

PETITION

TO AMEND THE ZONING MAP OF THE TOWN OF AURORA, NEW YORK, OR FOR USE PERMIT BY THE TOWN BOARD

TO: THE TOWN BOARD OF THE TOWN OF AURORA, NEW YORK

Pursuant to Article IX of the Zoning Ordinance of the Town of Aurora, the undersigned owner(s) and petitioner(s) hereby request that the Zoning Map of the Town of Aurora, be amended as follows:

1. JEFFREY E. + AMIE N. SIMMONS
Name (First) (Middle Initial) (Last)

2. Location of property to be rezoned: 4479 TRANSIT RD. ORCHARD PARK 14127 (TOWN OF AURORA)

3. Area, in square feet, of the property to be rezoned: 66,625 sq ft
Dimension of the property to be rezoned: 205' x 325'

4. If the petitioner is not the owner of the property:

Owner's Name and Address
Owner's Name and Address

What is the interest of the petitioner in the proposed rezoning?

WE WOULD LIKE TO REMODEL 1/2 OF THE GARAGE TO A SMALL APARTMENT FOR OUR PARENTS.

5. Petitioner understands and agrees to furnish any of the following if requested by the Town Board or its agencies: An accurate survey map prepared by a licensed surveyor showing all dimensions, including interior angles or bearing of lines, and the location, proposed use and height of all buildings; location of all parking and truck loading areas, with access and egress drives thereto; location of outdoor storage, if any; location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences; description of method of sewage disposal and location of such facilities; location and size of all signs; location and proposed development of buffer areas; location and design of lighting facilities; and the amount of building area proposed for retail sales, if any.

6. Attach the legal description of the property to be rezoned.

7. Present zoning classification of the property: RESIDENTIAL (AS OF 2017)

8. Proposed zoning classification of the property: AGRICULTURAL DISTRICT 'A'

9. Present use of the property: SINGLE HOME RESIDENCE

10. Proposed use of the property: SINGLE HOME RESIDENCE PLUS APARTMENT IN DETACHED EXISTING GARAGE

11. Description of uses on all adjacent properties and a general description of the type of neighborhood in which the subject property is located: RURAL / RESIDENTIAL MOSTLY SINGLE HOMES - ONE DUPLEX.

12. Names and Addresses of Owners of Abutting Properties:

- 1. JEFFREY + BRITANNY PRICE 4483 TRANSIT RD
2. LENNIE + JULIE CIOLEK 4475 TRANSIT RD
3.
4.
5.
6.
7.

13. Additional information which the petitioner believes will assist the Town Board in its consideration of this request for rezoning: APPARENTLY THE ZONING OF THIS AREA CHANGED IN 2017 FROM A TO R. WE WOULD LIKE PERMISSION TO REMODEL 1/2 OF THE GARAGE INTO A SMALL IN-LAW APARTMENT FOR OUR PARENTS.

14. Petitioner(s) acknowledge that payment of the application fee is for administrative and advertising expense to the Town as a result of this application and in no way relates to either approval or disapproval of the application and is not refundable.

Date: 10/22/19 Ami Simmons  
(Signature of Petitioner)  
Ami Simmons  
(Signature of Owner)

STATE OF NEW YORK }  
COUNTY OF ERIE } SS:  
TOWN OF AURORA }

On this 22 day of October, 2019 personally appeared before me  
Amie Simmons 4479 Transit Rd, Orchard Park, NY 14127  
(Name) (Address)

the petitioner, to me known to be the same person described in and who signed and executed the foregoing petition and who duly acknowledged to me the execution of the same for the purpose therein mentioned.

