

5A

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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Consolidation of all Water Districts, Extensions and Improvement Areas			
Project Location (describe, and attach a location map): The specific locations and designation of all Water Districts, Extensions and Improvement Areas			
Brief Description of Proposed Action: To consolidate all existing Water Districts, Extensions and Improvement Areas into one consolidated district to be known as Consolidated Water District No. 1. The consolidation will then permit consideration for a dissolution of the Consolidated Water District with anticipate dissolution of the district with transfer to the Erie County Water Authority pursuant to a Direct Service Agreement between the Town and the Erie County Water Authority. The action is deemed to be an Unlisted classification.			
Name of Applicant or Sponsor: Town of Aurora		Telephone: (716) 652-7590	
Address: 300 Gleed Avenue		E-Mail: supervisor@townofaurora.com	
City/PO: East Aurora		State: New York	Zip Code: 14052
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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Existing water districts, extensions & improve			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	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: _____ N/A	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input 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? 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: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input 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 checked="" 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 plan?	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,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input 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"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>James J. Bach</u> Date: _____		
Signature: _____ Title: <u>Supervisor</u>		

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Aurora

Name of Lead Agency

James J. Bach

Print or Type Name of Responsible Officer in Lead Agency

Date

Supervisor

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

SPECIAL DISTRICT: Resolution and Order after Public Hearing Authorizing the Consolidation of the Water Districts and Extensions Thereof Within the Town of Aurora

A regular meeting of the Town Board of the Town of Aurora, in the County of Erie, New York, held at the Town Hall, 300 Glead Avenue, East Aurora, New York, in said Town on the 14th day of January, 2019.

PRESENT: Supervisor Bach
Councilman Snyder
Councilman Harris
Councilwoman Jeffe
Councilwoman Friess

In the Matter:

of the
Proposed Consolidation of Water Districts Nos. 1-South, 1-North, 1-Ext. 1, 2-3-5, 6, 6-Ext.1, 6-Ext. 2, 7, 8, 9, 10-Ext.1, 10-Ext. 2, 10-Ext. 4, 10-Ext. 5, 11, 12, 14, 16, 16-Ext. 1, 17 and 18 and Water Improvement Areas 5 and 7 of the Town of Aurora pursuant to Article 17-a, Title 3 of the General Municipal Law of the State of New York and Section 198 of the Town Law of the State of New York.

WHEREAS, pursuant to the Order Calling Public Hearing adopted on December 10, 2018, a public hearing was duly called and held by the Aurora Town Board on January 14, 2019 at 7:00 p.m. at the Town Hall located at 300 Glead Avenue in the Village of East Aurora, and considerable discussion on the matter having been had and all persons desiring to be heard have been heard, including those in favor of and those in opposition to said consolidation; and

WHEREAS, the Town Board, pursuant to the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law (SEQRA), has duly considered and reviewed all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with SEQRA, as related to the impact of the consolidation of the districts and extensions;

NOW, THEREFORE, it is hereby

ORDERED, that Water Districts 1-South, 1-North, 1-Ext. 1, 2-3-5, 6, 6-Ext.1, 6-Ext. 2, 7, 8,9,10-Ext.1, 10-Ext. 2, 10-Ext. 4, 10-Ext. 5, 11, 12, 14, 16, 16-Ext. 1, 17 and 18 and Water Improvement Areas 5 and 7 of the Town of Aurora are hereby one consolidated district to be designated as Consolidated Water District No. 1 in the name of the Town of Aurora, pursuant to Article 17-a Title 2 of the General Municipal Law of the State of New York and Article 12 of the Town Law of the State of New York; and it is hereby

ORDERED, that the Town Clerk shall give notice of the Resolution of Consolidation in the East Aurora Advertiser, within ten (10) days of the adoption and shall post copies of the consolidation in public places.

DATED: January 14, 2019

ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA

Supervisor James J. Bach

Councilman Charles D. Snyder

Councilman Jeffrey T. Harris

Councilwoman Jolene M. Jeffe

Councilwoman Susan A. Friess

Members of the Town Board of the
Town of Aurora, New York

GH

**AGREEMENT FOR THE EXPENDITURE
OF HIGHWAY MONEYS**

AGREEMENT between the Town Superintendent of the Town of Aurora, Erie County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$315,250 shall be set aside to be expended for primary work and general repairs upon 59.30 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways:

(a) On Luther Road commencing at Grover Road and leading to Mill Road, a distance of 1.87 miles, there shall be expended not over the sum of \$371,600.

Type : polymer dense binder Width of traveled surface: 20 feet

Thickness: 3 3/4 inches Subbase _____

(b) On the road commencing at _____ and leading to _____, a distance of _____ miles, there shall be expended not over the sum of \$ _____.

Type _____ Width of traveled surface _____

Thickness _____ Subbase _____

(c) On the road commencing at _____ and leading to _____, a distance of _____ miles, there shall be expended not over the sum of \$ _____.

Type _____ Width of traveled surface _____

Thickness _____ Subbase _____

Executed in duplicate this _____ day of _____, 20____

Supervisor

Councilman

Councilman

Councilman

Councilman

Town Superintendent

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

BUDGET TRANSFER SUMMARY

HIGHWAY

FROM :	DB 5142.140 SNOW-OVERTIME	\$ 5,332. ⁰⁰	
TO :	DB 5110.410.1 FUEL/OTHER	\$ 875. ⁰⁰	} \$ 5332. ⁰⁰
	DB 5110.433 MATERIAL/SUPPLIES	\$ 630. ⁰⁰	
	DB 5140.100 WAGES	\$ 107. ⁰⁰	
	DB 5142.449 SNOW REMOVAL	\$ 3,720. ⁰⁰	

RUBBISH DISTRICT

FROM :	SR 8189.100 RUBBISH	\$ 1,139. ⁰⁰	
TO :	SR 8189.401 RECYCLING SVCS	\$ 1,122. ⁰⁰	} \$ 1,139. ⁰⁰
	SR 8189.402 ADVERTISING	\$ 17. ⁰⁰	



BUDGET TRANSFER REQUEST FORM

Please note the following guidelines:

- A shortage of **less than \$750 per line** can be satisfied with this form requesting a budget transfer(s) between lines that are **within the responsibility of a single Department Head**. These will require the **approval of the Supervisor**.
- A shortage of **\$750 or more per line** can be satisfied with this form requesting a budget transfer(s) between lines that are **within the responsibility of a single Department Head**. These will require the approval of the Town Board.
- A shortage of **any amount** can be satisfied with this form requesting a budget transfer(s) between lines which fall under the **responsibility of different Department Heads**. These will require the approval of the Town Board.
- Budget transfers must be made **PRIOR** to the expenditure.
- **All budget transfers must be submitted to the Supervisor's Office using this form.**

Department Head Name (printed): David Gunner
 Signature: [Signature] Date: 1/8/19

I am requesting the following budget transfer(s):

1. \$ 875 From (account number): DB 5142.140 Current Balance 10,160.12
 To (account number): DB 5110.410.1 New Balance ~~9,285.12~~ +.24
 Reason: Fuel prices increased during the year
2. \$ 454 From (account number): DB 5142.140 Current Balance 9,285.12
 To (account number): DB 5110.433 New Balance ~~8,831.12~~ +.08
 Reason: Blacktop prices were higher this year.
3. \$ 176 From (account number): DB 5142.140 Current Balance 8,831.12
 To (account number): DB 5112.433 New Balance \$.82
 Reason: Blacktop prices were higher this year

Approvals:

Supervisor Signature: _____ Date: _____
 Town Board Approval Meeting Date: _____ Action #: _____



BUDGET TRANSFER REQUEST FORM

Please note the following guidelines:

- A shortage of less than \$750 per line can be satisfied with this form requesting a budget transfer(s) between lines that are within the responsibility of a single Department Head. These will require the approval of the Supervisor.
- A shortage of \$750 or more per line can be satisfied with this form requesting a budget transfer(s) between lines that are within the responsibility of a single Department Head. These will require the approval of the Town Board.
- A shortage of any amount can be satisfied with this form requesting a budget transfer(s) between lines which fall under the responsibility of different Department Heads. These will require the approval of the Town Board.
- Budget transfers must be made PRIOR to the expenditure.
- All budget transfers must be submitted to the Supervisor's Office using this form.

