vouchers for EIGHTY FOUR LUMBER: 1 \$37.20

BANK OF HOLLAND GEN CHECK - 00100	61598	ERIE COUNTY COMPTROLLER	10/25/2021	1800065245	\$99.92	OCTOBER 2021	2022	6	11/15/2021		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1		A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS	\$99.92	2022000148	10/01/2021

Total vouchers for ERIE COUNTY COMPTROLLER: 1 \$99.92

BANK OF HOLLAND GEN CHECK - 00100	61585	FLEET MAINTENANCE,INC.	10/25/2021	594816-595536	\$352.62	LUG NUTS FOR #504/#511	2022	6	11/15/2021		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1		A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$352.62	2022000162	10/15/2021



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
Total vouchers for FLEET MAINTENANCE,INC.: 1					\$352.62						
BANK OF HOLLAND GEN CHECK - 00100	61583	GEITER DONE OF WNY, INC.	10/29/2021	400 Pine St	\$7,200.00	Old Salt barn removal	2022	6	11/15/2021		
	<b>Line Number</b>	<b>Detail Description</b>			<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
	1				A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$7,200.00	2022000127	09/13/2021	
Total vouchers for GEITER DONE OF WNY, INC.: 1					\$7,200.00						
BANK OF HOLLAND GEN CHECK - 00100	61580	GENERAL WELDING &	10/12/2021	243037-243038	\$180.50	#511 tubing, steel and welding	2022	6	11/15/2021		
	<b>Line Number</b>	<b>Detail Description</b>			<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
	1	#511 tubing, steel and welding			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$180.50			
Total vouchers for GENERAL WELDING &: 1					\$180.50						
BANK OF HOLLAND GEN CHECK - 00100	61603	GHD Consulting Services Inc	11/04/2021	337+0001104	\$14,674.00	For professional Svcs. through 10/31/21; Tannery Brook	2022	6	11/15/2021		
	<b>Line Number</b>	<b>Detail Description</b>			<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
	1	For professional Svcs. through 10/31/21; Tannery Brook			H.5.8540.0015	STORM SEWER - MAINTENANCE & REPAIRS.TANNERY BROOK CULVERT		\$14,674.00			
BANK OF HOLLAND GEN CHECK - 00100	61604	GHD Consulting Services Inc	11/04/2021	337-0001103	\$1,024.56	Svcs. rendered through 10/30/21	2022	6	11/15/2021		
	<b>Line Number</b>	<b>Detail Description</b>			<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
	1	Fire Dept. Parking lot expansion and Police building door contract			A.5.1440.0410	ENGINEER SERVICES - ENGINEERING SERVICES		\$1,024.56			
Total vouchers for GHD Consulting Services Inc: 2					\$15,698.56						
BANK OF HOLLAND GEN CHECK - 00100	61589	GRAINGER	10/29/2021	9069673623-9103224060	\$2,129.43	October 2021	2022	6	11/15/2021		



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
Total vouchers for GRAINGER: 1					\$2,129.43						
BANK OF HOLLAND GEN CHECK - 00100	61602	GRECO TRAPP PLLC	11/04/2021	October, 2021 Svcs.	\$458.91	Statement # 23245, 23246, 23247	2022	6	11/15/2021		
Total vouchers for GRECO TRAPP PLLC: 1					\$458.91						
BANK OF HOLLAND GEN CHECK - 00100	61582	IBS OF GREATER BUFFALO	10/28/2021	20005967	\$353.85	#504 batteries	2022	6	11/15/2021		
Total vouchers for IBS OF GREATER BUFFALO: 1					\$353.85						
BANK OF HOLLAND GEN CHECK - 00100	61584	IRR SUPPLY CTRS INC	10/20/2021	2787591	\$44.69	OCTOBER 2021	2022	6	11/15/2021		
Total vouchers for IRR SUPPLY CTRS INC: 1					\$44.69						
BANK OF HOLLAND GEN CHECK - 00100	61606	Jesse Griffis	11/09/2021	Reimbursement	\$15.00	Reimbursement for 2021 Western Finger Lakes ReLeaf Fall Workshop for Aurora Tree Board.	2022	6	11/15/2021		



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Reimbursement for 2021 Western Finger Lakes ReLeaf Fall Workshop for Aurora Tree Board.		A.5.8560.0410	SHADE TREES - CONTRACT SERVICES		\$15.00			
Total vouchers for Jesse Griffis: 1					\$15.00						
BANK OF HOLLAND GEN CHECK - 00100	61576	JOHN SIXT & SON INC.	10/28/2021	2111-485635	\$413.14	trim for DPW windows	2022	6	11/15/2021		
		1			A.5.1490.0420	PUBLIC WORKS ADMINISTRATION - MAINTENANCE & REPAIRS		\$413.14	2022000171	10/28/2021	
Total vouchers for JOHN SIXT & SON INC.: 1					\$413.14						
BANK OF HOLLAND GEN CHECK - 00100	61573	LAKESHORE EMPLOYEE	10/22/2021	45781	\$900.00	2022 DPW Contract services for drug and alcohol testing	2022	6	11/15/2021		
		1			A.5.1490.0440	PUBLIC WORKS ADMINISTRATION - TRAINING, TRAVEL & DUES		\$900.00			
Total vouchers for LAKESHORE EMPLOYEE: 1					\$900.00						
BANK OF HOLLAND GEN CHECK - 00100	61596	LOWE'S	10/27/2021	102721	\$413.22	OCTOBER 2021	2022	6	11/15/2021		
		1			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$413.22	2022000149	10/01/2021	
Total vouchers for LOWE'S: 1					\$413.22						
BANK OF HOLLAND GEN CHECK - 00100	61594	M and T BANK	10/31/2021	15149099919	\$16.30	Credit Card payment from October, 2021 bill Adobe Acrobat Pro	2022	6	11/15/2021		
		1			A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS		\$16.30			



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
Total vouchers for M and T BANK: 1					\$16.30						
BANK OF HOLLAND GEN CHECK - 00100	61569	MERCURIO, PETER M.	11/02/2021	Reimbursement	\$1,158.74	Reimbursement for Xmas decorations from VALU Home Center, East Aurora	2022	6	11/15/2021		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1	Reimbursement for Xmas decorations from VALU Home Center, East Aurora	A.5.7550.0470	CELEBRATIONS - OPERATING EXPENSES	\$1,158.74			
Total vouchers for MERCURIO, PETER M.: 1					\$1,158.74						
BANK OF HOLLAND GEN CHECK - 00100	61570	NOVA HEALTHCARE ADMINISTRATORS, INC.	11/15/2021	NOVA-025556 2021 HRA Administrative Fee	\$162.00	Monthly Administrative Fee of \$4.50 per Enrollee - 36 Enrollees; November 2021	2022	6	11/15/2021		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1	Water Fund Active - 2 Members; November 2021	F.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$9.00			
				2	General Fund Retiree - 12 Members; November 2021	A.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIRES	\$54.00			
				3	Water Fund Retiree - 1 Member; November 2021	F.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIRES	\$4.50			
				4	General Fund Active - 21 Members; November 2021	A.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$94.50			
Total vouchers for NOVA HEALTHCARE ADMINISTRATORS, INC.: 1					\$162.00						
BANK OF HOLLAND GEN CHECK - 00100	61571	NYS LOCAL EMPLOYEE RETIREMENT SYSTEM	11/04/2021	2022 Annual Payment	\$431,854.00	2022 Annual Payment; 40068 PFRS for EAPD	2022	6	11/15/2021		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1	2022 Annual Payment; 40068 PFRS for EAPD	A.5.9010.0801	STATE RETIREMENT - POLICE RETIREMENT	\$431,854.00			
BANK OF HOLLAND GEN CHECK - 00100	61572	NYS LOCAL EMPLOYEE RETIREMENT SYSTEM	11/04/2021	2022 Payment	\$230,405.00	40068 ERS 2022 Retirement Payment	2022	6	11/15/2021		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1	40068 ERS 2022 Retirement Payment	A.5.9010.0800	STATE RETIREMENT - RETIREMENT	\$191,236.00			
				2	Water Fund	F.5.9010.0800	STATE RETIREMENT - RETIREMENT	\$39,169.00			
Total vouchers for NYS LOCAL EMPLOYEE RETIREMENT SYSTEM: 2					\$662,259.00						





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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	61590	NYSEG	10/26/2021	1001-7910-034	\$21.04	ELECTRICITY USAGE- GLENRIDGE RD; 9/24-10/22/21	2022	6	11/15/2021		
			<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
			1	GLENRIDGE RD NYSEG ACCT 1001-7910-034	F.5.1620.0431	BUILDINGS - ELECTRIC		\$21.04			
BANK OF HOLLAND GEN CHECK - 00100	61591	NYSEG	10/25/2021	1003-3707-877	\$21.98	ELECTRICITY USAGE-NEAR 163 MAIN ST @TRAFFIC CIR.; 9/21-10/20/21	2022	6	11/15/2021		
			<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
			1	CIRCLE NYSEG ACCT NO 1003-3707-877	A.5.5182.0431	STREET LIGHTING - ELECTRIC		\$21.98			
BANK OF HOLLAND GEN CHECK - 00100	61592	NYSEG	10/25/2021	1003-3707-893	\$19.80	ELECTRICITY USAGE - BUFFALO RD @ GREY ST.; 9/21-10/20/21	2022	6	11/15/2021		
			<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
			1	ELECTRICITY USAGE-BUFFALO RD @ GREY ST	A.5.5182.0431	STREET LIGHTING - ELECTRIC		\$19.80			
BANK OF HOLLAND GEN CHECK - 00100	61600	NYSEG	11/02/2021	ACCT 491	\$525.30	ACCT. 491 ELECTRICITY USAGE; 10/1-10/31/21	2022	6	11/15/2021		
			<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
			2	STREET LIGHT R2 NYSEG ACCT NO 1001-3627-491	A.5.5182.0431	STREET LIGHTING - ELECTRIC		\$525.30			
BANK OF HOLLAND GEN CHECK - 00100	61601	NYSEG	11/02/2021	ACCT 483	\$4,366.16	ACCTS 483 & 491 ELECTRICITY USAGE; 10/1-10/31/21	2022	6	11/15/2021		
			<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
			1	STREET LIGHT R3 NYSEG ACCT 1001-3627-483	A.5.5182.0431	STREET LIGHTING - ELECTRIC		\$4,366.16			
Total vouchers for NYSEG: 5					\$4,954.28						
BANK OF HOLLAND GEN CHECK - 00100	61574	OFFICE DEPOT	10/29/2021	206037052001	\$161.85	DPW office supplies	2022	6	11/15/2021		



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	DPW office supplies		A.5.1490.0403	PUBLIC WORKS ADMINISTRATION - OFFICE SUPPLIES		\$161.85			
Total vouchers for OFFICE DEPOT: 1					\$161.85						
BANK OF HOLLAND GEN CHECK - 00100	61563	Pierce, Robert J	11/01/2021	November Svcs.	\$958.33	Legal Services for November, 2021	2022	6	11/15/2021		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Legal Services for November, 2021		A.5.1420.0410	VILLAGE ATTORNEY - CONTRACT SERVICES		\$958.33			
Total vouchers for Pierce, Robert J: 1					\$958.33						
BANK OF HOLLAND GEN CHECK - 00100	61587	REBOY SUPPLY INC.	10/20/2021	93757-93852	\$805.41	OCTOBER 2021	2022	6	11/15/2021		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$0.00	2022000142	10/01/2021	
		2			A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS		\$84.41	2022000142		
		3			A.5.8140.0420	STORM SEWERS - MAINT & REPAIRS		\$721.00	2022000142		
Total vouchers for REBOY SUPPLY INC.: 1					\$805.41						
BANK OF HOLLAND GEN CHECK - 00100	61577	REGIONAL INT. CORP.	10/26/2021	033220445P	\$742.38	#504 & #505 brakes	2022	6	11/15/2021		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$742.38	2022000168	10/26/2021	
Total vouchers for REGIONAL INT. CORP.: 1					\$742.38						
BANK OF HOLLAND GEN CHECK - 00100	61597	SHERWIN-WILLIAMS CO.	10/27/2021	102721	\$42.64	OCTOBER 2021	2022	6	11/15/2021		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.5110.0420	STREET MAINTENANCE - ROAD		\$32.58	2022000144	10/01/2021	



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
						MATERIALS					
	2				A.5.1490.0420	PUBLIC WORKS ADMINISTRATION - MAINTENANCE & REPAIRS		\$10.06	2022000144		
Total vouchers for SHERWIN-WILLIAMS CO.: 1					\$42.64						
BANK OF HOLLAND GEN CHECK - 00100	61567	THE HARTFORD	11/15/2021	509154576012	\$1,408.23	Group Life Insurance Policy #0GL 879259; Employees & Retirees; November 2021	2022	6	11/15/2021		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	Group Life Insurance General Fund Active; 37 Enrollees; November 2021		A.5.9045.0803	LIFE INSURANCE - LIFE INSURANCE		\$814.00			
		2	Group Life Insurance General Fund Retirees; 36 Enrollees; November 2021		A.5.9045.0804	LIFE INSURANCE - LIFE INSURANCE-RETIREES		\$491.28			
		3	Group Life Insurance Water Fund Active; 4 Enrollees; November 2021		F.5.9045.0803	LIFE INSURANCE - LIFE INSURANCE		\$88.00			
		4	Group Life Insurance Water Fund Retirees; 2 Enrollees; November 2021		F.5.9045.0804	LIFE INSURANCE - LIFE INSURANCE-RETIREES		\$14.95			
Total vouchers for THE HARTFORD: 1					\$1,408.23						
BANK OF HOLLAND GEN CHECK - 00100	61562	TIME WARNER CABLE	10/27/2021	071143601102721	\$137.00	TIME WARNER CABLE VEA 585 OAKWOD 202-071143601; 10/26-11/25/2021	2022	6	11/15/2021		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	TIME WARNER CABLE VEA 585 OAKWOD 202-071143601; 10/26-11/25/2021		A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS		\$137.00			
Total vouchers for TIME WARNER CABLE: 1					\$137.00						
BANK OF HOLLAND GEN CHECK - 00100	61575	TRI-COUNTY SUPPLY, INC.	10/20/2021	210366	\$847.92	backpack leaf blowers	2022	6	11/15/2021		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS		\$847.92	2022000166	10/20/2021	
Total vouchers for TRI-COUNTY SUPPLY, INC.: 1					\$847.92						
BANK OF HOLLAND GEN CHECK -	61595	TRI-COUNTY TOOL RENTAL & SALES	10/29/2021	23332-23574	\$1,369.44	OCTOBER 2021	2022	6	11/15/2021		