COLLEEN P SMOLAREK  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01SM5082497  
Qualified In Erie County  
My Commission Expires 07-28-2021

Colleen P. Smolarek  
(Notary Public)

Petition presented to the Town Board \_\_\_\_\_ (Date)  
Petition referred to the Planning Board \_\_\_\_\_ (Date)  
Petition referred to the Erie County Department of Planning \_\_\_\_\_ (Date)

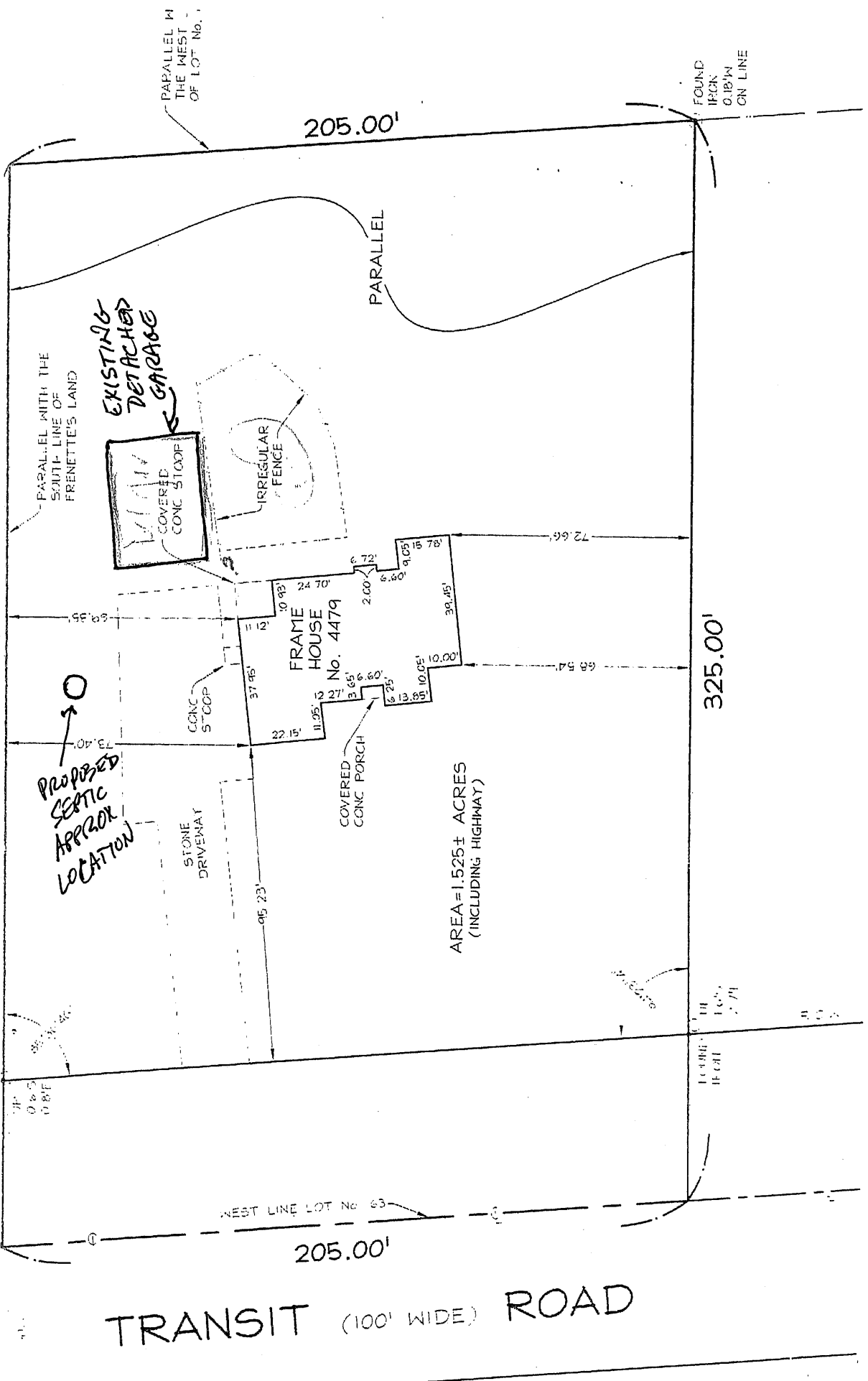
Recommendation of the Erie County Department of Planning:

Recommendation of the Town of Aurora Planning Board:

Reasons:

Petition returned to the Town Board \_\_\_\_\_ (Date)  
Public Hearing set for \_\_\_\_\_ (Time and Date)  
Action of the Town Board \_\_\_\_\_ (Passed) \_\_\_\_\_ (Denied)  
Resolution of the Town Board (see attached)