Department Head Name (printed): David Gunnar

Signature: [Signature] Date: 1/8/19

I am requesting the following budget transfer(s):

1. \$ 107 From (account number): DB 5142.140 ✓ Current Balance 4655.12
 To (account number): DB 5140.100 ✓ New Balance ~~8,831.12~~ \$38

Reason: to rectify a shortage in brush labor

2. \$ 3,720 From (account number): DB 5142.140 ✓ Current Balance ~~8,724.12~~ 8548.12
 To (account number): DB 5142.449 ✓ New Balance ~~5,004.12~~ 19.69

Reason: salt prices increased 60% in August

3. \$ _____ From (account number): _____ Current Balance _____

To (account number): _____ New Balance _____

Reason: _____

Approvals:

Supervisor Signature: [Signature] Date: _____

Town Board Approval Meeting Date: _____ Action #: _____



BUDGET TRANSFER REQUEST FORM

Please note the following guidelines:

- A shortage of **less than \$750 per line** can be satisfied with this form requesting a budget transfer(s) between lines that are **within the responsibility of a single Department Head**. These will require the **approval of the Supervisor**.
- A shortage of **\$750 or more per line** can be satisfied with this form requesting a budget transfer(s) between lines that are **within the responsibility of a single Department Head**. These will require the approval of the Town Board.
- A shortage of **any amount** can be satisfied with this form requesting a budget transfer(s) between lines which fall under the **responsibility of different Department Heads**. These will require the approval of the Town Board.
- Budget transfers must be made **PRIOR** to the expenditure.
- **All budget transfers must be submitted to the Supervisor's Office using this form.**

Department Head Name (printed): David Gunner

Signature: [Signature] Date: 1/8/19

I am requesting the following budget transfer(s):

1. \$ 1,122 From (account number): SR 8189.100 ✓ Current Balance 1,382.61 ✓
 To (account number): SR 8189.401 ✓ New Balance ~~260.61~~ + \$156
 Reason: unexpected leaf vac repairs & added an electronics ^{plu} _{per request}

2. \$ 17 From (account number): SR 8189.100 ✓ Current Balance 260.61 ✓
 To (account number): SR 8189.402 ✓ New Balance \$15
 Reason: Advertising costs ^{slightly} increased this year

3. \$ _____ From (account number): _____ Current Balance _____
 To (account number): _____ New Balance _____
 Reason: _____

Approvals:
 Supervisor Signature: _____ Date: _____
 Town Board Approval Meeting Date: _____ Action #: _____



SUPERVISOR
JAMES J. BACH
(716) 652-7590
jbach@townofaurora.com

6J

M/...
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
300 Glead Avenue, East Aurora, NY 14052
www.townofaurora.com

MEMO

TO: Town Board
FROM: Kathleen Moffat
RE: Non-Mandatory Disability Insurance Coverage
DATE: 01/14/19

I respectfully request the Board amend the list of job titles covered by non-mandatory disability insurance for Town employees who regularly work forty (40) hours or more per week due to previously approved personnel changes. The updated list is as follows:

- Assessor
- Assessment Clerk
- Assistant Code Enforcement Officer
- Assistant to the Supervisor
- Clerk(s) to Town Justice
- Code Enforcement Officer
- Deputy Town Clerk(s)
- Recreation Director
- Recreation Supervisor
- All Full-Time Union Personnel

6K

POST-ISSUANCE TAX COMPLIANCE AND CONTINUING DISCLOSURE COMPLIANCE PROCEDURES

- To reaffirm resolutions adopting Post-Issuance Tax Compliance and Continuing Disclosure Compliance Procedures previously adopted.

RESOLVED, that the resolutions adopting post-issuance tax compliance and continuing disclosure compliance procedures previously adopted are hereby reaffirmed.

Martha Librock

From: Jeffrey W. Stone & John A. Alessi <BondGroup@hodgsonruss.com>
<BondGroupMailbox@hodgsonruss.com>
Sent: Wednesday, October 17, 2018 10:48 AM
To: Martha Librock
Cc: James Bach; lawbdk@aol.com; Stone, Jeffrey; Alessi, John; Dinsmore, Emily; Mark, Andrew
Subject: Town of Aurora; SEC-Driven Continuing Disclosure Compliance Procedures
Attachments: 17734502_1.docx; 17722682_1.docx

Hi Martha,

Following from your recent discussion with Andrew Mark, here is an extract of minutes document containing a resolution for the Town to adopt SEC-driven continuing disclosure compliance procedures. We have drafted these procedures for consideration by the Town Board at the meeting scheduled for November 13. Also attached is a short resolution we recommend be included in the January reorganizational meeting agendas, which will serve to reaffirm the Town Board's adoption of post-issuance tax compliance procedures (previously adopted) and the attached continuing disclosure compliance procedures.

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We are sending these to you in Word format so that they can be easily inserted into the Town's meeting minutes. Please see the included cover letter for additional details. We will work with you to make sure that these procedures fit nicely into your meeting minutes. We are also happy to review your minutes after the resolution has been inserted.

In the continuing disclosure resolution, we have named the Town Supervisor as the compliance person since it is our understanding that he keeps the records for the Town's bond and note issues. If a different person would be appropriate, that person can be substituted prior to adoption of the resolution.

Background

Because the Town has issued bonds and notes in amounts in excess of \$1,000,000, which were marketed publicly (instead of being directly negotiated with a bank), the Town had to release detailed "official statements" as part of the bond and note marketing. As such, the Town has since been subject to certain continuing disclosure requirements under federal securities law.

While the Town has likely contracted with Municipal Solutions to help with this, these procedures are designed to further assist the Town with SEC compliance by making sure that the Town's offering documents contain truthful statements, and that the Town's continuing disclosure requirements are met. This is not a substitute for Municipal Solutions' work—instead it complements it.

Please forward these documents to additional Town officials as you see fit.

If you have any questions regarding any of the above, please contact Andrew Mark (716.848.1754) or one of the other attorneys listed below.