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
00100											
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$1,168.79	2022000146	10/01/2021	
		2			A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS		\$17.42	2022000146		
		3			A.5.8140.0420	STORM SEWERS - MAINT & REPAIRS		\$103.02	2022000146		
		4			A.5.1490.0420	PUBLIC WORKS ADMINISTRATION - MAINTENANCE & REPAIRS		\$80.21	2022000146		
Total vouchers for TRI-COUNTY TOOL RENTAL & SALES: 1					\$1,369.44						
BANK OF HOLLAND GEN CHECK - 00100	61611	UNITED UNIFORM COMPANY	11/15/2021	IO21-335851	\$158.00	uniform items for new PO Wilson, initial issue	2022	6	11/15/2021		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	Bomber jacket with Police on back		A.5.3120.0480	POLICE DEPARTMENT - UNIFORMS, BODY ARMOR		\$158.00			
BANK OF HOLLAND GEN CHECK - 00100	61612	UNITED UNIFORM COMPANY	11/15/2021	IO21-334432	\$782.43	uniform items for new PO Schultz, initial issue	2022	6	11/15/2021		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	body armor		A.5.3120.0480	POLICE DEPARTMENT - UNIFORMS, BODY ARMOR		\$782.43			
Total vouchers for UNITED UNIFORM COMPANY: 2					\$940.43						
BANK OF HOLLAND GEN CHECK - 00100	61564	Vaspian	11/01/2021	102622	\$525.00	Phone Services for November, 2021	2022	6	11/15/2021		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	Phone Services VEA		A.5.1325.0434	VILLAGE ADMINISTRATOR - TELEPHONE		\$87.50			
		2	Phone Services for EAPD		A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE		\$187.50			
		3	Phone Services for DPW		A.5.1490.0434	PUBLIC WORKS ADMINISTRATION - TELEPHONE		\$100.00			
		4	Phone Services for EAFD		A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE		\$150.00			
Total vouchers for Vaspian: 1					\$525.00						
BANK OF	61610	VSP MARKETING GRAPHIC	11/15/2021	43628	\$780.00	Graphics for new police vehicle	2022	6	11/15/2021		



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Bank Name: HOLLAND GEN CHECK - 00100  
 Voucher No:  
 Vendor Name: GROUP  
 Invoice Date:  
 Invoice No:  
 Invoice Amt:  
 Invoice Description: #25  
 Fiscal Year:  
 Period:  
 Due Date:  
 Check No:  
 Check Date:

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	3M Reflective graphics packages per new design on file	A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES	\$520.00		
2	Artwork setup and production to create new design	A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES	\$75.00		
3	discount courtesy of Mike Nachtrieb	A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES	(\$75.00)		
4	3M VSP certified installation at VSP facilities - Includes warranty	A.5.3310.0470	TRAFFIC CONTROL - DEPARTMENTAL SUPPLIES	\$260.00		

Total vouchers for VSP MARKETING GRAPHIC GROUP: 1 \$780.00

BANK OF HOLLAND GEN CHECK - 00100  
 61607 W.B. MASON CO., INC. 11/03/2021 224813636 \$65.94 Water Fee. 2022 6 11/15/2021

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	Water Fee.	A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$95.94		
2	Water Fee credit # CM0348760	A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	(\$30.00)		

BANK OF HOLLAND GEN CHECK - 00100  
 61609 W.B. MASON CO., INC. 11/15/2021 various \$23.89 water cooler rental/supplies 2022 6 11/15/2021

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	INV 224528471 water cooler rental	A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	\$5.95		
2	INV 224735349	A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	\$29.97		
3	INV 224735349	A.5.3420.0420	POLICE & FIRE DISPATCH - MAINTENANCE/SERVICE CONTRACTS	\$29.97		
4	CM0340708	A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	(\$18.00)		
5	CM0340708	A.5.3420.0420	POLICE & FIRE DISPATCH - MAINTENANCE/SERVICE CONTRACTS	(\$18.00)		
6	CM0341672	A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	(\$6.00)		



Village of East Aurora  
VEA 11/1/2021

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
Total vouchers for W.B. MASON CO., INC.: 2					\$89.83						

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Village of East Aurora  
VEA 11/1/2021

**Posted Batch Totals**

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A	GENERAL FUND	\$0.00	\$718,035.43	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$718,035.43
F	WATER FUND	\$0.00	\$49,201.63	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$49,201.63
H	CAPITAL PROJECTS	\$0.00	\$14,674.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,674.00
<b>Posted Batch Grand Totals</b>		<b>\$0.00</b>	<b>\$781,911.06</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$781,911.06</b>



Village of East Aurora  
VEA 11/1/2021

\*\*\*\*\* Certificate of Financial Officer \*\*\*\*\*

I hereby certify that the attached Voucher Listing is complete and accurate to the best of my knowledge, and payment is hereby approved.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_



Original  
10/7/21

**TOWN OF AURORA**  
575 OAKWOOD AVENUE, EAST AURORA, NY 14052  
BUILDING DEPARTMENT  
(716) 652-7591

**MEMO**

TO: Mayor Mercurio, and Village Trustees  
FROM: Elizabeth Cassidy, Code Enforcement Officer  
DATE: October 7, 2021

The Building Department has accepted a Special Use Permit (SUP) application for The Poked Yolk at 227 Main St as submitted by Jim and Kristyn Vaughan. This property is located in the Village Center Commercial (VC) zoning district and a restaurant is an allowable use in this district. The property has been used as a restaurant since 2010.

The building at 227 Main St is approximately 1056 sq. ft. Off street parking is provided and there are 11 marked spots on site, two of which are accessible. There are additional areas on the property which may be utilized for additional parking. The off street parking requirement for this property is 5 spaces.

The signage meets all code requirements and has been approved for a permit. Renderings are enclosed for reference.

Village Code section 285-52.3B states that the Village Board may refer the Special Use Permit application to the Planning Commission for their review and recommendations. The Village Board shall then schedule a public hearing for the applications.

Village Code section 285-50.4C requires the Village to submit the application to Erie County Department of Environment and Planning for their review and comment due to proximity to a State highway (Main St/20A).

This is an Unlisted action under SEQRA.

If you have any questions, please contact me at 652-7591.

Liz Cassidy

# The Poked Yolk

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227 Main Street, East Aurora, NY 14052 | 716-241-9655 | thepokedyolk@gmail.com

**October 7, 2021**

Village of East Aurora  
585 Oakwood Ave  
East Aurora, NY 14052

**Dear Village of East Aurora:**

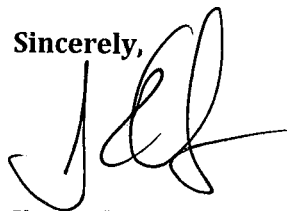
The Poked Yolk is extremely excited for the opportunity to conduct business in the Village of East Aurora. We are a successful breakfast and lunch restaurant that has been in operation since October 2014. Currently, there is a Poked Yolk in West Seneca and Orchard Park. Our hours of operation are 7am-3pm daily for dine in and take out. We've been fortunate enough to expand our business due to consistently good food and service, as well as very loyal and supportive customers.

Our anticipated closing date is November 2021, but we will be leasing the location from the current owner, effective October 15. We would like to open as soon as possible, preferably by November 16, 2021.

Regarding the shed on the property, we acknowledge that it touches the town easement area and, if necessary, would be moved at our expense. Furthermore, no changes will be made to the building or parking lot, with the exception of signs, which have already been approved by the town.

Again, we are very eager to open another Poked Yolk in East Aurora and look forward to conducting business in the Village.

Sincerely,



**Jim and Kristyn Vaughan**

10/07/2021

Attention Elizabeth Cassidy

I Michael DiJoseph Owner of 227 Main Street (Mikey Dees Catering) do Authorize James Vaughan (Owner of Poked Yolk LLC) to enter into an application for special use permit to operate at 227 Main Street. We are in the process of sale of said property and have a current lease agreement being drawn

Sincerely,

Michael DiJoseph

# VILLAGE OF EAST AURORA

585 Oakwood Ave, East Aurora, New York 14052  
716-652-6000

In conjunction with  
**Town of Aurora Building Department**  
575 Oakwood Ave, East Aurora, NY 14052  
716-652-7591

Building Dept
Date Received <u>10/7/21</u>
Complete App _____
Village Clerk: _____
Date Filed _____
Amount \$ _____
Receipt # _____

## SOCIAL USE PERMIT APPLICATION

PROPOSED PROJECT THE POKED YOLK SBL#: 164.19-6-14.1  
LOCATION 227 MAIN ST ZONING DISTRICT VC

The applicant agrees to reimburse the Village for any additional fees required for review by consultants hired by the Village.

APPLICANT NAME JAMES VAUGHAN  
ADDRESS 6 GOLDEN OAK LN  
TELEPHONE 716 998 9425 FAX 716 771 3139 E-MAIL thepoked.yolk@gmail.com  
SIGNATURE [Signature]

OWNER NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

DEVELOPER NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

Request is for: Restaurant, Indoor Dining and/or Restaurant, Outdoor Dining  
Gas Station  Car Wash  Other   
Outdoor music or other noise impact; if yes please include a quick summation of request:

Days and hours of operation (indoor) 7AM - 3PM  
Days and hours of operation (outdoor) 7AM - 3PM

Will alcoholic beverages be served? Yes  No   
Will there be outdoor music? Yes  No  If yes, what type of music: \_\_\_\_\_  
Days and times of music \_\_\_\_\_

Are premises handicap accessible? Yes  No  If not, premises must be made ADA compliant  
If yes, contact building department at 716-652-7591  
Will there be any renovations Yes  No

### THIS APPLICATION MUST INCLUDE THE FOLLOWING:

- One Cover Letter to Village Board, Supporting Documents and SEQR as required in §285-52.2
- One complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD-ROM
- Application fee \$25.00, Permit fee \$25.00 and Public Hearing fee \$100.00 – Total \$150 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date \_\_\_\_\_

REQUIRED MEETINGS/REFERRALS:

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:

\_\_\_ Type 1 \_\_\_ Type 2 \_\_\_ Unlisted

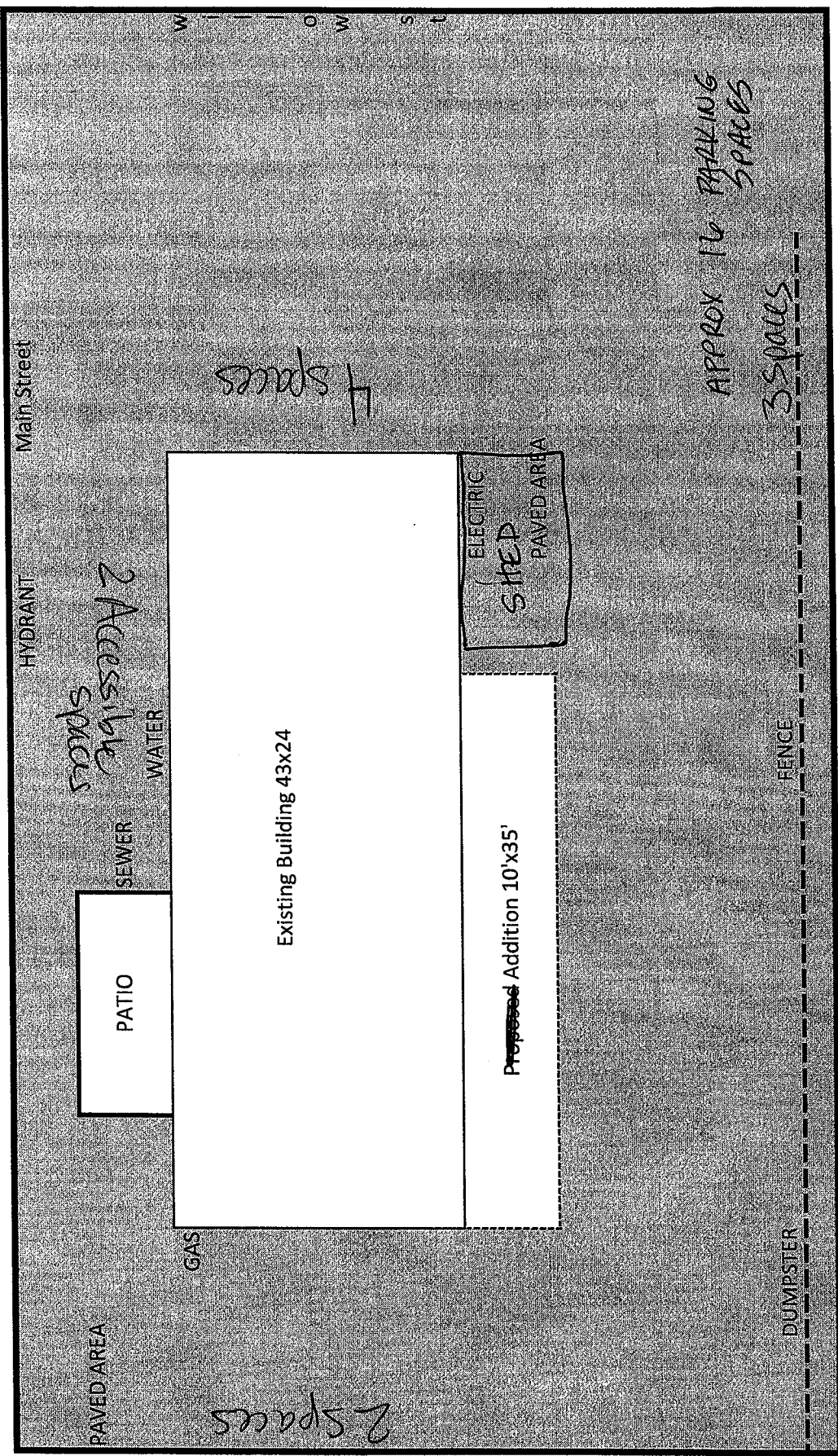
VILLAGE BOARD ACTION:

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.