Effective date of Local Law No. \_\_\_\_\_ Amendment \_\_\_\_\_ (Date)



PARALLEL WITH THE WEST LINE OF LOT No. 63

205.00'

PARALLEL

FOUND IRON CURB ON LINE

PARALLEL WITH THE SOUTH LINE OF FRENETTE'S LAND

EXISTING DETACHED GARAGE

COVERED CONC STOOP

IRREGULAR FENCE

FRAME HOUSE No. 4479

COVERED CONC PORCH

PROPOSED SEPTIC APPROX LOCATION

STONE DRIVEWAY

AREA = 1.525± ACRES (INCLUDING HIGHWAY)

325.00'

WEST LINE LOT No. 63

205.00'

TRANSIT (100' WIDE) ROAD

PART OF LOT(S) : 63		SECTION : 9	TOWNSHIP : 9	RANGE : 6	STATE OF NEW YORK
LOCATION : TOWN OF AURORA		COUNTY OF ERIE			
KIND	DATE	REQUESTER			
SURVEY	03/10/10	WILLIAM J. TRA			
<p><b>Schlossbauer &amp; Clark, Inc.</b>          Engineers and Surveyors          3556 Lake Shore Road          Buffalo, New York 14219-1494          (716) 827-8000</p>					

Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 2401, provisions of the New York State Education Law

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ORIGINAL SURVEY AND IS SUBJECT TO ANY STATE OF FACTS DISCOVERED BY AN EXAMINATION OF SUCH

# 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: Existing garage interior remodeling			
Project Location (describe, and attach a location map): 4479 Transit Rd., Orchard Park, NY 14127 (Town of Aurora)			
Brief Description of Proposed Action: We propose to remodel approximately one half of the existing detached garage into a small in-law apartment. Approximately 900 square feet.			
Name of Applicant or Sponsor: Jeffrey and Amie Simmons	Telephone	[REDACTED]	
	E-Mail:	[REDACTED]	om
Address: 4479 Transit Rd.			
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 checked="" 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: Building Permit from the Town of Aurora			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 1.53 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? _____ 1.53 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" 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? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<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? 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"/>	
	<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 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: _____ _____	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: _____ We will need to install a small septic system. _____	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 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? 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 checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Proposed Garage Remodel by:

Jeff and Amie Simmons  
4479 Transit Rd.  
Orchard Park, NY 14127 - (Town of Aurora)

Abutting Property Owners:

Jeffrey & Brittany Price  
4483 Transit Rd.

Julie & Lennie Ciolek  
4479 Transit Rd.