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6L

2019 Proposed Legislative Program

Submitted for consideration by the Association of Towns Resolutions Committee

*Anthony Provenzano, Town Justice, Town of Rye, Westchester County
First Vice President, Association of Towns, Chair of the Resolutions Committee*

1. Strengthening State Relations through Mandate Relief and Revenue Sharing
2. Preserve and Strengthen Home Rule
3. Continue Town-Initiated Intermunicipal and Shared Service Agreements
4. Relief from Recycling Mandates
5. Increase Justice Court Funding
6. State Support for Local Highway Administration
7. Fund Local Water, Sewer and Stormwater Infrastructure
8. Increase the Number of DEC Forest Rangers
9. Oppose State Takeover of Utility Property on Private Rights-of-Way
10. Eliminate the "Dark Store Theory" as a Valuation Method to Reduce Real Property Tax Assessments
11. Support Local Hotel Occupancy Taxes
12. Sales Tax Distribution
13. Retiree Capped Earnings
14. Publication of Legal Notices
15. Restore the Full SALT and Mortgage Interest Deduction
16. Reform Inequities in the Property Tax Cap Formula
17. Cell Phone Service in the Adirondacks
18. Support Funding for Rural Broadband Deployment while Preserving Local Authority
19. Authorize an Optional Town Gross Receipts Tax(GRT)

Resolution No. 1

Strengthening State Relations through Mandate Relief and Revenue Sharing

WHEREAS, local governments perform a number of public services such as protecting the environment, responding to emergencies, caring for those in need and fostering economic growth; and

WHEREAS, complying with state and federal regulations and mandates increases the cost of local services; and

WHEREAS, state revenue sharing, program funding and technical assistance has not kept pace with the costs to provide these services; and

WHEREAS, without state funding, many of these services are funded with local real property taxes; and

WHEREAS, the state has evinced a commitment to reduce property taxes with the enactment of the Real Property Tax Cap; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the Governor and the Legislature to enact comprehensive mandate relief legislation that provides permanent and full funding of existing and future mandates and that requires all legislation to include thorough local fiscal impact notes regarding the actual expense of implementing said legislation; and BE IT FURTHER

RESOLVED, that the Association of Towns calls upon the Governor and the Legislature to increase revenue sharing, program funding and technical assistance to localities.

Resolution No. 2

Preserve and Strengthen Home Rule

WHEREAS, the New York State Constitution grants broad home rule powers to local governments and places restrictions on the state Legislature in order to preserve these powers; and

WHEREAS, home rule powers encompass a wide range of subjects, including but not limited to: the power to adopt, amend and repeal local laws in the exercise of its functions, powers and duties; the power to share services and act cooperatively with other local governments; the power to acquire real and personal property for its corporate purposes; the power to establish recreational facilities; the power to dispose of its real and personal property; the power to levy and collect rents and/or penalties in a city, village or town; the power to adopt, amend and repeal zoning regulations; and the power to perform comprehensive or other planning work relating to its jurisdiction; and

WHEREAS, under Municipal Home Rule Law and the Statute of Local Governments, a local government's home rule powers must be liberally construed; and

WHEREAS, the exercise of home rule powers allows local governments to meet the unique and diverse needs of local residents while also fostering citizen participation and grassroots involvement in government; and

WHEREAS, New York's diverse communities are best served by maintaining the principles of home rule, including those set forth in the state Constitution, Local Government Bill of Rights, Statute of Local Governments and the Municipal Home Rule Law; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the Governor and the Legislature to preserve and strengthen home rule; and BE IT FURTHER

RESOLVED, that the Association of Towns strongly opposes any state initiative that ultimately weakens or eliminates New York's long-standing tradition of home rule and local government authority.

Resolution No. 3

Continue Town-Initiated Intermunicipal and Shared Service Agreements

WHEREAS, shared services and efficiency programs, such as the Countywide Shared Services Property Tax Savings Plan and Tax Freeze Efficiency Program, have been included or extended in the state budget recently; and

WHEREAS, towns have the authority under General Municipal Law Article 5-G to share services and have been doing so for generations well before these programs were enacted; and

WHEREAS, towns are fiscally responsible, and over the course of decades, realized significant savings of taxpayer money from sharing services; and

WHEREAS, towns could expand the type of shared services or more easily implement shared services if legislative barriers were removed; and

WHEREAS, state shared services programs require time and resources that may be better spent by towns to provide services; **NOW THEREFORE BE IT**

RESOLVED, that in keeping with towns' longstanding practice of saving taxpayer money through shared services, the Association of Towns calls on the Governor and state Legislature to encourage and support town-initiated shared services and intermunicipal cooperation without state mandates or restrictions.

Resolution No. 4

Requesting State Action to Address Recycling Mandates in a Time of Crisis

WHEREAS, towns operate solid waste transfer stations, and as such, are required to comply with the numerous and complicated set of regulations imposed by New York State that regulate their operations, including a significant set of rules pertaining to recycled materials; and

WHEREAS, recycling has become a worldwide commodity in which China, the largest buyer of recycling materials in the world, has recently enacted a number of policies that effectively restrict the amounts and kinds of recycling exports from the United States to China; and

WHEREAS, these restrictive policies have increased the cost of disposal of recycled materials to municipalities to now approach tipping fees for regular trash; and

WHEREAS, these world events are causing unsustainable cost increases of recycling material disposal for municipalities; and

WHEREAS, the worldwide commodity situation for recycled materials is unlikely to change in the short-term; and

WHEREAS, the disposal of recycled materials previously provided municipalities a small revenue stream, but current events now make their disposal a growing cost to municipalities; and

WHEREAS, raising tip fees and other costs associated with recycling often have detrimental environmental effects such as "dumping" on both private and public lands; and

WHEREAS, towns recognize that recycling is an important component of environmental stewardship, **NOW THEREFORE BE IT**

RESOLVED, that the Association of towns requests the Governor and any relevant executive departments to re-evaluate current laws, policies and administrative interpretations in order to relieve the added and growing costs of processing and disposal of recycling materials; and **BE IT FURTHER**

RESOLVED, that the Association of Towns requests that New York State modify mandates relating to recycling and provide municipalities with a subsidy to, at a minimum, offset the current losses being incurred by municipalities who properly dispose of recycling materials.

Resolution No. 5

Increase Justice Court Funding

WHEREAS, town justice courts provide an essential service that is primarily funded by local real property taxes, and the state-established reimbursement fund (General Municipal Law (GML) §99-L), designed to assist local governments with the operational expenses of justice courts, has not been amended to reflect an increase in operational expenses for the past 20 years; and

WHEREAS, the fees to commence an action in small claims court have not been increased since 1996 (Uniform Justice Court Act §1803; Chapter 309 of the Laws of 1996 - \$10 filing increase for claims in the amount of \$1,000 or less and the \$15 filing increase for claims in the amount of more than \$1,000); and

WHEREAS, the \$25 per diem translation services reimbursement fee has not be increased in more than 40 years (Judiciary Law §387); and

WHEREAS, Justice Court Assistance Program (JCAP), which provides state funding for town and village justice court operations, materials, facilities and training, is underfunded; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns requests legislative action to increase statutory fees and JCAP funding to assist local taxpayers in funding justice court operational expenses.