**CHECK LIST FOR SPECIAL USE PERMIT APPLICATION**

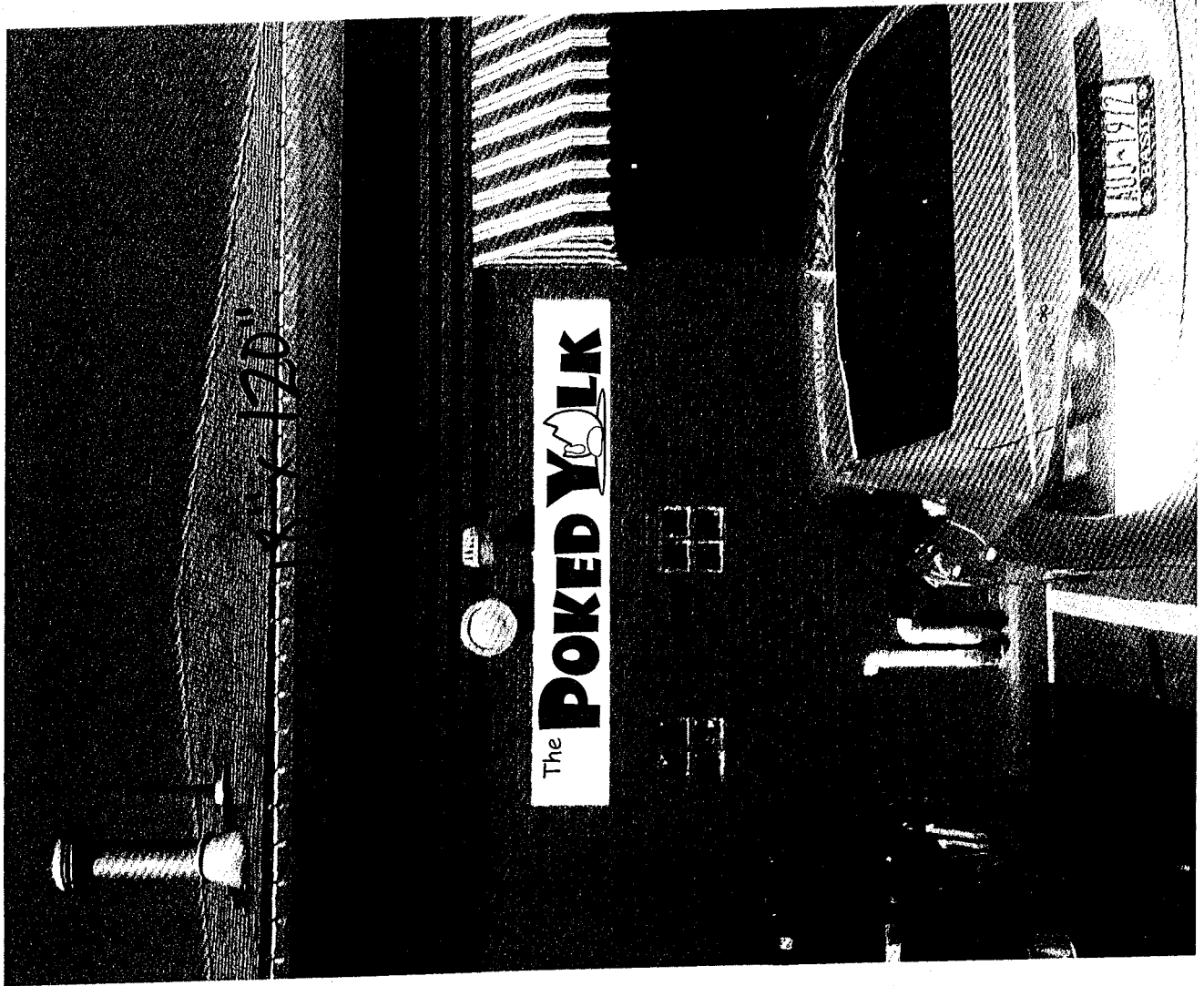
- A cover letter to the Village Board with a narrative of all proposed uses and structures, including but not limited to: hours of operation, number of employees, maximum seat capacity and required number of parking spaces.
- A narrative report describing how the proposed use will satisfy the criteria set forth in the Special Use Permit review criteria of Chapter §285-52.4 (also listed below), as well as any other applicable requirements relating to the specific use proposed.
  - Will be generally consistent with the goals of the Village Comprehensive Plan.
  - Will meet all relevant criteria set forth in Chapter §285-52.3 and §285-52.4.
  - Will be compatible with existing uses adjacent to and near the property.
  - Will not create a hazard to health, safety or the general welfare of the public.
  - Will not alter the essential character of the neighborhood nor be detrimental to the neighborhood residents.
  - Will not be a nuisance to neighboring land uses in terms of the production of obnoxious or objectionable noise, dust, glare, odor, refuse, fumes, vibrations, unsightliness, contamination or other similar conditions.
  - Will not cause undue harm to, or destroy, existing sensitive natural features on the site or in the surrounding area or cause adverse environmental impacts such as significant erosion and/or sedimentation, slope destruction, flooding or ponding of water or degradation of water quality.
  - Will not destroy or adversely impact significant historic and/or cultural resource sites.
  - Will provide adequate landscaping, screening or buffering between adjacent uses which are incompatible with the proposed project.
  - Will not otherwise be detrimental to the public convenience and welfare.
- All SEQR documentation, as required by New York State Law.



NEW

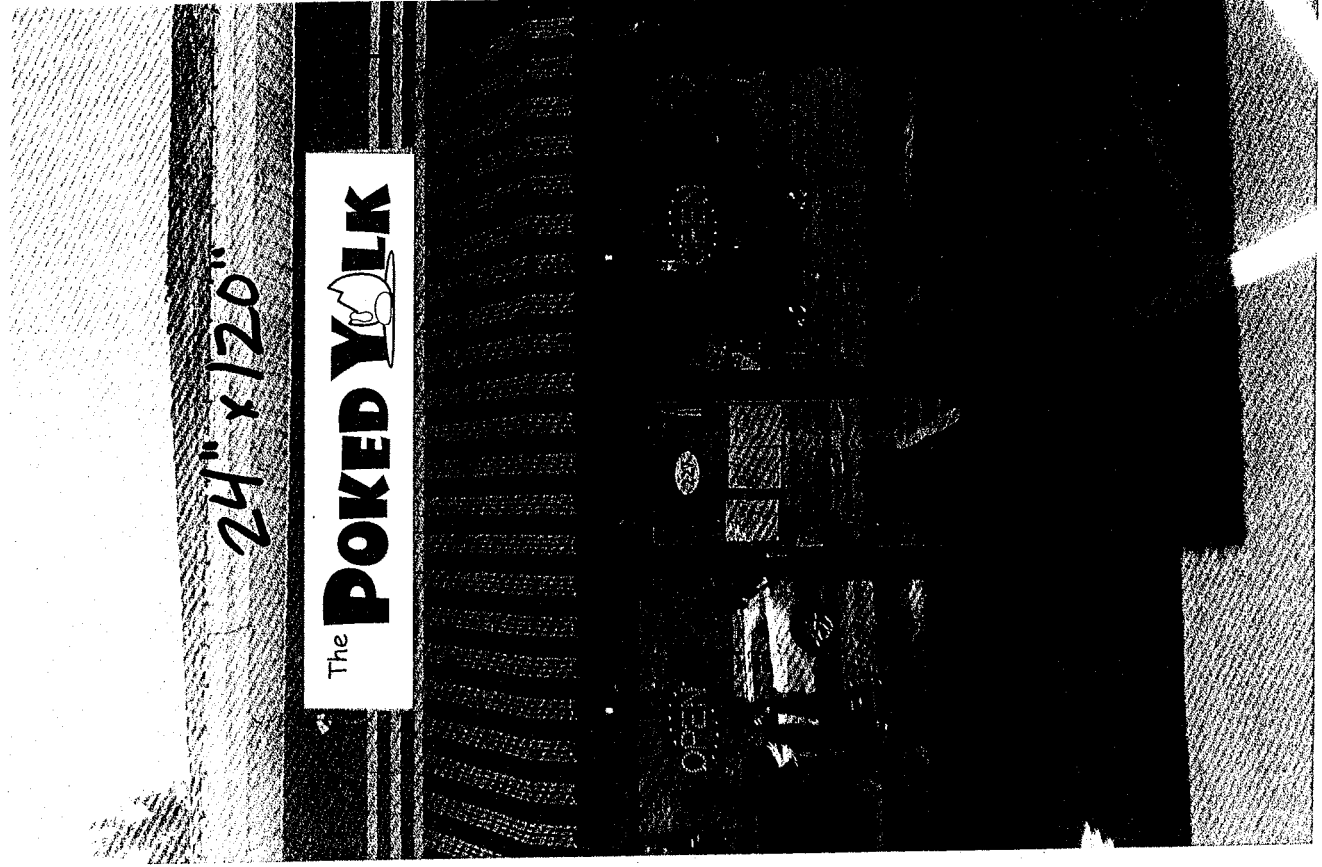
11.5" 21" 21" 21"

20" 44" 44"



24" x 120"

The POKED YLK



24" x 120"

The POKED YLK

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

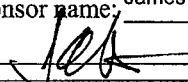
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: The Poked Yolk			
Project Location (describe, and attach a location map): 227 Main Street			
Brief Description of Proposed Action: Breakfast/Lunch Restaurant			
Name of Applicant or Sponsor: James Vaughan		Telephone: 716-241-9655	
		E-Mail: thepokedyolk@gmail.com	
Address: 6 Golden Oak Lane			
City/PO: Orchard Park		State: NY	Zip Code: 14127
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.22 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.22 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ already connected	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ already connected	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
16. Is the project site located in the 100 year flood plain?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: James Vaughan <span style="float: right;">Date: 10-7-2021</span></p> <p>Signature: <u></u></p>		

**An Application of a Request for a Special Use Permit, received by the Office of the Village Clerk on October 7, 2021, is hereby:**

[APPROVED] or [DENIED], as submitted, for applicants Jim and Kristyn Vaughan, for establishment of the Poked Yolk restaurant at 227 Main Street.

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

This application was submitted to Erie County Planning for review and the reply received is, “No recommendation; proposed action has been reviewed and determined to be of local concern.”

This application was reviewed by the Village Planning Commission and received a positive recommendation to be approved by the Village Board, along with findings which are incorporated herein.

***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, including a one-page narrative, dated October 7, 2021, which is incorporated herein, along with a one-page drawing depicting the building and parking on the site, and with the following additional modifications and/or conditions\*:

1) That when ownership of the property is transferred to the applicants, the Village and the applicants shall enter into a License Agreement that will permit the applicants to leave an existing shed on the property in its current location that is within a permanent easement, which agreement specifies that the applicants, as property owners, will be required to move such shed, if required, when work is necessary to be performed within the permanent easement.

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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 meaningful 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.

**Local Law No. \_\_\_\_\_ of 2021 of the Village of East Aurora  
Amending Village Code Chapter 177 - Parks**

A motion was made by Trustee \_\_\_\_\_ to adopt Local Law No. \_\_\_\_ Amending Village Code Chapter 177 – Parks, as follows (items stricken are deleted and items underlined are added):

**Chapter 177. Parks**

**§ 177-1. Use of public parks.**

A. It shall be unlawful for any person to do any of the following acts in any public park in the Village of East Aurora:

...

(16) Smoking of any kind whether tobacco products, marihuana, or chemical combinations, including, but not limited to, cigarettes, cigars, pipes, e-cigarettes, vaporizers (vaping), bongs, hookahs, joints, water pipes of any nature, and any form of cannabis.

**Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.  
seconded by Trustee \_\_\_\_\_ and was and was put on a roll call:

Trustee Cameron  
Trustee Lazickas  
Trustee Porter  
Trustee Rosati  
Trustee Kimmel-Hurt  
Trustee Scheer  
Mayor Mercurio

**Local Law No. \_\_\_\_\_ of the year 2021**

**Village of East Aurora**

**A local law adopted pursuant to Cannabis Law §131 opting out of licensing and establishing retail cannabis dispensaries within the Village of East Aurora**

**Section 1. Legislative Intent**

It is the intent of this local law to opt the Village of East Aurora out of hosting retail cannabis dispensaries within its boundaries.

**Section 2. Authority**

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes villages to opt-out of allowing retail cannabis dispensaries to locate and operate within their boundaries.

**Section 3. Local Cannabis Retail Dispensary Opt-Out**

The Board of Trustees of the Village of East Aurora hereby opts-out of allowing retail cannabis dispensaries from locating and operating within the boundaries of the Village of East Aurora.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

**Local Law No. \_\_\_\_\_ of the year 2021**

**Village of East Aurora**

**A local law adopted pursuant to Cannabis Law §131 opting out of licensing and establishing on-site cannabis consumption establishments within the Village of East Aurora**

**Section 1. Legislative Intent**

It is the intent of this local law to opt the Village of East Aurora out of hosting on-site cannabis consumption establishments within its boundaries.

**Section 2. Authority**

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes villages to opt-out of allowing on-site cannabis consumption establishments to locate and operate within their boundaries.

**Section 3. Local Cannabis On-Site Consumption Opt-Out**

The Board of Trustees of the Village of East Aurora hereby opts-out of allowing on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of East Aurora.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

**Resolution of the Village of East Aurora of a Determination of Non-Significance pursuant to the State Environmental Quality Review Act in the matter of a Local Law Amending the Village Code Adding a Prohibition that there shall be No Smoking in Village Parks**

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to a Local Law Amending the Village Code Adding a Prohibition that there shall be No Smoking in Village Parks; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law 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 Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law 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 \_\_\_\_\_ and seconded by Trustee \_\_\_\_\_ and carried on November 15, 2021.