# Aged Trial Balance Credit Balances Only

WS-3

## Cycle 01

Account	Account Name	Balance	Current	30 Days	60 Days	90 Days	Pymts	Adj/Pnlty
1022000.00 98	MARSH, TODD	(\$9.84)	\$103.50	(\$63.34)	\$0.00	\$0.00	\$50.00	\$0.00
1040000.00 98	WEISS, PAUL	(\$17.13)	\$108.24	\$0.00	\$0.00	\$0.00	\$125.37	\$0.00
1080000.00 98	GIANADDA, CAROL	(\$9.97)	\$138.00	(\$24.34)	\$0.00	\$0.00	\$135.00	\$11.37
1080800.00 98	PASTORE, MICHELLE	(\$99.74)	\$131.10	(\$230.84)	\$0.00	\$0.00	\$0.00	\$0.00
1108000.00 98	TAYLOR, MARCIA	(\$87.31)	\$27.06	\$27.06	\$27.06	(\$168.49)	\$0.00	\$0.00
1108500.00 98	JOHNS, CHRISTOPHER	(\$16.24)	\$162.36	\$0.00	\$0.00	\$0.00	\$178.60	\$0.00
1109000.00 98	KNEELAND, KATHLEEN	(\$20.65)	\$54.12	(\$74.77)	\$0.00	\$0.00	\$0.00	\$0.00
1110000.00 98	BISHOP, ALBIN	(\$6.63)	\$72.16	(\$5.86)	\$0.00	\$0.00	\$72.93	\$0.00
1121000.00 98	TOWNSON, BRIAN <i>Meitha</i>	(\$10.78)	\$117.30	(\$9.45)	\$0.00	\$0.00	\$118.63	\$0.00
1160000.00 98	BROPHY, MICHAEL	(\$0.60)	\$41.40	\$0.00	\$0.00	\$0.00	\$42.00	\$0.00
1161800.00 98	CULOV, EMIR	(\$11.58)	\$262.20	\$0.00	\$0.00	\$0.00	\$300.00	\$26.22
2067500.00 98	TOSCANO, MARY JO	(\$2.18)	\$252.56	\$0.00	\$0.00	\$0.00	\$280.00	\$25.26
2082000.00 98	GARDNER, PHYLLIS	(\$2.71)	\$27.06	\$0.00	\$0.00	\$0.00	\$29.77	\$0.00
2083000.00 98	MATTAI, P. RUDY	(\$10.97)	\$31.57	(\$42.54)	\$0.00	\$0.00	\$0.00	\$0.00
2118000.00 98	BLOCK, A.J.	(\$12.18)	\$121.77	\$0.00	\$0.00	\$0.00	\$133.95	\$0.00
2162000.00 98	SIEVENPIPER, KAREN	(\$0.09)	\$27.06	(\$0.15)	\$0.00	\$0.00	\$27.00	\$0.00
* 2197000.00 98	AUSTIN, VIRGIL <i>ESTATE</i>	(\$2.71)	\$27.06	\$0.00	\$0.00	\$0.00	\$29.77	\$0.00
2198000.00 98	SILLIMAN, JAMES & LYNN	(\$8.87)	\$94.71	(\$6.00)	\$0.00	\$0.00	\$97.58	\$0.00
2236000.00 98	JACKSON, JAMES	(\$4.96)	\$49.61	\$0.00	\$0.00	\$0.00	\$54.57	\$0.00
2272000.00 98	PALASCAK, LAUREN	(\$2.12)	\$23.64	(\$2.36)	\$0.00	\$0.00	\$23.40	\$0.00
4036000.00 98	RICE, MARK	(\$0.10)	\$67.65	\$0.00	\$0.00	\$0.00	\$67.75	\$0.00
4044000.00 98	RAUSCH JR, EDWARD	(\$0.40)	\$27.06	\$27.06	\$27.06	(\$81.58)	\$0.00	\$0.00
4046000.00 98	FOWLER, ROBERT	(\$3.16)	\$31.57	\$0.00	\$0.00	\$0.00	\$34.73	\$0.00
5150000.00 98	MILLS, KYLE	(\$3.70)	\$41.40	(\$4.35)	\$0.00	\$0.00	\$40.75	\$0.00
5158000.00 98	MODRZYNSKI, DEEBE	(\$11.04)	\$110.40	\$0.00	\$0.00	\$0.00	\$121.44	\$0.00
5197000.00 98	WATERS, AMY	(\$29.24)	\$41.40	\$41.40	\$48.30	(\$160.34)	\$0.00	\$0.00
5199000.00 98	SMITH, DAVID	(\$8.97)	\$89.70	\$0.00	\$0.00	\$0.00	\$98.67	\$0.00
5209000.00 98	HEALY, MICHAEL	(\$78.27)	\$117.30	\$53.01	\$0.00	\$0.00	\$260.31	\$11.73
5215000.00 98	HAAS, MELINDA	(\$9.11)	\$89.70	(\$0.81)	\$0.00	\$0.00	\$98.00	\$0.00
5220000.00 98	HAWAYEK, JOSEPH	(\$6.21)	\$62.10	\$0.00	\$0.00	\$0.00	\$68.31	\$0.00

HOUSE SOLD

### Balance 1-29 Days 30-59 Days 60-89 Days 90 & Over Payments Adj/Pnlty

Active Accounts	1	(\$2.12)	\$23.64	(\$2.36)	\$0.00	\$0.00	\$23.40	\$0.00
Inactive Accounts	29	(\$485.34)	\$2,527.12	(\$313.92)	\$102.42	(\$410.41)	\$2,465.13	\$74.58
Totals For Cycle 01	30	(\$487.46)	\$2,550.76	(\$316.28)	\$102.42	(\$410.41)	\$2,488.53	\$74.58