Resolution No. 6

State Support for Local Highway Administration

WHEREAS, local highways and bridges make up 85 percent of our state's highway system; and

WHEREAS, recent local road system studies continue to identify a multibillion dollar shortfall in funding for local highways and bridges; and

WHEREAS, upgrading the state's 90,000 miles of county and town roads to meet the American Association of State Highway Transportation Officials (AASHTO) minimum standards would cost more than \$9.7 billion; and

WHEREAS, there is a need to statutorily empower local highway superintendents, town boards and engineering professionals to make decisions regarding the maintenance, reconstruction and construction of local low-volume and minimum maintenance roads; and

WHEREAS, the New York State Local Road Classification Task Force developed guidelines for a design process for rehabilitation projects on low-traffic roads, including recommendations for pavement width, bridge width, roadside clear zones and minimum maintenance standards for rural roads that access and protect farms, forests and recreational land; and

WHEREAS, towns are limited in the amount that they can annually levy to fund highway equipment purchases without engaging in the expense of a referendum; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the Governor and Legislature to increase the base funding for the Consolidated Highway Improvement Program (CHIPS), PAVE-NY and BridgeNY; and BE IT FURTHER

RESOLVED, that the Association of Towns calls upon the Governor and Legislature to authorize localities to make local road classifications as recommended by the NYS Local Road Classification Task Force, which promotes efficient use of taxpayer resources, safe travel and farm, forest and open space preservation; and BE IT FURTHER

RESOLVED, that the Association of Towns supports amending Highway Law, §271 to authorize towns to increase the amount of taxes they can levy annually without the expense of a referendum to purchase highway equipment.

Resolution No. 7

Fund Local Water, Sewer and Stormwater Infrastructure

WHEREAS, communities within New York State maintain extensive networks of intertwined infrastructure critical to public health and our state and local economies; and

WHEREAS, many municipalities are responsible for water systems, sewer systems, stormwater facilities and other infrastructure constructed decades ago under earlier, and possibly outdated, regulatory standards; and

WHEREAS, these systems are owned and maintained at various levels of government and require regular maintenance, analysis and upgrades; and

WHEREAS, while New York State provides application-based funding assistance on a case-by-case basis, the need for improvements to the state's infrastructure impacts the public health of all of our communities; and

WHEREAS, in 1981, the state launched the Consolidated Local Street and Highway Improvement Program (CHIPS), which provides consistent funding assistance for the maintenance of local roads; and

WHEREAS, CHIPS provides a successful model for the distribution of state funding through a fair and equitable formula, ensuring that every municipality receives assistance for sanitary sewer, drinking water and stormwater systems; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns hereby supports a New York State dedicated funding program to provide a fair and equitable formula to distribute funds annually to municipalities to ensure the integrity and reliance of municipal water, wastewater and stormwater infrastructure.

Resolution No. 8

Increase the Number of Department of Environmental Conservation Forest Rangers

WHEREAS, NYS forest rangers have provided care, custody and control of the Forest Preserve and all DEC-managed lands throughout the state since 1885, protecting the valuable natural resources and the people who recreate there; and

WHEREAS, forest rangers are unparalleled stewards of the land who are police officers, wild land firefighters and wilderness first responders that patrol these lands year-round; and

WHEREAS, the addition of more than 1 million acres of DEC-managed lands the last several decades without staffing increases has caused the ratio of DEC-managed lands per ranger to grow from one ranger per 28,516 acres in 1970 to one ranger per 53,752 acres today; and

WHEREAS, the dramatic increase in recreational use of state lands has led to a corresponding increase in the number of search and rescue operations. In both 2015 and 2016, forest rangers participated in more than 300 incidents annually, numbers that had not been met in the rangers' previous 130 years of existence; and

WHEREAS, communities rely heavily on tourism associated with state land recreation which, gratefully, has been well-promoted by this administration; and

WHEREAS, forest rangers are essential to providing a safe and positive recreational experience for tourists using state land; and

WHEREAS, the current level of forest ranger staffing, 137 statewide including supervisors, is not adequate to fulfill their unique mission given the amount of land they patrol and the number of incidents to which they respond; and

WHEREAS, the PBA of NYS has proposed increasing the number of forest rangers staffing to 175; and

WHEREAS, the proposal by the PBA of NYS to increase forest ranger staffing has wide public and bipartisan support from local governments, business groups, environmental groups and outdoor recreation clubs for the simple reason that it protects the people from the land and the land from the people; and

WHEREAS, this proposal represents the best solution to address the increase in public lands and its usage rates;

NOW THEREFORE BE IT

RESOLVED, that the Association of Towns supports increasing the number of forest rangers to 175 state-wide, which is deemed critically important to the state protection of state land, the environment and the people of the State of New York.

Resolution No. 9

Oppose State Takeover of Utility Property on Private Rights-of-Way

WHEREAS, utility property located in private rights-of-way is currently assessed by the local municipality where such property is located; and

WHEREAS, the state adopted legislation directing the commissioner of taxation and finance to submit a report analyzing the economic, policy and legal objectives that would be served by the establishment of an assessment ceiling program for all public utility mass property within the state; and

WHEREAS, the establishment of such a program would result in the state taking over the important local function of the assessment of utility property located in private rights-of-way; and

WHEREAS, such takeover would result in the loss of local assessment of utility property in private rights-of-way, as well as the potential loss of tax revenue to local municipalities due to the state not adequately reflecting the value of such property; and

WHEREAS, local assessors are the public officers vested with the statutory authority to determine the value of property within their locality, and to divest them of such authority is contrary to public policy; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the Governor and state Legislature to ensure that the assessment of utility property in private rights-of-way remains under the control of the local municipality where such property is located.

Resolution No. 10

Eliminate the "Dark Store Theory" as a Valuation Method to Reduce Real Property Tax Assessments

WHEREAS, New York State Real Property Tax Law Section 305 requires real property to be assessed at a uniform percentage of value in each assessing unit; and

WHEREAS, the owners of real property in New York State are assessed on their property as it existed on the applicable taxable status date; and

WHEREAS, assessors use three approaches in valuing real property, including the cost approach, the income approach and the sales approach; and

WHEREAS, a fair and uniform indicator of property value to assist in assessment is the sale of a similar-use, comparable property; and

WHEREAS, there is a national trend to use the "Dark Store Theory" when assessing "big box" real property parcels; and

WHEREAS, the "Dark Store Theory" relies on the use of shuttered, deed-restricted and abandoned properties that are in no way similar to lighted stores as comparables; and

WHEREAS, the real estate tax revenue that would have been generated from a "Dark Store" that was properly assessed will be shifted and redistributed to the remaining taxpayers within the jurisdiction, increasing their tax burden; and

WHEREAS, big box retailers require local governments to extend public services and infrastructure and should be assessed accordingly; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the Governor and state Legislature to adopt legislation prohibiting the use of the "Dark Store Theory" as a valuation method in real property assessment.

Resolution No. 11

Support Local Hotel Occupancy Taxes

WHEREAS, towns do not have the authority to impose a hotel or motel occupancy tax on room rentals within their jurisdiction; and

WHEREAS, a hotel or motel occupancy tax would provide an additional revenue source for towns that would reduce the need to rely on real property taxes to fund town services and operations; and

WHEREAS, the Governor and the New York State Legislature support the reduction of real property taxes; and

WHEREAS, the Governor has stated that he will consider a comprehensive statewide policy advanced by the Legislature authorizing additional municipalities to impose local hotel/motel occupancy taxes; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls on members of the New York State Legislature to adopt legislation giving all municipalities the option of imposing a hotel or motel occupancy tax.