**Local Law No. \_\_\_\_\_ of 2021 of the Village of East Aurora  
Amending Village Code Chapter 177 - Parks**

A motion was made by Trustee \_\_\_\_\_ to adopt Local Law No. \_\_\_\_ Amending Village Code Chapter 177 – Parks, as follows (items stricken are deleted and items underlined are added):

**Chapter 177. Parks**

**§ 177-1. Use of public parks.**

A. It shall be unlawful for any person to do any of the following acts in any public park in the Village of East Aurora:

...

(16) Smoking of any kind whether tobacco products, marihuana, or chemical combinations, including, but not limited to, cigarettes, cigars, pipes, e-cigarettes, vaporizers (vaping), bongs, hookahs, joints, water pipes of any nature, and any form of cannabis.

**Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.  
seconded by Trustee \_\_\_\_\_ and was and was put on a roll call:

Trustee Cameron  
Trustee Lazickas  
Trustee Porter  
Trustee Rosati  
Trustee Kimmel-Hurt  
Trustee Scheer  
Mayor Mercurio



**Resolution of the Village of East Aurora of a Determination of Non-Significance  
pursuant to the State Environmental Quality Review Act in the matter of a Village  
Local Law to Opt Out of having Retail Dispensaries Selling Cannabis within the Village Limits**

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to the proposed Local Law for the Village to opt out of having retail dispensaries selling cannabis within the Village limits, and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law 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 Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law 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 \_\_\_\_\_ and seconded by Trustee \_\_\_\_\_ and carried on November 15, 2021.

**Resolution of the Village of East Aurora of a Determination of Non-Significance  
pursuant to the State Environmental Quality Review Act in the matter of a Village  
Local Law to Opt Out of having Consumption Sites for Cannabis within the Village Limits**

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to the proposed Local Law for the Village to opt out of having consumption sites for cannabis within the Village limits, and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form reference above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law 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 Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law 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 \_\_\_\_\_ and seconded by Trustee \_\_\_\_\_ and carried on November 15, 2021.

**Local Law No. \_\_\_\_\_ of the year 2021**

**Village of East Aurora**

**A local law adopted pursuant to Cannabis Law §131 opting out of licensing and establishing retail cannabis dispensaries within the Village of East Aurora**

**Section 1. Legislative Intent**

It is the intent of this local law to opt the Village of East Aurora out of hosting retail cannabis dispensaries within its boundaries.

**Section 2. Authority**

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes villages to opt-out of allowing retail cannabis dispensaries to locate and operate within their boundaries.

**Section 3. Local Cannabis Retail Dispensary Opt-Out**

The Board of Trustees of the Village of East Aurora hereby opts-out of allowing retail cannabis dispensaries from locating and operating within the boundaries of the Village of East Aurora.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

**Local Law No. \_\_\_\_\_ of the year 2021**

**Village of East Aurora**

**A local law adopted pursuant to Cannabis Law §131 opting out of licensing and establishing on-site cannabis consumption establishments within the Village of East Aurora**

**Section 1. Legislative Intent**

It is the intent of this local law to opt the Village of East Aurora out of hosting on-site cannabis consumption establishments within its boundaries.

**Section 2. Authority**

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes villages to opt-out of allowing on-site cannabis consumption establishments to locate and operate within their boundaries.

**Section 3. Local Cannabis On-Site Consumption Opt-Out**

The Board of Trustees of the Village of East Aurora hereby opts-out of allowing on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of East Aurora.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

# **TOWN OF AURORA**

300 GLEED AVENUE, EAST AURORA, NY 14052  
BUILDING DEPARTMENT  
(716) 652-7591

## **MEMO**

TO: Mayor Mercurio and Village Trustees  
FROM: Elizabeth Cassidy, Code Enforcement Officer  
DATE: October 29, 2021

The Building Department has received an application for demolition of the building at 203 Main St, as submitted by owner Katie Crook for Facelift Properties, LLC. Village Code section 112-2 requires any demolition application for a building over 500 sq ft and 50 years old be referred to the Historic Preservation Commission for review and recommendation on the demolition, prior to a Village Board decision.

The property owner does intend to rebuild on the parcel and is aware of the site plan approval process; however, the details have not been finalized.

If you have any questions, please contact me at 652-7591.

Liz Cassidy

**BUILDING DEPARTMENT**  
**Town of Aurora/Village of East Aurora**  
**300 Glead Avenue, East Aurora, NY**  
**Phone (716) 652-7591**

Permit # \_\_\_\_\_  
Reissued \_\_\_\_\_  
Date \_\_\_\_\_

**APPLICATION FOR DEMOLITION**

Property Owner Name FACELIFT PROPERTIES LLC Phone # 716-864-9508  
Property Address 203 main st.  
SBL # \_\_\_\_\_ Zoning District V.C.  
Applicant (if not Owner) Samuel/Kate Brook Phone # Samuel

1. Brief description of building to be demolished: one story, 500 sq ft. building
2. Use:  Residential  Commercial
3. Size of demolished building 15 ft wide 33 ft long 10 ft high 510 Total sq ft
4. Zone VC
5. Name of Contractor ~~ADDED~~ Vavecker Builders  
Address of Contractor 214 Adgerwood Rd. Phone # \_\_\_\_\_
6. Contractors GL/WC/Disability Insurance Certificates with Town & Village as Certificate holder **Yes/No**
7. Disconnect Required:  WATER  SEWER  ELECTRIC  GAS
8. Water use needed for dust control: **Yes/No**

**Village of East Aurora Requirements:**

Is the building over 50 years old?  Yes/No  \*If Yes, please attach Historic Preservation Committee addendum  
Is Development Plan Required?  Yes/No  \*If Yes: date approved: \_\_\_\_\_ Conditions: **Yes/No**  
(\*If Yes, please attach)

**IMPORTANT**

- Site Plan or Survey showing lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property **must be submitted with this application**. Indicate distance to nearest building on adjoining lot.
- A written report from a licensed exterminator regarding extermination **must be submitted with application** if applicable.
- Written verification that all utilities (ie. gas, electric, water, and sewer) have been properly shut off and disconnected, **must be submitted with application**.
- No work may commence until an asbestos survey is completed and filed with the commissioner of NYS Dept of Labor in accordance with the Industrial code 56 and the rules and regulations of the Dept of Labor (submit copy to this Dept)
- Debris, including any in-ground storage tanks, must be systematically removed from the site and not allowed to pile up or cause any obstruction.
- Demolition shall be carried out during daylight hours only on normal workdays.
- No explosives can be used in connection with demolition of buildings or structures unless a special permit is first obtained by Village Board of Trustees (village).
- All cellars and basements of demolished buildings or structures shall be filled in and made safe and causing the surface of the location to be on level with the surrounding premises.

(continued on back...)

APPLICATION IS HEREBY MADE to the Code Enforcement Officer for the issuance of a Building Permit pursuant to the NEW YORK UNIFORM FIRE PREVENTION AND BUILDING CODE for the construction of buildings, additions and alterations, as herein described. The applicant agrees to comply with all applicable codes, laws, and regulations. The undersigned hereby certifies that all of the information contained in this application is correct and true.

Owner Name Kathleen E. Cross  
(Contractor and Corp/LLC must complete affidavit on next page to sign as owner's agent)

Telephone 716-864-9308 E-mail katie@baibile.com

[Signature] 10/26/21  
SIGNATURE OF OWNER DATE

Town or Village	Bldg Dept	ZBA
Permit Fee \$ <u>50.00</u>	Reviewed by _____	Reason _____
	Appr on _____	Approved/Denied on _____
		Case # _____
..... Signature of Code Enforcement Officer		
Receipt is hereby acknowledged of the sum of \$..... equal to the fees schedule established by the Town Board of the Town of Aurora NY..... TC/ DTC Date: _____ Receipt _____		

ADDENDUM TO APPLICATION FOR DEMOLITION

VILLAGE OF EAST AURORA

EAST AURORA HISTORIC PRESERVATION COMMISSION

Village Code §112-2(A) requires that, if a property owner wishes to demolish a building or structure that is fifty or more years in age, the demolition application must be referred to the East Aurora Historic Preservation Commission (HPC) to ascertain whether the property may have some historic significance of which the Village Board should be aware in reviewing the demolition application. The purpose of this addendum is to elicit basic information germane to the HPC's input. It is the practice of the HPC to place any demolition application that is referred to it for this purpose upon the HPC's meeting agenda for discussion. The applicant will be notified of the meeting, at which the applicant's attendance is encouraged but not mandatory. In order to furnish informed input to the Village Board, in its discretion the HPC may require additional information or diligence beyond that set forth in this addendum.

The following reference sources may be of assistance in completing this addendum: (i) Aurora Town Historian ([www.townofaurora.com/departments/historian](http://www.townofaurora.com/departments/historian)); (ii) your abstract of title; (iii) property file in Village Clerk's office; (iv) real property tax records ([www2.erie.gov/ecrpts](http://www2.erie.gov/ecrpts)); (v) Erie County Clerk's Office.

You are encouraged to consult with the Aurora Town/Village Historian to investigate the historical use and historical significance of the property, both of which are required in this application. Doing so may shorten the HPC's review of your application.

**NOTE:** This addendum is not intended to be used if the property in question is a local landmark or is within a historic district as designated under Village Code Chapter 156. If a property is so designated, then the property owner must submit to the HPC an Application for Certificate of Appropriateness. This form and instructions are available on the Village website.

Property Address: 203 main Street

Property Owner/Applicant Name: Facility Properties LLC /  
Clark + Kathleen Crowe

Property Owner Contact Information (address, telephone and email):

5077 Vermont Hill Rd.

S. Wales NY 14139

716-864-9528

kathre@barbide.com



Provide information as follows to the best of your knowledge. This addendum should be accompanied by a photograph of the property.

Year of Construction: ?

If architect designed, name of architect: ?

Names of original and subsequent owners, and dates of ownership if known:  
?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What is the historic use of the property?

prior to ownership tenant was  
East Aurora Workmen's

To the best of your knowledge, is there any historic significance associated with the property?

Yes /  No

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Did you consult with the Aurora Town/Village Historian about the property's historical use and historical significance?

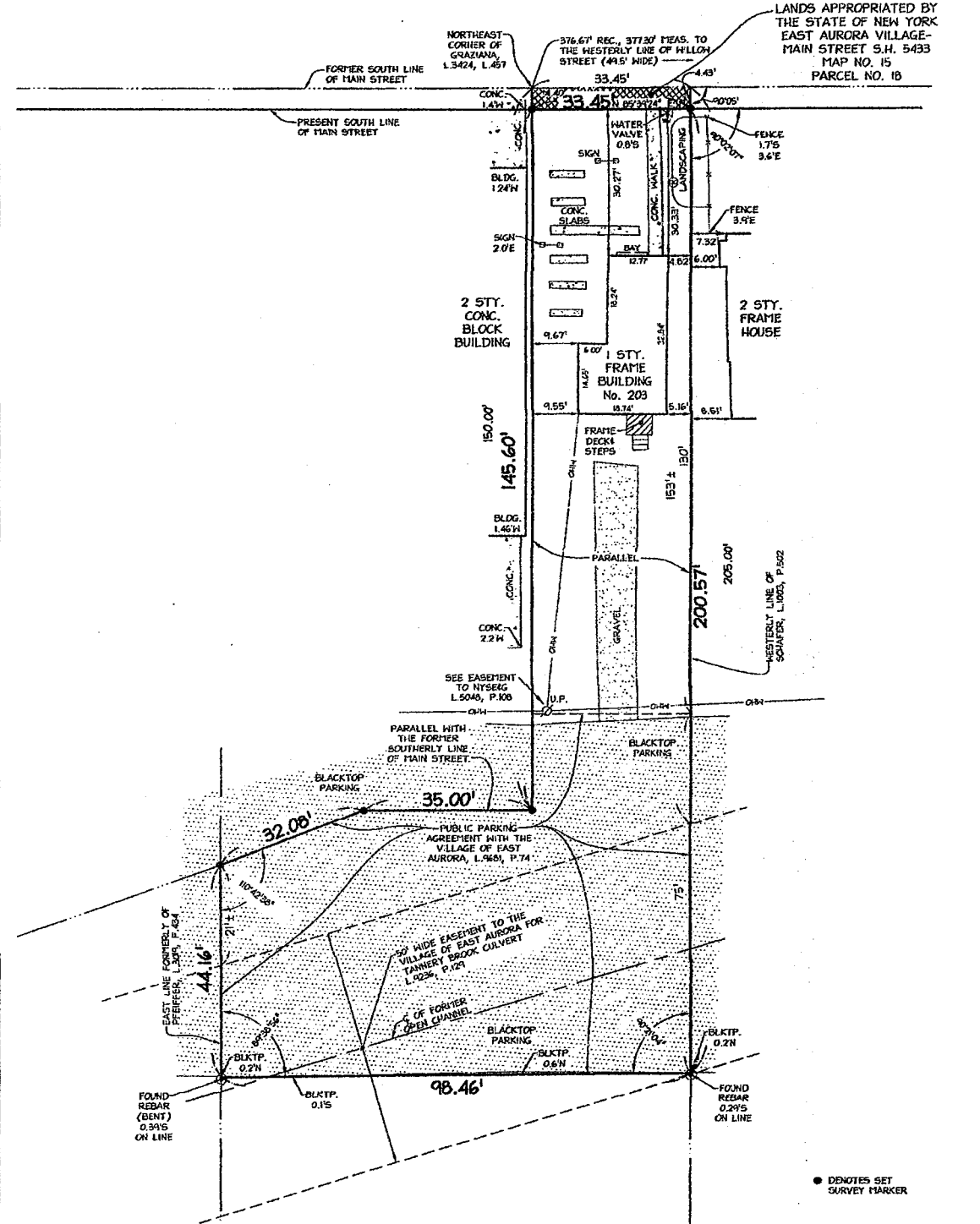
Yes /  No Attempted to contact - to date  
no reply

Applicant hereby certifies that, to the best of applicant's knowledge, information and belief, the information set forth above is accurate and complete.

Applicant's Signature: [Signature] Date: 10/28/21



# MAIN (WIDTH VARIES) STREET



NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.

509 Main Street, P.O. Box 516, East Aurora, NY 14052  
p (716) 655-1058 f (716) 655-1964 www.nussbaum.com

This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such. Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7206, provision 2 of the New York State Education Law.



**BOUNDARY SURVEY**  
**203 Main Street**  
Part of Lot 31, Township 9, Range 6  
Holland Land Company's Survey  
Village of East Aurora, Town of Aurora  
County of Erie, State of New York

*Thornton A. Kenyon*

Date of Survey: 10/22/18 Scale: 1" = 20' Project No.: 1833-0574

Successors to the records of Graf Land Surveyors Successors to the records of James L. Shuler, Land Surveyor

# TOWN OF AURORA

575 OAKWOOD AVENUE, EAST AURORA, NY 14052  
BUILDING DEPARTMENT  
(716) 652-7591

## MEMO

TO: Mayor Mercurio, and Village Trustees  
FROM: Elizabeth Cassidy, Code Enforcement Officer  
DATE: October 27, 2021

Douglas Wolf, as agent for Terrence Kopp, has submitted an application for a minor 3-lot subdivision of the parcel at 363 Prospect Ave. The lot will be split into three legal building lots with frontage on Prospect. The middle lot received a 5' lot width variance by the Village Zoning Board of Appeals at the October meeting. The existing dwelling has a legal non-conforming side yard setback to the west; however the subdivision proposed would have no effect on this setback. The proposal is to divide the lots. Future construction of the dwellings including, but not limited to, location of buildings, driveways, setbacks, any possible drainage concerns, and utility connections will be addressed at the time of permit submittal.

Village Code section 285-50.4C requires the Village to submit the application to the Erie County Department of Environment and Planning for their review and comment due to the proximity to a County highway (Center St).

The Village Board may refer the application to the Planning Commission for their review and recommendation. Village Code section 227-21D states that the Village Board may schedule a public hearing after which a SEQRA determination is made and a decision on the minor subdivision will be rendered.

This is an Unlisted action under SEQRA.

If you have any questions, please contact me at 652-7591.

Liz Cassidy

**VILLAGE OF EAST AURORA**  
 571 Main Street, East Aurora, New York 14052  
 716-652-6000  
 In conjunction with  
**Town of Aurora Building Department**  
 300 Glead Ave, East Aurora, NY 14052  
 716-652-7591

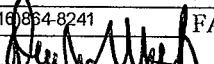
Building Dept:	
Date Received	10/20/21
Complete App	10/20/21
Village Clerk:	
Date Received	
Amount \$	
Receipt #	waived per C.T.

Subdivision

~~SEE PLAN APPLICATION~~

PROPOSED PROJECT Prospect Street Subdivision SBL#: 175.08-8-7  
 LOCATION 363 Prospect ZONING DISTRICT SFR

The applicant agrees to reimburse the Village for any additional fees required for consultant's review of submitted technical data, including but not limited to, traffic studies, drainage, lighting, water and sewer plans.

APPLICANT NAME Douglas Wolf, project manager  
 ADDRESS 429 Oakwood Ave. East Aurora, NY 14052  
 TELEPHONE (716)864-8241 FAX \_\_\_\_\_ E-MAIL dsw429@hotmail.com  
 SIGNATURE 

OWNER NAME Terrence Kopp  
 ADDRESS 13048 Centerline Rd, South Wales 14139  
 TELEPHONE (716)574-9570 FAX \_\_\_\_\_ E-MAIL koppforestproducts@outlook.com  
 SIGNATURE \_\_\_\_\_

ENGINEER/ARCHITECT/LANDSCAPE ARCHITECT  
 NAME Thornton Kenyon FIRM Nussbaumer & Clarke inc.  
 ADDRESS 509 Main Street, East Aurora, NY 14052  
 TELEPHONE (716)655-1058 FAX \_\_\_\_\_ E-MAIL nussclarke.com  
 SIGNATURE \_\_\_\_\_ AFFIX STAMP

THIS APPLICATION MUST INCLUDE THE FOLLOWING:

- Twenty (20) Sets – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-51.3
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD Rom.
- Application fee \$25.00 and Public Hearing fee \$100.00 – Total \$125 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date \_\_\_\_\_ Minor Project written request to waive PC mtg Y/N/NA: VB Decision Y/N

REQUIRED MEETINGS/REFERRALS:

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Historic Preservation	_____	_____
ZBA	_____	_____
EC Div of Planning	_____	_____
NYS DOT	_____	_____
Town Notification	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:

\_\_\_ Type 1 \_\_\_ Type 2 \_\_\_ Unlisted

VILLAGE BOARD ACTION:

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.

# Short Environmental Assessment Form

## Part 1 - Project Information

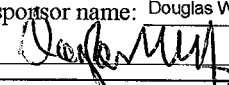
### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Douglas Wolf, project manager			
Name of Action or Project:			
Subdivision of property at 363 Prospect Ave			
Project Location (describe, and attach a location map):			
363 Prospect			
Subdivision of 363 Prospect into 3 separate lot parcels			
Name of Applicant or Sponsor:		Telephone:	
Douglas Wolf, project manager		(716) 864-8241	
Address:		E-Mail:	
429 Oakwood Ave		dsw429@hotmail.com	
City/PO:		State:	Zip Code:
East Aurora		NY	14052
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			<b>NO</b>
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>YES</b>
			<input type="checkbox"/>
			<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			<b>NO</b>
If Yes, list agency(s) name and permit or approval:			<b>YES</b>
			<input checked="" type="checkbox"/>
			<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.38	acres
b. Total acreage to be physically disturbed?		0	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.5	acres
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

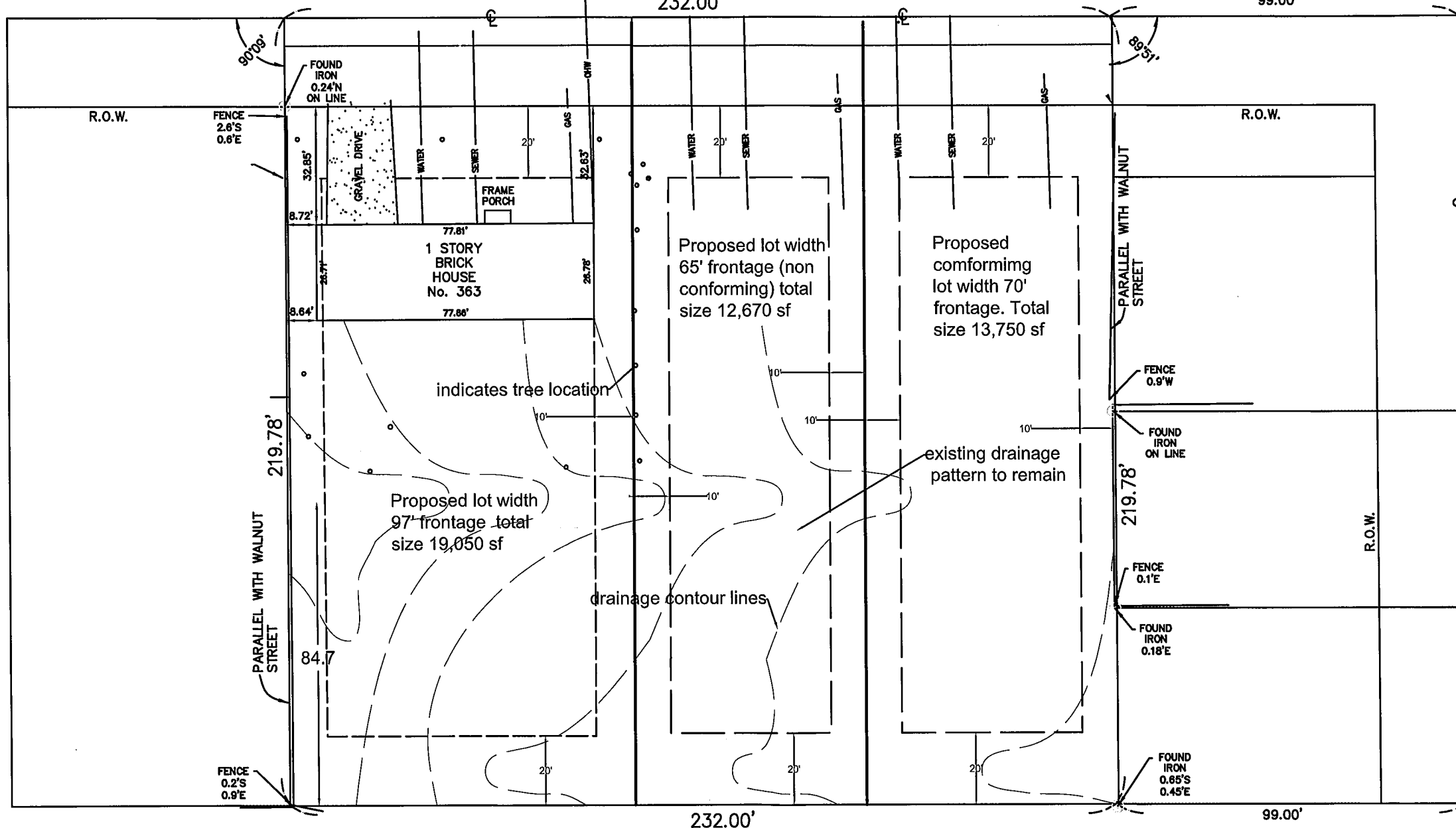
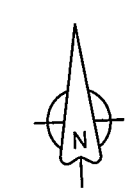


<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: Douglas Wolf <span style="float: right;">Date: 05/12/21</span></p> <p>Signature: </p>		

PROSPECT AVENUE (49.5' WIDE)

232.00'

99.00'



scale 1" = 20'

**PROPOSED 3 LOT SUBDIVISION  
363 PROSPECT AVENUE**



Chair, Schamberger called the hearing back into order at 7:20pm and read the following findings for 363 Prospect Ave.:

1. 363 Prospect Ave is located in an SFR District.
2. The existing residence was built in approximately 1970 and has a legal non-conforming side yard setback of 8.64' on the west side of the property.
3. The existing lot is 232' wide, 195.03' deep (removed ROW), and has approximately 45,247 sq ft in area. The current requirements for a new lot are 70' for lot width and 10,500 sq ft in area.
4. The applicant plans to split the parcel into three rectangular lots, two of which will be conforming in lot width and area.
5. The third center lot will only be 65' wide but will have 12,676 sq ft in area. This lot will require a 5' lot width variance.
6. The Planning Commission reviewed and made the recommendation for a different minor subdivision plan for this property for a minor subdivision into three lots and one of those lots was a flag lot. The Planning Commission will have to review this separate application at a future meeting if the ZBA grants this variance. The variance was referred to the Village Board for recommendation, the Village Board unanimously recommended approval on September 7, 2021 meeting.
7. An undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting of the area variance.
8. The benefits sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance.
9. The proposed variance is not substantial
10. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
11. The alleged difficulty was self-created
12. The proposed variance is the minimum variance deemed necessary and adequate and at the same time preserves and protects the character of the neighborhood and the health, safety and welfare of the community.
13. There were 87 notices sent out and 2 responses against and 2 responses in favor
14. This is a Type II action under SEQR.

Member Kimmel-Hurt made a motion to accept the proposed findings and to **GRANT** the variance for 363 Prospect Ave. The motion was seconded by Member Hoffman and unanimously carried.

**RESOLUTION AUTHORIZING THE ADOPTION OF A FUND BALANCE  
POLICY FOR THE VILLAGE OF EAST AURORA, NEW YORK**

**WHEREAS**, a fund balance policy is a key element of ensuring long-term economic and financial stability; and

**WHEREAS**, the objective of the Governmental Accounting Standards Board (GASB) Statement No. 54 "*Fund Balance Reporting and Governmental Fund Type Definitions*" is to enhance the usefulness of fund balance information by providing clearer fund balance classifications and by clarifying governmental fund type definitions; and

**WHEREAS**, Statement No. 54 is effective for financial statements for periods beginning after and therefore was effective for the Village's 2011-12 fiscal year ending May 31, 2012; and

**WHEREAS**, said fund balance policy has been updated and reviewed; and

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Village of East Aurora, New York hereby authorize the adoption of the attached Fund Balance Policy effective immediately.

## **Village of East Aurora Fund Balance Policy**

### **I. Purpose**

The Village of East Aurora recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the Village, is fiscally responsible, helps mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures) and assists in ensuring stable tax rates. This policy establishes goals and provides guidance concerning the desired level of year-end fund balance to be maintained by the Village of East Aurora.

### **II. Background**

The Governmental Accounting Standards Board (GASB) issued GASB Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions. Statement 54 abandons the reserved and unreserved classifications of fund balance and replaces them with five new classifications for Governmental Funds: non-spendable, restricted, committed, assigned and unassigned. GASB Statement No. 54 goes into effect for financial statements ending May 31, 2012.

### **III. Definitions**

Fund balance is a measurement of available financial resources and represents the difference between total assets and total liabilities in each fund.

GASB Statement No. 54 distinguishes fund balance classifications based on the relative strength of the constraints that control the purposes for which specific amounts can be spent. Beginning with the most binding constraints, fund balance amounts will be reported by the following classifications:

Non-spendable – Consists of assets that are inherently non-spendable in the current period either because of their form or because they are legally or contractually required to be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principal of endowments(e.g., principal of a permanent fund).

Restricted – Consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation (e.g. grants, donations and established reserve funds).

Committed – Consists of amounts that are subject to a purpose constraint imposed by a formal action of the Village’s highest level of decision-making authority before the end of the fiscal year, and the same level of formal action is required to remove the constraint.