Resolution No. 12

Sales Tax Distribution

WHEREAS, sales tax collection represents an important source of revenue that many towns use to help defray the rising costs of providing services or property taxes at the town or county level; and

WHEREAS, counties are authorized by Article 29 of the New York State Tax Law to impose a tax on the sale of certain goods; and

WHEREAS, a county legislature has the option of using all or a portion of its sales tax revenues solely for county or education purposes, or it may apportion some between its towns and cities (Tax Law, §1262); and

WHEREAS, a county legislature is additionally authorized to make an agreement with any city or cities in the county to allocate a specific portion of these revenues to such city or cities; and

WHEREAS, cities have the right to pre-empt application of the county sales tax and impose their own local sales tax; and

WHEREAS, towns do not yet enjoy the right to levy their own local sales tax, pre-empt the in-town application of the county sales tax or require the county to negotiate a sales tax allocation agreement; and

WHEREAS, local sales taxes are generally levied at the county level, and sales tax proceeds are distributed to other units of government within county boundaries in accordance with local sharing agreements entered into at the discretion of the county; and

WHEREAS, in counties where the county shares sales tax with towns, towns can receive their sales tax distribution in one of three ways: (1) as an offset to reduce county property taxes levied in a town; (2) in cash, or (3) a combination of the two; and

WHEREAS, the state has imposed a real property tax levy cap on all municipalities, effectively limiting the ability of the towns and villages to keep pace with the rising costs of employee health insurance, retirement system costs and other expenses and increasing the need for towns to rely on alternative revenue sources such as sales taxes; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the Governor and the state Legislature to amend the New York State Tax Law to require county governments governed by separately elected legislators to share sales tax revenue with towns and to negotiate sales tax allocation formulas with towns; and BE IT FURTHER

RESOLVED, that non-negotiated changes to a county sales tax allocation formula be subject to a permissive referendum.

Resolution No. 13

Increase Retired Public Officers' and Employees' Capped Earnings under the Retirement System

WHEREAS, many towns rely on the service of retired public officers and employees; and

WHEREAS, under Retirement and Social Security Law § 212 public retirees may earn only up to \$30,000 from post-retirement public employment without diminution of retirement earnings; and

WHEREAS, updating the amount for inflation would equate to \$35,000; and

WHEREAS, legislation is routinely introduced to amend Retirement and Social Security Law §212 to increase the salary cap to \$35,000; and

WHEREAS, hiring public retirees allows towns to employ experienced individuals at a reduced cost, thus saving taxpayer money; **NOW THEREFORE BE IT**

RESOLVED, that Association of Towns calls upon the Governor and the Legislature to amend state law to increase the salary cap placed on retired public employees who continue their public service.

Resolution No. 14

Publication of Legal Notices

WHEREAS, an informed and engaged electorate is important to the governing process; and

WHEREAS, the electorate is notified of many local government actions via publication of legal notices in a paid daily or weekly newspaper as defined by Public Officers Law §70-a and General Construction Law, §60 (a); and

WHEREAS, studies show a decline in paid local daily and weekly newspaper readership; and

WHEREAS, New Yorkers are increasingly turning to alternative sources of news and information, such as the internet or free community newspapers; and

WHEREAS, the intent of required public notice is to increase the likelihood that citizens are well-informed regarding local government actions, finances and plans; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the Governor and the Legislature to amend the General Construction Law to allow publications having a widespread though unpaid circulation within the town to be considered newspapers and to permit towns and other local governments to place legal notices in these local publications; and BE IT FURTHER

RESOLVED, that the Association of Towns supports legislation allowing optional alternative media for publication of legal notices in order to improve citizen participation in and awareness of town programs and expenses.

Resolution No. 15

Restore Real Property Tax, State Income Tax and Mortgage Interest Federal Income Tax Deductions

WHEREAS, New York State taxpayers have relied upon deductions from federal income tax for state income tax, real property taxes and mortgage interest since the inception of the tax code; and

WHEREAS, the ability to deduct state income taxes, real property taxes and mortgage interest enables and encourages homeownership, creating cohesive communities that attract businesses and residents to New York's towns; and

WHEREAS, increased federal taxation and the resulting reduction in municipal services will harm local housing markets, decrease home values, erode local tax bases and accelerate residential and business flight from New York; and

WHEREAS, the elimination or narrowing of the state and local tax deductions would result in a form of double taxation on New Yorkers and impose fiscal stress on taxpayers and local governments; and

WHEREAS, legislation significantly reduced the state and local tax deductions; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the New York congressional delegation to fight to preserve and/or restore deductibility of state income tax, real property taxes and interest paid on mortgages.

Resolution No. 16

Reform Inequities in the Property Tax Cap Formula

WHEREAS, the Property Tax Cap, which was designed to limit the property taxes levied by local governments to 2 percent or the rate of inflation, whichever is less, is in place until June 2020; and

WHEREAS, the actual Property Tax Cap levy amount has typically been below 2 percent for five consecutive years; and

WHEREAS, New York State governs how towns raise revenue, and property taxes are the primary source of revenue for towns; and

WHEREAS, other sources of revenue, such as state and federal aid, have remained stagnant while expenses continue to rise; and

WHEREAS, New York State has primarily provided real property tax relief through ad hoc property tax exemptions rather than comprehensive property tax reform, resulting in additional administrative and litigation costs and a tax shift rather than a tax reduction; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls for tax cap program reforms, such as exemptions for expenditures that improve

public safety, invest in local infrastructure, address emergencies, acquire and develop open space, result from capital improvements mandated by government agencies' consent orders, and invest in municipal infrastructure to enhance economic capacity and community development; and **BE IT FURTHER**

RESOLVED, that the Association of Towns calls on the state to examine and report on the property tax cap's impact on local government operations and infrastructure.

Resolution No. 17

Resolution Imploring AATV, Adirondack Inter-County, AOT, NYCOM, NYSAC and NYS to Come Together with a Plan to Provide Cell Coverage for all NYS Residents and Visitors

WHEREAS, cellular service and the ability to use individual wireless devices is no longer a luxury; and

WHEREAS, every area of the state, irrespective of financial means or the economics, has a right to this key piece of technology infrastructure; and

WHEREAS, this infrastructure drives commerce and tourism, is a part of education, and is more and more the backbone of emergency response; and

WHEREAS, there are still large tracts of New York State that are still deprived of this utility; and

WHEREAS, we as government officials have an obligation to provide for the public safety, the education and the equitable treatment and opportunity for all of our citizens; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns hereby calls upon all local governments and local government associations to stand together, to insist that the time is now to move New York ahead of the nation in terms of this critical technology.

Resolution No. 18

Support Funding for Rural Broadband Deployment while Preserving Local Authority

WHEREAS, access to broadband internet service is essential for commercial economic growth, our education systems and the overall well-being of our citizens; and

WHEREAS, access to high-speed broadband internet service is regarded as a basic infrastructure necessity of the 21st century, providing a means of access to information and communication for citizens and businesses that is used by a growing percentage of the world's population; and

WHEREAS, broadband internet access serves the public interest in that it is increasingly a requirement for the provision of government services; for the survival of small, locally owned businesses; and for improving economic development and commerce, education and health care; and

WHEREAS, a lack of access to broadband internet service may depreciate property values; and

WHEREAS, local officials must balance their constitutional duty to taxpayers to manage municipal growth and infrastructure in a safe, efficient and fiscally prudent manner with the needs of private industry; and

WHEREAS, there have been state and federal legislative and regulatory initiatives to pre-empt local authority; and

WHEREAS, we applaud New York State and federal leaders for providing funding and resources to foster broadband deployment and access through programs like the ConnectNY Broadband Grants and the Federal Community Connect Grant; and

WHEREAS, there are still significant areas of New York State without access to high-speed broadband services because of geographic isolation, topographic conditions and low population density; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the Governor, the state Legislature and the Congressional Delegation to continue to support broadband access and deployment through additional funding, legislative initiatives and programs while preserving local governments' authority over municipal infrastructure, siting decisions, fees and the time it takes to review applications.

Resolution No. 19

Authorize an Optional Town Gross Receipts Tax (GRT)

WHEREAS, cities and villages are authorized, by local option, to collect a Gross Receipts Tax (GRT), which is essentially the rental cost for leasing or utilizing the municipal rights-of-way by utility and telecommunication companies; and

WHEREAS, while these two classes of local government have the ability to impose and collect this revenue, and have had the authority for eight decades to do so, lessening their reliance on the real property tax base to fund local services, towns do not enjoy the same authority, nor are they able to reap the same benefits; and

WHEREAS, in the absence of other revenue sources such as the GRT, towns are heavily dependent upon real property taxes; and

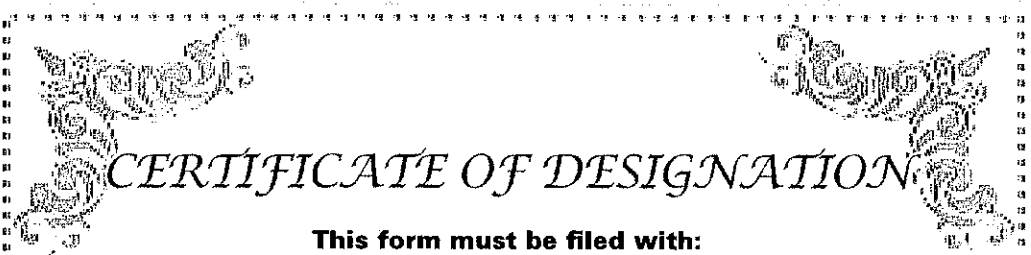
WHEREAS, the real property tax cap/freeze limits the amount of revenue towns can derive from the real property tax; and

WHEREAS, in the absence of robust state and federal aid, complicated by reduced revenue derived from real property taxes, towns are in need of additional revenue sources to fund town services; and

WHEREAS, town rights-of-way are currently being enjoyed by utility/telecommunications companies at reduced rates because towns do not have the ability to collect a GRT; **NOW THEREFORE BE IT**

RESOLVED, that the Association of Towns calls upon the Governor and the state Legislature to authorize towns, at their discretion, to a collect gross receipts tax.

6M



CERTIFICATE OF DESIGNATION

This form must be filed with:

THE ASSOCIATION OF TOWNS OF THE STATE OF NEW YORK, 150 STATE STREET, ALBANY, NEW YORK 12207

No later than FEBRUARY 4, 2019

In order to establish eligibility and credentials to vote at the 2018 Business Session

**TO: THE OFFICERS AND MEMBERS OF
The Association of Towns of the State of New York**

To Ensure Correct Spelling On Badges, Please Print Or Type

I, _____, Town Clerk of the Town of _____, in the

County of _____ and State of New York DO HEREBY CERTIFY that the town

board of the aforesaid town has duly designated the following named person to attend the Annual Business

Session of the Association of Towns of the State of New York, to be held on February 20, 2019, in the Astor

Ballroom of the New York Marriott Marquis, 1535 Broadway, NYC, NY 10036 and to cast the vote of the

aforesaid town, pursuant to §6 of Article III of the Constitution and Bylaws of said Association:

NAME OF VOTING DELEGATE _____

TITLE _____ **E-MAIL ADDRESS** _____

ADDRESS _____

In the absence of the person so designated, the following named person has been designated to cast the vote of said town:

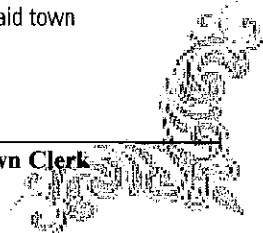
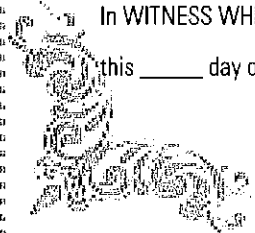
NAME OF ALTERNATE _____

TITLE _____ **E-MAIL ADDRESS** _____

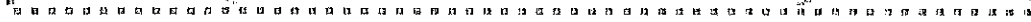
ADDRESS _____

In WITNESS WHEREOF, I have hereunto set my hand and the seal of said town

this _____ day of _____, 20____.



Town Clerk





6N

SUPERVISOR
JAMES J. BACH
(716) 652-7590
jbach@townofaurora.com

MAF
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA

300 Gleed Avenue, East Aurora, NY 14052
www.townofaurora.com

MEMO

TO: Town Board
FROM: Kathleen Moffat
RE: Computer Surplus
DATE: 01/14/19

Approval is respectfully requested to surplus a Dell Optiplex 9010, service tag #FC3Y7Y1 and Town of Aurora inventory #2167. The computer was saved as a spare (formerly Rick Dean's) and the hard drive was removed and used to replace a failed hard drive in the Recreation clerk computer. Upon approval, the computer will be recycled and the hard drive will be kept in locked storage until destruction/recycling is ordered.

SUPERVISOR
JAMES J. BACH
(716) 652-7590
jbach@townofaurora.com



MA

60
(716) 652-5200

townclerk@townofaurora.com

TOWN OF AURORA
300 Glead Avenue, East Aurora, NY 14052
www.townofaurora.com

MEMO

TO: Town Board
FROM: Kathleen Moffat
RE: Closure of Completed Capital Projects
DATE: 01/14/19

I respectfully request the Board adopt the attached two (2) resolutions authorizing the transfer of cash remaining in capital project H2 (Water District 6 Mainline Replacement) and HB (Mill Road Overlook) so that these projects may then be closed.

Resolution for Closure of Completed Capital Projects as of 12/31/2018

WHEREAS, the Town has completed project H2 - Water District 6 Mainline Replacement Project; and,

WHEREAS, the project has a cash balance totaling \$149,653.50; and,

WHEREAS, the Town has reviewed the source of surplus cash and has identified that H2 – Water District Mainline Replacement Project was funded by the 2015 bond issuance; and,

WHEREAS, the Town has ascertained that it is required to utilize the excess bond proceeds from capital project H2 – Water District 6 Mainline Replacement Project for future debt service payments related to the 2015 bond issuance,

NOW, THEREFORE, be it

RESOLVED that the Town Board authorizes the transfer totaling \$149,653.50 at 12/31/2018 from capital project H2 – Water District 6 Mainline Replacement Project to W60 – Water District #6 Fund which will be restricted for payments for the 2015 debt issuance.