Assigned – Consists of amounts that are intended to be used for a specific purpose established by the government’s highest decision-making authority, or by their designated body or official. Amounts cannot be assigned to a specific purpose if it would cause a deficit in the unassigned fund balance.

Unassigned – Represents the residual classification for the government’s general fund, and could report a surplus or a deficit. In funds other than the general fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for the specific purposes for which amounts had been restricted, committed or assigned.

#### **IV. Guidelines**

The fund balance of the Village’s General Fund has been accumulated to provide stability and flexibility and to respond to unexpected adversity and/or opportunities.

The Village shall strive to attain and maintain an adequate fund balance in its general fund to provide flexibility and to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures), to ensure stable tax rates, to provide for one-time opportunities and to retain favorable credit ratings. The Village will endeavor to maintain unassigned fund balances in its general fund of between forty-five percent (45%) and fifty percent (50%) of regular general fund total expenditures. This amount provides the liquidity necessary to accommodate the Village’s uneven cash flow, which is inherent in its periodic tax collection schedule, and to respond to contingent liabilities.

If the unassigned fund balance exceeds the 50% maximum fund balance percentage, the Village Budget Officer will evaluate current fund balance classifications in order to recommend the final distribution of fund balance in any fiscal year in consideration of estimated liabilities of the Village and sound financial planning.

The actual level of fund balance in the Village’s general fund is determined in its annual financial statement, several months after the end of the fiscal year. The Village’s budgeting process, which culminates both in the establishment of the following year’s tax rate and the use of any appropriated fund balance, begins approximately two years in advance of the financial statement that will show the budget’s results. Because of this time lag and because of the uncertainties of the budgeting process (such as the amounts of appropriated fund balance actually used each year), it is not possible to guarantee in advance a specific level of fund balance at the close of any fiscal year. Therefore, the Village will use the following procedure to adjust the levels of fund balance, as necessary.

1. Once the external auditor has reviewed the Village’s financial statements for the prior year and has confirmed the fund balances of the general fund, the Budget Officer will meet with the Capital Plan Committee to review and assign fund balance to future

capital projects and the department heads to review any departmental needs. Once assigned, the amounts and types of assignments for the fund balance will be included in a report with the financial to the Village Board.

2. The Board of Trustees will review these assignments, discuss them with the clerk-treasurer and the external auditor as necessary and accept or modify the assignments.
3. The Budget Officer shall make recommendations regarding the use of fund balance to be appropriated in the current or following year's budget based on this policy; specifically, he/she shall recommend an amount that will, in his/her estimation, retain the requisite/appropriate level of fund balances established in this policy based on current budgetary constraints and opportunities.

#### **V. Disbursement Policy for Fund Balances**

The Budget Officer will assess the current financial condition of the Village and review with the Capital Plan Committee the amount to be utilized for Capital Plan projects/equipment then recommend to the Board of Trustees the order of application of expenditures to which fund balance classification will be charged related to restricted or unrestricted amounts spent when an expenditure is incurred for purposes for which both restricted and unrestricted amounts are available.

The Village considers that committed amounts will be reduced first, followed by assigned amounts, and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

#### **VI. Fund Balance Classifications – Governmental Funds:**

The following is a listing of the new classifications for the Village's General Fund current reserves and designations:

##### Non-spending Fund Balance:

None

##### Restricted Fund Balance:

- Retirement contribution reserve (GML §6-r) – used for payment of “retirement contributions,” which are defined as all or any portion of the amount payable to either the New York State and Local Employees' Retirement System or the New York State and Local Police and Fire Retirement System, pursuant to Sections 17 or 317 of the Retirement and Social Security Law.
- Reserve for employee benefits accrued liability (GML §6-p) – established for payment of accrued employee benefits due to an employee upon termination of the employee's service. This includes payments for accrued leave time and

benefits due to termination or separation from service and payments for professional services rendered in connection with the investigation or settlements of claims or judgments relating to accrued employee benefits. This reserve is evaluated based on the Compensated Absence liability analyzed annually by the Village's auditors.

- Capital projects reserve for DPW Equipment, Police Equipment, Purchase of Trees, Fire Apparatus, Water Infrastructure, and Village Building Improvements, – used to pay the cost of construction, reconstruction or acquisition of a type of capital improvement or equipment. Capital reserves are evaluated based on the status of capital projects, capital improvement plans and equipment replacement plans.

Committed Fund Balance:

None

Assigned Fund Balance:

Reserved for Encumbrances – represents the amount of outstanding encumbrances at the end of the fiscal year.

Unassigned Fund Balance:

Undesignated fund balance – remaining fund balance that has not been designated or reserved.

**VII. Reference(s)**

- Governmental Accounting Standards Board (GASB) Statement No. 54
- New York State General Municipal Law
- Office of the New York State Comptroller, Local Government Management Guide, Reserve Funds
- Office of the New York State Comptroller, November 2010 memo – Fund Balance Reporting and Governmental Fund Type Definitions

**MODIFY 2021/2022 BUDGET**

November 15, 2021

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

**BE IT RESOLVED**, the Clerk – Treasurer is hereby authorized to modify the 2021/2022 Budget in the following manner:

Appropriated Fund Balance General Fund 3-0917 - \$ 793,339

Expenditures –Park Maintenance 5-7140-0420 - \$ 130,000

Leaf blower, lawn mower, Players building roof

Streets Maintenance Equipment 5-5110-0200 - \$ 125,000

Dump Truck

Village Administrator – Equipment 5-1325-0200 - \$20,000

Multifunction Copier and Industrial Scanner

Police Department – Department Equipment 5-3120-0230 - \$53,000

Police Vehicle and Movable Street Signs

Interfund Transfer- Capital – 5-9901-0903 - \$425,000

Oakwood project

Police and Fire Dispatch – Longevity – 5-3420-0125 - \$204

Police and Fire Dispatch – Deferred Comp – 5-3420-0126 - \$8275

Police Department – Deferred Comp – 5-3120-0126 – 10,000

Police Department – Wages and Patrol – 5-3120-0120 - \$21,860

Retirement payouts

Appropriated fund balance – water -3-0910 - \$270,000

Expenditures – Transmissions and distribution equipment F.-5-8340-0200 - \$40,000

Dump truck

Interfund Transfer – Capital – F-5-9900-0903 - \$230,000

Oakwood Project

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

**Fire Apparatus Reserve Increase**

November 15, 2021

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

**BE IT RESOLVED**, the Clerk – Treasurer is hereby authorized to increase the Fire Apparatus Reserve (1.0237 and 3.0870) in the sum of \$150,000 from unassigned fund balance (3.0917). This increase is in anticipation of buying a new pumper truck in approximately 3 years.

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





Return of Unpaid 2021-2022 Village Taxes

Trustee \_\_\_\_\_ offered the following resolution and moved for its adoption:

**WHEREAS** the Board of Trustees of the Village of East Aurora levied real property taxes against all assessable real property in the Village to meet local government requirements for the 2021-2022 fiscal year, and

**WHEREAS** the Village Clerk Treasurer of the Village of East Aurora has submitted a list of unpaid Village taxes for said year after servicing actions, and

**WHEREAS** the Village of East Aurora desires the Erie County Department of Real Property Tax Services to enforce the collection of delinquent Village taxes,

**NOW THEREFORE BE IT RESOLVED** that the attached list of delinquent real property taxes, representing Thirty - Four (34) parcels and totaling \$39,271.82 without penalties (\$43,965.18 with penalties) be submitted to the Erie County Department of Real Property Tax Services for relevy and subsequent reimbursement to the Village of East Aurora.

The foregoing resolution was seconded by Trustee \_\_\_\_\_ and unanimously carried.

Swis	Print Key	Location Number	Location Name	Tax Year	Bill Numbe	Customer Name	Principle Balance
142401	164.16-2-53.1		North St	2021	149	Hager & Sons, Inc.	2.05
142401	164.19-2-15	126	Buffalo Rd	2021	221	Murphy Dianne M	615.49
142401	164.19-3-24	233	Girard Ave	2021	245	Schilling Stephanie	1441.13
142401	164.20-11-13		South Grove St	2021	722	Lydell Boice	537.53
142401	164.20-11-21	440	Oakwood Ave	2021	729	Sherk Michael R	2454.32
142401	164.20-11-29	54	Walnut St	2021	737	HB3091, LLC	923.24
142401	164.20-11-30	46	Walnut St	2021	738	Lydell Boice	1573.61
142401	164.20-2-49		Shearer Ave	2021	480	Glen Mead I/k/o	2.05
142401	164.20-3-23.1		Maple Rd	2021	499	Kern Courtney Estate	2.05
142401	164.20-5-15.1	117	Whaley Ave	2021	564	Roth Truly J	1318.58
142401,57	164.20-7-34.2	510	Main St	2021	643	Krastev Steven	2639.41
142401	164.20-7-35	502	Main St	2021	644	502 Main Property, LLC	257.07
142401	165.13-2-7	744	Lawrence Ave	2021	966	Mars Glenn D	1717.23
142401	165.14-1-9.1		Warren Dr	2021	989	Yarnall Terence	116.94
142401	165.17-2-26		Church St	2021	1111	Peltan David G	145.67
142401	165.17-5-29	810	Main St	2021	1227	Schwartz Edward A ESTATE	1455.13
142401	175.07-1-14	22	Boies Aly	2021	1411	Biddeman Matthew J	996.62
142401	175.07-2-6./GD4	GD-U4	Woodbrook Dr	2021	1473	Marszalek Alice M	22.59
142401	175.08-1-23	288	Prospect Ave	2021	1511	Knox Rhonda K	1011.46
142401	175.08-9-44	298	Cazenovia St	2021	1836	Favata Jill C	1702.95
142401	175.12-3-2	473	Griggs Pl	2021	1995	Roller Christopher P	1961.38
142401	175.12-3-3		Griggs Pl	2021	1996	Roller Christopher P	119
142401	176.05-1-13	659	Millard Fillmore Pl	2021	2112	Conway Peter T	984.79
142401	176.05-1-3	17-21	Elm St	2021	2100	Martin K.Alixandra	2051.64
142401	176.05-1-34	28	Temple Pl	2021	2135	Wik Harold G	931.45
142401	176.05-1-35	26	Temple Pl	2021	2136	Wik Harold	933.5
142401	176.05-1-5	47	Elm St	2021	2102	47 Elm LLC	3408.62
142401	176.05-2-49	28	Olean St	2021	2198	Marks Dustin James	1654.19
142401	176.05-2-51	745	Ellis Pl	2021	2200	Marks Nancy Jayne	860.5
142401	176.05-5-43	128	Olean St	2021	2283	Smith Jack R II	2031.13
142401	176.05-6-20	705	Oakwood Ave	2021	2305	Hartel Shanan	2590.33
142401	176.05-6-26	699	Hilliker Ct	2021	2311	Conrad Cynthia R	2397.79
142401	176.09-1-30		Linden Ave	2021	2401	Young James I Jr	26.67
142401	176.10-1-9	292	Elmwood Ave	2021	2492	Faller Willis Jr.	385.71

39271.82

**CUSTOMER INTAKE INFORMATION**

Customer Name (full legal name)  
 Customer DBA  
 Address  
 Address  
 City / State / Zip

Village of East Aurora  
 Department of Public Works  
 400 Pine St. Ext  
 East Aurora, NY 14052

**AUTHORIZED OFFICER**

Full Name / Title  
 Email Address  
 Phone number  
 Sales Tax Exempt Status  
 Accounts Payable Contact and Phone  
 Accounts Payable Email Address \*receives EKOS invoices

Please indicate if you are exempt from sales tax. (Yes/No)  
 Christine Cappola / 716-682-6057  
 Christine.Cappola@east-aurora.ny.us

Please select your EKOS Products and Services

<input checked="" type="checkbox"/> EKOS SOFTWARE + SERVICES MENU	Quantity	Per Month Prices	Setup Fees (One-time)
<input checked="" type="checkbox"/> EKOS Fuel Site Module	1	\$80 per site	\$3,000
<input type="checkbox"/> EKOS Bulk Fuel Module		\$100 per site	
<input type="checkbox"/> EKOS Fuel Card Module		\$70 per site	
<input type="checkbox"/> EKOS Fleet Maintenance Module		See Section 3.5 for Pricing	\$10,000
<input type="checkbox"/> Cellular Connections		\$65 per controller \$20 per ATG	
<input type="checkbox"/> Site Compliance		\$20 per site	
<input type="checkbox"/> ATG Compliance		\$20 per gauge	
<input type="checkbox"/> REV		\$50 per device	
<input type="checkbox"/> Wireless Monitor Connect		\$20 per device	
<input type="checkbox"/> Bulk Fuel Concierge		\$.02 per gallon	
<input type="checkbox"/> Single Sign On (SSO) Integration			\$1,000
<input type="checkbox"/> Custom Development Requests			Quoted based on scope of work
<input type="checkbox"/>			
<input type="checkbox"/>			
<b>Total One-Time Setup Fees</b>			
<b>Total Monthly Amount</b>			
<b>Total Contract Amount (Minimum Amount Billed Over Term)</b>			

Customer acknowledgement:



# EKOS - SOFTWARE LICENSE AGREEMENT

## 1. Software License Agreement

1.1. This Software License Agreement (the "Agreement") is entered into by and between GE Software, Inc., a corporation organized and existing under the laws of the State of North Carolina, and having its principal office and place of business at 1410 Commonwealth Drive, Suite 102B, Wilmington, NC 28403 ("GE Software") and Customer listed on Page 1 of the Agreement. GE Software and Customer are referred to herein individually as "Party" or collectively as the "Parties".

## 2. Software License

2.1. GE Software hereby grants to Customer a nonexclusive, nontransferable license to use the EKOS Platform (the "Software License" or "Software Products") for the selected products and services on Page 1 of this agreement. Should customer elect to "upgrade" or add additional software features during the term of the contract, this license will automatically extend to those additional products and services.