Cc: Martha L. Librock
David M. Gunner
James J. Bach
Town Board
Kathleen Moffat

Resolution for Closure of Completed Capital Projects as of 12/31/2018

WHEREAS, the Town has completed project HB - Mill Road Project; and,

WHEREAS, the project has cash balances totaling \$5,020.42; and,

WHEREAS, \$5,000 in HB – Mill Road Project was included in the Town’s purchase of the Closs Family’s parcel on Mill Road to be used at a future time by only the Closs family to cap the well on the parcel if they ever decide to,

NOW, THEREFORE, be it

RESOLVED that the Town Board authorizes the following transfers at 12/31/18 from capital project HB – Mill Road Project to:

TA – Trust Fund \$5,000

A00 – General Fund \$20.42

Cc: Martha L. Librock
David M. Gunner
James J. Bach
Town Board
Kathleen Moffat

SUPERVISOR
JAMES J. BACH
(716) 652-7590
jbach@townofaurora.com



GP

CLERK
MARILYN L. LIDBROCK
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
300 Glead Avenue, East Aurora, NY 14052
www.townofaurora.com

MEMO

TO: Town Board
FROM: Kathleen Moffat
RE: Closure of Completed Capital Projects
DATE: 01/14/19

I respectfully request the Board adopt the attached resolution authorizing the closure of the following completed capital projects:

- H2: Water District 6 Mainline Replacement Project
- H6: Majors Park Project
- HB: Mill Road Project
OVERLOOK

Resolution for Closure of Completed Capital Projects as of 12/31/2018

WHEREAS, the Town has completed the following three projects:

- H2 – Water District 6 Mainline Replacement Project,
- H6 – Majors Park Project,
- HB – Mill Road Project; and,

NOW, THEREFORE, be it

RESOLVED that the Town Board authorizes the closure at 12/31/2018 of capital projects H2 – Water District 6 Mainline Replacement Project; H6 – Majors Park Project; and, HB – Mill Road Project.

Cc: Martha L. Librock
David M. Gunner
James J. Bach
Town Board
Kathleen Moffat

60

EAST Coaches' Rate Chart 2019

Years Coaching	1	2	3	4	5	6	7
Adult Coach -No College Swimming Experience	\$11.70	\$11.80	\$11.90	\$12.00	\$12.10	\$12.20	\$12.30

Adult Coach -College Swimming Experience	\$12.20	\$12.30	\$12.40	\$12.50	\$12.60	\$12.70	\$12.80
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Number of Assistances Added to Years	1	2	3	4	5
Additional Club Assistance -Meet entries, finances, parent communication, etc.	\$ 0.15	\$ 0.30	\$ 0.45	\$ 0.60	\$ 0.75



**Town of Aurora
Department of Parks & Recreation**

300 Glead Avenue
East Aurora, New York 14052

office (716) 652-8866
fax (716) 652-5646

rec

CR

dm
dm

To: Town Board
From: Chris Musshafen
Date: 1/9/2019
Re: Wage Rate Increase 2019

I am requesting the approval of the 2019 wage chart for adult EAST coaches, to raise their rates as seen below, and to retroactively update their rates beginning on 12/31/18. This chart is based off the 2018 EAST wage chart that was previously approved. In previous years, we have raised rates for EAST coaches at the beginning of the long course season in April, however with the consistent increases in minimum wage we will be starting on December 31st to make it congruent with the rest of our staff.

Name	Position	Experience	Current Rate	New Rate
Olivia Bello	RPT Lifeguard		\$ 11.00	\$ 11.70
Alex Christie	RPT Lifeguard		\$ 11.00	\$ 11.70
Anna Davidson	RPT Lifeguard	College Swimmer	\$ 12.90	\$ 13.60
Tess Felton	RPT Lifeguard	College Swimmer	\$ 12.30	\$ 13.00
Jonathan Ketcham	RPT Lifeguard	College Swimmer	\$ 11.60	\$ 12.30
Leah Leuthauser	RPT Lifeguard		\$ 11.20	\$ 11.90
Kala McCarrison	RPT Lifeguard	College Swimmer	\$ 12.50	\$ 13.20
Kevin Murnock	RPT Lifeguard		\$ 11.10	\$ 11.80
Paula Zagrobelny	RPT Lifeguard	College Swimmer	\$ 12.80	\$ 13.50

65

TOWN OF AURORA

300 GLEED AVENUE, EAST AURORA, NY 14052

BUILDING DEPARTMENT

(716) 652-7591

FAX (716) 652-3507

MEMO

TO: Supervisor Bach and the Town Board
FROM: William R. Kramer, Code Enforcement Officer
DATE: January 4, 2019

=====

I respectfully request approval to attend the State College and University Building Association Conference, at 3580 Lakeshore Rd, Buffalo on April 9 - April 11, 2019. My attendance will qualify as part of the continuing education credits required by the Department of State to maintain certification.


The cost of attendance is \$310 and was taken from budget line A3620.404, which will have a balance of \$1,190.00.


William R. Kramer

SCUBA

**SCUBA Conference 2019
Buffalo Area**

**SCUBA Conference 2019
Ithaca Area**

 **04-09-2019 - 04-11-
2019**

 **04-09-2019 - 04-11-
2019**

 **Buffalo Area**

\$310.00

 **Ithaca Area**

\$310.0

2019 State College and
University Annual Conference

2019 State College and
University Annual Conference

24 Hours of New York State
Code Recertification Training

24 Hours of New York State
Code Recertification Training

Register (Individual)

Register (Individual)


Register (Group)

Details

Register (Group)

Details

**SCUBA Conference 2019
Albany Area**

 **04-09-2019 - 04-11-
2019**

 **Albany Area**

\$310.00

William Kramer

From: State College and University Building Association <service@paypal.com>
Sent: Friday, December 07, 2018 6:50 AM
To: William Kramer
Subject: Invoice from State College and University Building Association (0105)

Hello, Town of Aurora



Here's your invoice

State College and University Building Association sent you an invoice
for \$310.00 USD

Due on receipt

Buy now. Pay over time.

Simply select PayPal Credit at checkout and enjoy No Interest if paid in full in 6 months. Subject to credit approval. See terms. US customers only.

Note from State College and University Building Association

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January 4, 2019

Reference No. 11119205

James Bach, Supervisor
Town of Aurora
Southside Municipal Center
300 Glead Avenue
East Aurora, New York 14052

Dear Mr. Bach:

Re: 2019 Town Engineering Services

GHD is pleased to submit our proposal to the Town of Aurora (Town) for Town Engineering Services for the 2019 calendar year.

GHD, in varying capacities and configurations, has been providing Town engineering and related support services to the Town since 1992. During that time, we have developed a unique, detailed knowledge of the Town's issues and infrastructure, and have enjoyed a productive and professional working relationship. We look forward to the continued service of the Town's evolving needs into the future.

1. Town Engineering Support Team

In order to continue providing a high level of responsiveness to the Town, GHD is proposing the following team of experienced and diverse professionals:

William (Bill) Wheeler, PE will serve as the Town's main point of contact and lead for the provision of Town engineering services. Bill has a Bachelor's degree in mechanical engineering and 19 years of general municipal and civil engineering experience.