2.1.1.1. Customer agrees that should it elect to use fuel cards, it shall: (a) exclusively use a GE Software approved or qualified universal fuel card program; (b) provide a list of authorized card holders ("Authorized Card Holders") to GE Software; (c) be solely responsible for determining whether a card holder is an Authorized Card Holder and is tax exempt for billing purposes; and (d) be solely responsible for controlling the use of the Fuel Cards. In exchange, GE Software shall issue Fuel Cards to the Authorized Card Holders designated by Customer, to facilitate fueling at Customer's Private Sites.

2.1.2. "Inventory Monitoring" – this includes online presentation of inventory values as well as historical archiving and other related features.

## 3. Fees, Charges

3.1. **Software Fee.** Customer shall pay GE Software based on the Products and services selected on page 1 of the Agreement, at the listed price per month. Should Customer elect to access new Software Products developed by GE Software, Parties will agree on amended pricing.

3.1.1.1. Company will invoice Customer Annually beginning at time of contract execution. On the first invoice, a count of active products and services will be taken and will serve as the basis for the initial annual invoice. If Customer is purchasing new equipment that is required to utilize the functionality of a specific product or service listed on Page 1 of this agreement, then Company will invoice Customer for the applicable product or service on the day the equipment ships from the manufacturer. It is the customer's responsibility to provide the required data and schedule installation to utilize the software.

3.1.1.2. Any time the Customer adds a billable product or service, a new prorated invoice will be sent to Customer for the new site and any applicable optional services and will be for the remainder of the current contractual year. If a site is installed any time during a month then Customer will pay for the month.

3.1.2. A "Private Site" shall mean any fueling location owned and/or operated by Customer and for which fuel transactions are processed through the Software Products. The number of Private Sites shown on page 1 of the Agreement may change over time, and any modification of the number or location of Private Sites shall be made by Customer using the form attached as Exhibit E.

3.1.3. Software Fees are fixed for the initial term of this agreement. GE Software reserves the right to increase fees for any products and services listed in this agreement by a maximum of 5% for any additional renewal term.

3.2. **Inventory Monitoring Fees (Optional).** Customer shall pay to GE Software an inventory monitoring fee of Twenty Dollars (\$20.00) per inventory monitoring device per month for cellular based connections, and Twenty Dollars (\$20.00) per device per month for wireless tank level gauges.

3.3. **Communication Fees (Optional).** Customer shall pay to GE Software a communication fee of Sixty-Five Dollars (\$65.00) per unit per month, provided, however that Customer shall not exceed a monthly data usage of 150 megabytes per device. Customer shall be liable on a per device basis for all data charges incurred for exceeding the allotted 150 megabytes per device limit, at a billable rate of \$.99 per megabyte. Customer shall also purchase the equipment necessary to provide the EKOS Brain Digital Communication Link at a price to be quoted by GE Software at the time Customer makes an election under this subsection.

3.4. **Guest Management (Optional).** Customer shall pay GE Software Three Cents (\$.03) per gallon, per month for all transactions by entities other than Customer that occur at a Private Site.

3.5. **Fleet Maintenance Module (Optional).** If Customer elects to use the EKOS Fleet Maintenance Module, customer shall pay an annual fee based on the Fleet Package Level chosen below and the number of assets to be managed in the Fleet Module at the start of each fiscal year. Customer can elect to purchase the Fleet Maintenance Module at any time during the life of this contract, and fees will be prorated based on date of purchase.

Package Level	Features	Price per asset per month
Level 1 – Track	Numerous additional database fields to track all facets of vehicles and assets	FREE
Level 2 – Maintain	Includes all features of Level 1 plus: PM's, Inspections, Reminders	\$4
Level 3 – Repair / Work	Includes all features of Level 1 and 2 plus: Work orders, technicians, parts management, service and expense entries, total vehicle cost calculations, iPad and tablet responsive for technicians	\$6
Level 4 – Manage	Includes all features of Levels 1,2, and 3 plus: Time Clock, driver management, vehicle assignments, GPS integrations, GPS discounts on Teletrac Navman, passive telematic solutions	\$7

Number of Assets to be managed: \_\_\_\_\_

Total Annual Cost (to be included on Page 1): \$ \_\_\_\_\_

**4. Term and Termination**

- 4.1 **Term.** This License Agreement shall commence on the Effective Date of this agreement (as defined herein), however, the term of this agreement will begin from the later of the Effective Date of this agreement; or the first invoice date in which all modules and services selected on Page 1 of this agreement are live and billable (Total Monthly Amount on Page 1) and shall continue in effect for Five (5) years thereafter. The Agreement shall be automatically renewed for additional terms of three (3) years each, unless either party gives written notice of termination to the other party as provided for herein (the "Renewal Term").
- 4.2 **Termination.** This Agreement and the license granted hereby may be terminated by either party for any reason or no reason upon one-hundred twenty (120) days written notice to the other party ("Termination for Convenience"), or, to the extent provided below, this Agreement shall terminate automatically without notice, in the event that either Party:
- fails to comply with the terms of this Agreement and such failure is not remedied within thirty (30) days of receipt of written notice from the other party;
  - becomes insolvent;
  - initiates any proceedings under bankruptcy, insolvency, reorganization or receivership law, or proceedings for liquidation;
  - is made a defendant in any such bankruptcy, insolvency, reorganization, liquidation or receivership proceedings or is placed in liquidation or receivership and such liquidation, proceedings or receivership is continued for sixty (60) days;
  - has any lien, petition or execution levied against the property and assets of that Party and such lien, petition or execution is not discharged within thirty (30) days;
  - makes a general assignment of its assets for the benefit of creditors or is unable to meet its debts in the ordinary course of business;

Upon the occurrence of any event specified in subsections (a) through (f) of this Section, the first Party to have notice of the occurrence shall immediately, in writing, notify the other Party and shall identify both the type of occurrence and the date of occurrence.

**5. Fuel Site**

5.1 GE Software shall not be responsible for any replacement parts, fueling equipment or software products that are damaged due to Acts of God, Customer negligence or repairs and/or service provided by technicians.

**6. Nonassignable and Nontransferable**

6.1 The license granted herein shall not be assignable or transferrable in any manner whatsoever nor shall Customer have the right to grant any sublicenses, except by written consent of GE Software. Any permitted assignment or other transfer of this Agreement shall bind the assignee, subcontractor or transferee and shall not relieve Customer from its obligations under this Agreement.

**7. Entire Agreement; Modification**

7.1. This Agreement sets forth the entire agreement and understanding between the parties as to the matters contained herein, and merges and supersedes all prior discussions, agreements and understandings of every kind between them as to the matters contained herein. No provision of this Agreement may be modified or amended unless such modification or amendment is agreed to in a writing signed by both of the parties hereto. Customer shall not assign its obligations hereunder without the prior written consent of GE Software.

**8. Notices**

8.1. Any notices required or permitted to be given under this Agreement shall be deemed sufficiently given if hand delivered or mailed by registered mail, postage prepaid, addressed to the party to be notified at its address shown at the beginning of this Agreement, or at such other address as may be furnished in writing to the notifying party.

**9. Governing Law**

9.1. This Agreement shall be interpreted in accordance with the laws of the State of North Carolina. For purposes of this Agreement, each party submits to the jurisdiction of the courts, both federal and state, in New Hanover County, North Carolina, and each party hereby agrees that all suits, actions and proceedings brought by any party hereunder may be brought in either federal or state court located in New Hanover County, North Carolina. Each party irrevocably waives, to the fullest extent permitted by law, any objection which it may now or hereafter have to the laying of the venue of any such suit, action or proceeding brought in any such court, any claim that any such suit, action or proceeding brought in such a court has been brought in an inconvenient forum and the right to object, with respect to any such suit, action, or proceeding brought in any such court, that such court does not have jurisdiction over such party or the other party.

**10. Intellectual Property**

10.1. Customer acknowledges and agrees that: (i) it has no right, title or interest, proprietary or otherwise, in or to the Software Products or any other GE Software Intellectual Property (defined below); (ii) the GE Software Intellectual Property is owned solely by, and is proprietary to, GE Software and embodies valuable trade secrets of GE Software; and (iii) this Agreement does not give, and shall not be construed to give, Customer any vested right, title or interest in or with respect to the GE Software Intellectual Property, except for a non-exclusive, limited and terminable right of access to the Software Products for the purposes of this Agreement. GE Software owns and will continue to own, without limitation, all GE Software Intellectual Property and all rights, title and interest in and to all ideas, works, custom reports, products, programs, procedures, plans, formats and other intellectual property of any kind created, prepared, developed or worked on by GE Software for Customer under this Agreement. As used herein, "GE Software Intellectual Property" means any copyrights, patent rights, trademarks, trade names, trade secrets, service marks, know-how (including, without limitation, all ideas, inventions, products, programs, software, procedures, customer lists, works, formats and other intellectual property) and any other similar rights or intangible assets recognized under any laws or conventions in any country or jurisdiction in the world as intellectual creations to which rights of ownership accrue, and all registrations, applications, extensions or reissues of the foregoing now or hereafter in force.

**11. Confidentiality**

11.1 Customer acknowledges that it may become aware of or familiar with Confidential Information of GE Software. "Confidential Information" shall mean any information relating to the business or affairs of GE Software including, but not limited to, information relating to the Software Products, other GE Software Intellectual Property, customer and client lists, pricing lists and methods, products, software, inventions, processes, procedures, techniques, formulae, design or other technical data, trade secrets, sources of products or materials, financial statements, equipment, programs, strategies and information, analyses, profit margins, or other proprietary information used by GE Software in connection with its business. During the term of this Agreement and for so long thereafter as



# EKOS - SOFTWARE LICENSE AGREEMENT

the Confidential Information remains proprietary to GE Software, Customer, for itself and its administrators, employees and agents, shall (a) keep the confidential Information secret and retain it in strictest confidence, and (b) not, without the prior written consent of GE Software, furnish, make available or disclose to any third party, or use for the benefit of Customer or any third party, any Confidential Information. Customer acknowledges that the Confidential Information is vital, sensitive, confidential and proprietary to GE Software and that this covenant is reasonable and necessary for the protection of GE Software' business interests. Customer acknowledges that the violation of any of the provisions of this Agreement will cause irreparable loss and harm to GE Software which cannot be reasonably or adequately compensated by damages in an action at law, and, accordingly, that GE Software will be entitled, without posting bond or other security, to injunctive and other equitable relief to enforce the provisions of this Agreement and to prevent or cure any breach or threatened breach thereof; but no action for any such relief shall be deemed to waive the right of GE Software to an action for damages. The rights and remedies of GE Software are cumulative and the exercise or enforcement of any one or more of them will not preclude GE Software from exercising or enforcing any other right or remedy. The obligations of the Customer and the rights of GE Software under this Agreement shall survive the termination of this Agreement regardless of the reason for or cause of the termination.

**12. Binding Effect; Authorized Signatory**

12.1. This Agreement shall bind and inure to the benefit of the parties hereto and their successors and permitted assigns. The individual executing this Agreement on behalf of Customer is a duly authorized representative of Customer with full power and authority to execute and deliver this Agreement on behalf of Customer and to bind Customer to its obligations hereunder.

**13. Amendment**

13.1. A modification, amendment or waiver of any of the provisions of this Agreement shall be effective only if made in writing and executed by the parties to this Agreement.

**14. Waiver**

14.1. A modification, amendment or waiver of any of the provisions of this Agreement shall be effective only if made in writing and executed by the parties to this Agreement.

**15. Severability**

15.1. If, in the final judgment of a court of competent jurisdiction, any provision of this Agreement is held to be invalid, said provision shall be considered void to the extent of such invalidity only, without invalidating any of the remaining provisions of this Agreement.

**16. Counterparts**

16.1. This Agreement may be executed in one or more counterparts, each of which will be deemed an original, and all of which together constitute one and the same instrument. Any facsimile or emailed signature attached hereto will be deemed to be an original and will have the same force and effect as an original signature.

**17. Disclaimer**

17.1. Except for any warranty otherwise expressly provided for herein, GE Software provides their services, software, equipment and systems on an "AS IS" BASIS, WITHOUT ANY WARRANTY OF ANY KIND, WHETHER ORAL OR WRITTEN OR EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ALL OF WHICH ARE EXPRESSLY DISCLAIMED BY GE SOFTWARE AND GE SOFTWARE. IN NO EVENT SHALL GE SOFTWARE HAVE ANY LIABILITY TO CUSTOMER OR ANY THIRD PARTY FOR ANY LOST PROFITS, LOSS OF DATA, LOSS OF USE, BUSINESS INTERRUPTION, OR ANY INDIRECT, SPECIAL, INCIDENTAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES HOWEVER CAUSED AND WHETHER IN CONTRACT, TORT, OR UNDER ANY OTHER THEORY OF LIABILITY. In addition, GE Software shall not be liable or held responsible for any delay or failure to perform or deliver all or any part of the services or products required to be performed or delivered hereunder as a direct or indirect result of any causes, contingencies or circumstances beyond GE Software's control or which make the fulfillment of this Agreement impracticable by GE Software.

IN WITNESS HEREOF, the Parties have executed this Agreement under seal, or caused this Agreement to be executed by their duly authorized officers, effective as of the last date of signing below (the "Effective Date").

Customer	GE Software, Inc.
By: <i>(Printed Name)</i>	By: <i>(Printed Name)</i>
Customer Signature:	Signature:
Title:	Title:
Date:	Date:



**EXHIBIT E: CHANGE REQUEST FORM**

ADDENDUM NO. \_\_\_\_\_

to the SOFTWARE LICENSE AGREEMENT

**THIS ADDENDUM NO.** \_\_\_\_\_ ("*Addendum*") dated \_\_\_\_\_ is between **GE SOFTWARE, INC.** and **CUSTOMER** (as defined below) is for the sole purpose of adding, deleting, or changing Site information to the Impulse Master Agreement dated \_\_\_\_\_, between Gilbarco and Customer (the "*Agreement*"). Except as modified by this addendum, the Agreement shall remain in full force and effect. Gilbarco and Customer desire to amend the Agreement as follows:

Add/ Change/ Terminate	Site Number	Site Name	Site Street Address	City, State, Zip	Site Contact	Site Phone #

**BILLING INFORMATION (Required for Processing)**

<b>Customer Name:</b>	<b>Contact Name:</b>	<b>Email:</b>
<b>Address:</b>	<b>City:</b>	<b>St:</b>
<b>Phone:</b>	<b>Fax:</b>	<b>Fed Tax ID:</b>
		<b>Zip:</b>

All capitalized terms used herein, unless defined, shall have the same meanings set forth in the Agreement. This Addendum is incorporated into the Agreement and made a part thereof. If any term of this Addendum conflicts with the terms of the Agreement, the terms of this Addendum shall control. This Addendum may be executed (i) in counterparts, and/or (ii) through the use of an electronic signature.

By signing below, the parties have executed this Addendum by their duly authorized representatives as set forth below. This Addendum is effective as of the date fully executed.

<b>Customer:</b>	GE Software, Inc.
<b>Signature:</b>	<b>Signature:</b>
<b>Name:</b>	<b>Name:</b>
<b>Title:</b>	<b>Title:</b>
<b>Date:</b>	<b>Date:</b>

Return signed Addendum to EKOS Contract Services Team: Email: [pd@mvekos.com](mailto:pd@mvekos.com)



**DECLARE SURPLUS PROPERTY**

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

**BE IT RESOLVED**, the Department of Public Works has a 2020 Bobcat 3400 Utility Truck (Number B53620354) for surplus property and is due to be traded in for the purchase of a new vehicle in the next 90 days.

**BE IT RESOLVED**, the Department of Public Works has a 2020 T450 Skid-Steer Loader (Number AUVPI7354) for surplus property and is due to be traded in for the purchase of a new vehicle in the next 90 days.

**BE IT RESOLVED**, the Department of Public Works has a 2020 S570 T4 Sid-Steer Loader (Number B4SC11244) for surplus property and is due to be traded in for the purchase of a new vehicle in the next 90 days.

**BE IT RESOLVED**, the Department of Public Works has a 2020 Bobcat E35 Compact Excavator (Number B3Y217662) for surplus property and is due to be traded in for the purchase of a new vehicle in the next 90 days.

The foregoing resolution was seconded by Trustee \_\_\_\_\_ and unanimously approved.

**Against both - Opt In.....YES Cannabis**

1. I am **in favor** of both dispensaries and consumption sites in the Village of East Aurora.

John Hamms  
118 Sycamore St  
East Aurora NY 14052

2. Since this is a polarizing issue, I would the board to know that as a village resident, I support a cannabis dispensary in East Aurora. It will be no different than Reed's or Aurora Liquor and you can now legally purchase unregulated Delta 8 products in multiple stores along Main Street. There is a dual benefit of tax revenue and public safety.

Pat Ebers  
590 South Street

3. Hello,

I am writing as a relatively new owner in the village to state that I completely agree with allowing dispensaries and possible lounges. I understand that these businesses would still have to be approved by the board prior to setting up shop. I believe there is a lot of fear mongering regarding this, including people leaving pamphlets in people's mail boxes.

Thank you,  
Caitlin ullery  
172 stoneridge court

4. Thank you! That would be great. Apologies for not following protocol here: I took the lead from a flyer that is asking residents to email Board members to oppose this measure. We live at 100 N Willow Street in the village.

Thank you!  
Ryan

5. Considering we have dozens of alcohol dispensaries/lounges within village limits, I don't see a problem in having the same for marijuana.

Thanks  
Amy Gipe  
212 Walnut Street  
14052

**For - Opt out.....NO CANNABIS**

1. I am against dispensaries of Marajuana in town. Jennifer Sharpless 168 Hamlin Avenue East Aurora , NY 14052

2. Dear Village Board Trustees –

It has recently come to my attention that you (the east Aurora Village Board Members) have voted to approve recreational marijuana dispensaries and lounges in the Village of East Aurora. I must say that I was shocked and saddened to hear of this development. We are parents of 2 young children (Joshua 4 yrs and Anne-Louise 1.5 years old), village homeowners & tax payers - and we are deeply concerned about this short-sighted decision that will do much harm to our community. Below please find some of our concerns & questions. I sincerely hope that this decision is not set in stone and that you'll take collective feedback from community members into account before making any

final decisions. Motivation ? What's the driver behind this? Why does the EA Village want to be a first-mover in such a risky new social / business experiment? I'm pretty sure that the answer is \$\$ money \$\$\$. EA Village will get 75% of the 9% excise tax... or 6.75%. Is that enough money to cover the extra police & equipment we will need to handle the massive increase in DUI driving incidents? Maybe we can use it to fund drug rehab programs for the people we push over the addiction edge by commercializing & normalizing pot ? Kidding (mostly kidding) aside – whatever your business case calculations are in terms of \$\$\$ “pouring” into EA – it will be significantly less when you take the negatives into account. You will need to spend more money on cleaning and public safety if you go down this path. How High ? NYS has no limitations as to the amount of THC in recreational marijuana. 20 years ago the average amount of THC was 4%. These days through innovation and pot farming advances we're looking at 20% average THC. This is literally a mind-numbing amount of THC and people will be extremely impaired and in our village (most likely driving in our village). The pot lounges will be selling high grade marijuana – so this is not like going out and having a glass of beer or wine with your dinner. If you're consuming marijuana in a lounge (bought from a dispensary) then you will soon be extremely impaired. Charming Village... We moved here to EA in March of 2020 and I can say that we have something special here. Loads of quaint shops, great restaurants, charming architecture... so why change the recipe ? What good will come of adding marijuana dispensaries / lounges to the mix of vibrant businesses in the EA village ? And who is it for ? EA Village locals – doubtful.. For outsiders to make EA a Pot Smoking destination (again driving here and out) – probably. And do we think that these pot-smoking pilgrims will come to EA and bless our other businesses with patronage? Maybe, but I'm not wild about having an influx of sky high people wandering around the Village. I'm not naïve enough to think that my kids will never be exposed to drugs and the dark problems associated with addiction, but I was hoping we found a place where we could raise our kids safely with wholesome examples of how to behave in society. Now you've brought something very ugly indeed to our doorstep. Village Code § 285-31.4 Adult uses. Legislative intent. Buildings and establishments operated as adult uses are determined to be detrimental and harmful to the health, safety, and general welfare of the community. In order to promote the health, safety, morals and general welfare of the residents of the Village of East Aurora, including property values, community character, quality of life, business climate and the prevention of crime, this article is intended to restrict adult uses to nonresidential, nonbusiness and noncommercial areas of the Village, and otherwise regulate their operation. Moreover, in that the operational characteristics of adult uses increase the deleterious impact on a community when such uses are concentrated, this article is intended to promote the health, safety, morals and general welfare and good order of the residents of the Village of East Aurora by regulating the concentration of such uses. This article is not intended to control the content of materials purveyed and is not an attempt to restrict the constitutional right to free speech. B. Restrictions. Adult uses, including adult bookstores, adult motion picture theaters, adult mini-motion picture theaters and adult entertainment establishments as defined by this Code, shall be permitted subject to the following restrictions. (1) No such adult uses shall be located within 1,500 feet of another existing adult use. (2) No such adult use shall be located within 200 feet of the boundaries of residential or commercial zoning district. (3) No such adult use shall be located within 500 feet of a preexisting school, church or other similar place of worship. (4) No such adult use shall be located in any zoning district except the GM District. If there is no turning back then I assume this section of the code is to be used ? See you next Monday the 15th and sincere wishes that you reconsider the consequences before making a final decision. Mike, Brena, Joshua and Anne-Louise Andres 493 Fillmore Avenue East Aurora, NY 14052

3. PLEASE VOTE TO OPT OUT OF BOTH LAWS PERMITTING CANNABIS LOUNGES AND DISPENSARIES. Please allow our community to properly digest this and talk to others who have already experienced this in similar communities. Please reconsider your votes. Protect our village from unnecessary hasty decisions . Thank you  
Rich Cox
4. Please rethink your votes to allow marijuana dispensaries and consumption sites in the village. I urge you to deny this until more information is available concerning the other actions of other communities. My understanding is that we would be alone in allowing this. We would draw not only our own citizens but all of Erie County! This might very well cause higher costs in policing and damage to life and property. East Aurora no longer would be known as the home of the Roycroft, but as the Marijuana Mecca of Erie County!  
Ann Laubacker 280 Perry Street East Aurora, NY 14052

5. Hello Village Board:

Once again, thank you for agreeing to a new hearing on the issue of opting in or out on cannabis dispensaries and lounges. I am firmly against having either in our small village; however, I did research this issue and came across a couple of interesting articles regarding how other N.Y. communities are dealing with this issue. I will place the links to the articles below. I am sure there are more articles out on the internet but these seem to reflect the reoccurring themes around the issue. It appears that due to the newness of the law and the fact that the cannabis board just came together as an entity, it would be wise for our village at this time to opt out until more information is known. It's wise to be prudent and cautious on this right now.

Also, if the village would ever opt in to either entity, a thorough review of present zoning laws as to where cannabis can be sold and consumed (example: consumed on the street or park) would need to be discussed. Links to articles for your

Review: [https://www.pressrepublican.com/news/lake-placid-central-superintendent-speaks-out-against-pot-dispensaries/article\\_62192104-2330-11ec-93ae-5b25bc9a1817.html](https://www.pressrepublican.com/news/lake-placid-central-superintendent-speaks-out-against-pot-dispensaries/article_62192104-2330-11ec-93ae-5b25bc9a1817.html)  
<https://geneseesun.com/ny-towns-scramble-to-opt-in-or-opt-out-of-cannabis-dispensary-permissions/> Thanks! Eric Apen 461 Oakwood Ave.

6. There is still hope for no dope in East Aurora

I was stunned last week when I read that the East Aurora village board failed to opt out of the New York State's plan to sell dope (a.k.a. marijuana, hooch, weed, grass, Mary Jane, hemp, cannabis) in our community. Not only did they approve the sale of dope in our village they will also permit dope smoking lounges. That would certainly be an attractive addition to our village ambience. Just think you could stroll down Main Street with your young impressionable family as the stoned dope addicts are lounging on the sidewalk patio of your local cannabis dispensary toking on their bond a.k.a. waterpipe filled with the latest release of organically grown highbred hashish. Wouldn't it be the ultimate of convenience to have our own local dope shop so that the entrepreneurs from Uber Dope could shuttle the marijuana with their plug-in Pruis throughout our village within minutes of placing your order with your dope app from your cell phone. An even better idea would be the convenience of a multilane drive-through dope shop. Just imagine the traffic stacked up onto Main Street which would make the Tim Horton's drive-through look like a day at the beach. The good news is that the police would not have to look very far to arrest people for driving while stone on the latest delicacy of cannabis or driving around with in open box of marijuana brownies. According to the accounts in the East Aurora Advertiser the initial discussions by the board members were in opposition to both of these proposals, hence I did not think it would be necessary to come to the public hearing and reinforce the same ideas. This is especially true given that our own chief of police was adamantly against both of these proposals. In my judgment I would side with the police department as they have the most relevant experience in dealing with the ravages of the multitude of problems from drug use. When looking at the minutes from the last public hearing at the village board meeting the majority of the emails supporting these proposals were industry sponsored illogical computer-generated propaganda. If someone really needs medical marijuana that is fine, they can go to the corner drugstore which is where controlled substances belong. For those residents of East Aurora who need to have a few tokes of the now legalize marijuana I am sure that Amazon will be exploiting this opportunity and delivering nickel bags conveniently to your front porch. The upside to selling dope in East Aurora and having dope lounges is that we would have an opportunity to share in this mythical revenue that legalize marijuana is supposed to generate. This is the ultimate statement of penny wise and pound foolish. It is my understanding that all the other surrounding communities had the common sense to turn down this wonderful opportunity. I cannot fathom how the East Aurora village board could conclude

that we should be the exception and become the dope capital for the Southtowns. It is a total fallacy to think that local zoning and regulations could somehow put guardrails on the cancer created by a local dope shop. Just think about the aroma disseminating from the exhaust fans of a dope smoking lounge. That would certainly add to the ambience in the village during one of our extremely popular festivals. What really amazes me is that if by slim chance this sin tax becomes a multi-million-dollar source of revenue for local communities we could certainly reconsider this wonderful opportunity and join the race to the bottom. I do not understand the rush to permit dope shops prematurely and impulsively on the basis of uninformed total speculation and conjecture. My suggestion is we hold off on this proposal as there will be no way to stuff the genie back into the bong pipe from an unwise decision. All kidding aside the genetically marijuana (gateway drug) of today puts to shame the grass joints that we may have tried in high school 40 years ago. Hence, I urge the silent majority of responsible residents to attend the public hearings at Village Hall on Monday, November 15 at 7 PM and let the board know that it is in the best long-term interest of our community to pass on these ill-conceived opportunities. It is time to now put an end to this reefer madness.

Respectfully submitted

Thomas L Hagner 542 Fillmore Ave. East Aurora, NY 14052

7. To all on the village board,  
I felt that this was an unfortunate but important article to read considering the recent discussion regarding marijuana dispensaries and consumption sites in the village. Thank you for time and service to this community.  
Arron Fisher 477 Fillmore Ave  
<https://www.wivb.com/news/top-stories/tonawanda-man-25-charged-with-running-over-killing-bicyclist-while-high/>

**OK with Dispensary only - do not want or are silent on consumption site**

1. I SUPPORT ALLOWING DISPENSARIES IN THE VILLAGE. I continually support local businesses and it is my understanding that dispensaries would be conducted with professionalism as represented by our present local business owners. I have traveled to locations that allow dispensaries and have found that the dispensary business is a positive influence on the town. Let's keep the legal revenue of this trade as a positive source of support to our village. The legal question of dispensaries is not the responsibility of the board, those laws were approved in state legislature. East Aurora should embrace this opportunity for the entrepreneurial spirit of this emerging contemporary trade.  
ALLOW DISPENSARIES IN THE VILLAGE OF EAST AURORA.  
Thank you for considering all of the village resident's voices.  
Marilyn Hayes  
527 North Street  
East Aurora NY 14052