Gregory (Greg) Keyser will serve as GHD's liaison to Planning Board. Greg has a Bachelor's degree in urban planning and 17 years of relevant municipal experience. He has served as liaison to the Aurora Planning Board since 2007.

Camie Jarrell, PE will provide coordination and support to Bill and Greg, as required, and will make herself available to the Town for general consultation and advice when required. In addition, Camie has provided technical reviews for the Aurora Planning Board and stormwater management design/reviews for the Town. She also serves as client contact and planning board representative for the Town of Lewiston and the Village of Depew, and provides technical reviews for site plans and stormwater projects for the Town of Pendleton.



2. Scope of Services

We have separated our Scope of Services for Town Engineer into four service categories. A detailed description of anticipated tasks, services and fees for each category follows:

2.1 General Engineering Retainer Services

General Engineering Retainer Services represent tasks associated with general municipal consultation and include:

- Advice on technical matters with the Town Board and departments (excluding Planning – see Section 2.2 below)
- General code review interpretation
- General support, advice, and consultation related to Town-operated utilities, as well as utilities operated under lease managed/direct service agreements with outside entities
- Support for development of special district budgets
- General consultation regarding regulatory compliance issues
- Development of preliminary project cost estimates for planning purposes
- Spot inspections at the request of the Town Board or departments
- Attendance at Town Board meetings upon request
- Advice and consultation to the Town's MS4 Officer, and attendance at MS4 meetings as requested
- Identification of potential project funding sources as required

Based upon the services outlined above, GHD proposes to provide General Engineering Retainer Services for a lump sum fee of \$6,000, invoiced in equal monthly installments of \$500.

2.2 Planning Board Support Services

GHD will provide continuing support for the Planning Board as we have in prior years. Mr. Keyser will attend all monthly Planning Board meetings, and will provide advice and consultation to the Planning Board on matters that come before it as in past years.

We will provide Planning Board support services at a fixed, discounted hourly rate of \$120 per hour for labor hours expended, to a not-to-exceed upset limit of \$10,000 annually.



2.3 General Municipal Engineering Support Services

The services provided under this category include specific, yet intermittent, services that the Town may need from time to time through the year. Such engineering support services will require a greater level of involvement and effort than provided under the General Engineering Retainer Services outlined in Section 2.1. The services provided under the category of General Municipal Engineering Support Services include, but may not be limited to, the following:

- Site plan reviews, major and minor (fees based on current Town Codes)
- Subdivision reviews, major and minor (fees based on current Town Codes)
- Drainage investigations, Stormwater Pollution Prevention Plans (SWPPP) (fees based on current Town Codes)

Other general engineering support services related to site plan or project-specific engineering, for which fees have not been established within Town codes (for example, PIP services, SWPPP reviews), will be negotiated with the Town on a project-specific basis. GHD will only provide these services as requested and authorized by the Town Supervisor or Board.

2.4 Project Services

The services listed under this category relate to board-approved, specific projects that typically involve or include:

- Capital Improvement Planning (CIP) such as preparation of annual reports on infrastructure condition (e.g., water system, drainage system, facility improvements, roadway improvements)
- Engineering design – detailed cost estimates, development of plans, specifications, and contract documents for capital improvement projects
- Detailed topographic surveys
- Construction administration and resident inspection services

Since the exact nature and extent of these services cannot be determined in advance, we will provide a lump sum proposal for consideration if any Project Services are requested. GHD will proceed with Project Services as directed and only following authorization by the Town.

Should this proposal meet with your approval, please sign the attached Professional Terms and Conditions and return a copy to us for our files.



Thank you for the opportunity to submit this proposal. Please feel free to contact us with any questions. We look forward to continuing our relationship with the Town.

Sincerely,

GHD

A handwritten signature in black ink, appearing to read 'William W. Wheeler'.

William W. Wheeler, PE
Project Manager

WWW/las/4

Attachment


cc: Camie L. Jarrell, PE – GHD
Mr. Gregory D. Keyser – GHD
Filing: Corr.

Proposal No.: 11177722-002

Project No.: _____

Professional Terms and Conditions

GHD Consulting Services Inc. ("GHD") and Client (as set out below) agree that any professional services performed by GHD for Client, relating to the scope of work, will be on the following standard terms:

1. Invoices for services rendered will be issued monthly payable on receipt. ~~Amounts due will be increased at the rate of 1 1/2 percent per month after 30 days.~~ GHD reserves the right, without penalty, to discontinue services in the event of non-payment of undisputed amounts. 
2. GHD maintains statutory workers compensation insurance, and professional, pollution, general, auto, and employers liability insurance which GHD deems adequate. Certificates of insurance shall be provided on request.
3. GHD's services are solely for Client's benefit and may not be relied upon by any third party without GHD's express written consent. Any use, change, or distribution of Work Product without the written consent of GHD shall be at Client's risk and will not give rise to liability of GHD.
4. GHD shall perform its professional services in the manner consistent with the level of care and skill ordinarily exercised by other professional firms acting under similar circumstances and at similar times. GHD makes no other warranty, implied or expressed.
5. GHD shall indemnify and hold harmless Client for its services to the extent GHD's neglect or willful misconduct causes liability for the Client. Neither party shall be liable for any consequential loss, injury or damages suffered by the other party, including but not limited to loss of use, earnings, and business interruption.
6. To the maximum extent permitted by law, GHD's liability and that of its employees, agents, directors, officers, and subcontractors to Client due to any negligent acts, errors or omissions, shall not exceed \$1,000,000, except as to damages resulting from the gross negligence or willful misconduct of GHD.
7. Client acknowledges that the pre-existing presence, if any, of pollutants, and other potentially hazardous conditions at the project site were not caused by or are not the responsibility of GHD, and that this contractual arrangement does not transfer any legal responsibilities for such conditions to GHD.
8. GHD may terminate this Agreement for nonpayment or other default by Client. Terms agreed to under this Agreement shall survive any such termination.
9. Client hereby agrees that this agreement may be assigned to another entity within the GHD group of companies that will be directly or indirectly wholly-owned by GHD Group Pty Ltd. (a "Related Entity"). Any such Related Entity shall assume all of GHD's liabilities, duties and obligations in, to, and under this Agreement. Client hereby agrees that this assignment may be effected without any further notice or action on the part of GHD. Upon request, Client agrees to execute and deliver any further documents as may be reasonably requested by GHD or its successor to evidence such consent and/or assignment.

These Terms and Conditions are hereby accepted this _____ day of _____, 201_.

Client Signature:

Name of Company: Town of Aurora

Per: _____

Title: _____

I have authority to bind the Corporation



TOWN OF AURORA SENIOR CENTER

101 King Street, Suite A
East Aurora, New York 14052
Phone: (716) 652-7934
Fax: (716) 652-9083

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MEMO

TO: SUPERVISOR JAMES BACH & TOWN BOARD MEMBERS

FROM: DONNA BODEKOR, SENIOR CITIZEN RECREATION LEADER

DATE: December 28, 2018

I am asking the Town Board to accept a donation of \$200.00 from East Aurora Driving Society. The Driving Society is using our building for their monthly meetings. I would like the money to be placed in our line TA 1000.90.