Current Charges 30 \$2,550.76

\*\*\* Arrears Breakdown \*\*\*

Over 30 Days	16	(\$316.28)	* New owners 2019
Over 60 Days	3	\$102.42	
Over 90 Days	3	(\$410.41)	

Total Arrears	16	(\$624.27)
Total Charges		\$1,926.49
Total Payments	24	\$2,488.53
Total Adjustments	0	\$0.00
Total Penalty	4	\$74.58

**James Bach**

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WS-4

**From:** Elizabeth Deveso  
**Sent:** Friday, November 01, 2019 12:54 PM  
**To:** James Bach  
**Subject:** Permanent Signs on Gypsy Lane

Good Morning Jim,

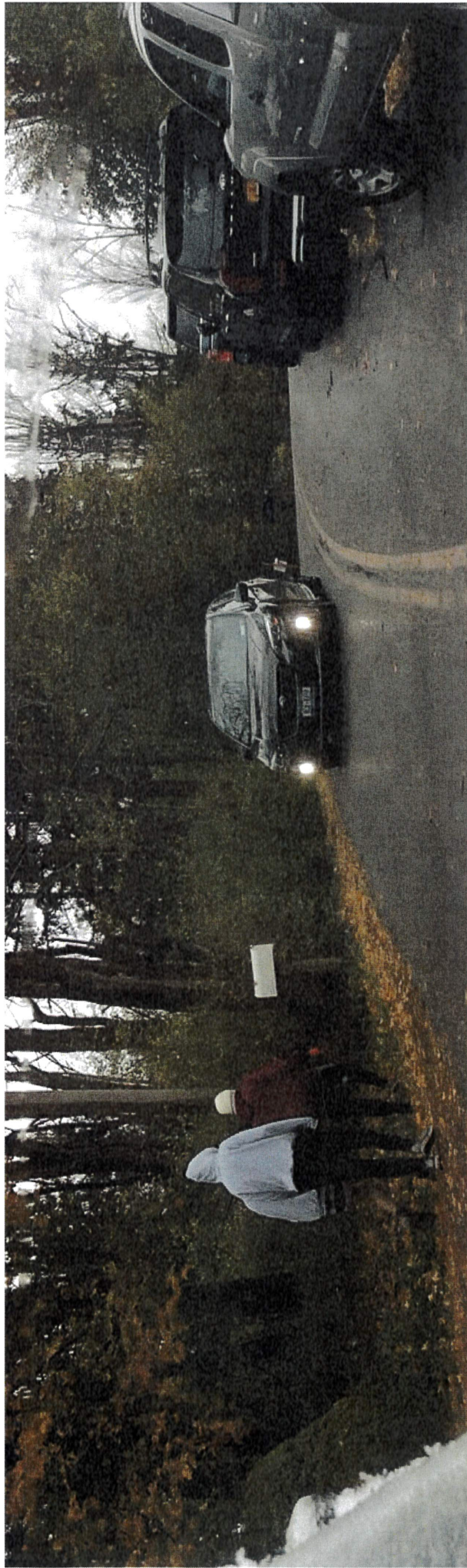
I sent a letter to Richard Denning at our local Erie County Highway garage yesterday requesting permanent "no parking" signs on Gypsy Lane. He spoke to Gina Wilkolaski, the Traffic Safety Engineer and she told him that we would have to first pass a town resolution to allow us to sign a "sign permit" with the county. This permit is basically an agreement that states we will maintain the signs. We would also have to change our parking code to include enforcement of these signs. Dave spoke to Shane again this morning and he would like us to pursue this. He says that there are multiple events going on during the year and that this area is narrow and should really never be used as a parking spot. I just talked to Martha and she asked me to get a letter from Shane and a map showing exactly where we want the signs to go. Once I get that to her she can work on a town resolution.

Elizabeth Deveso  
Office Manager/ Highway Secretary  
Town of Aurora Highway Department  
251 Quaker Rd.  
East Aurora, NY 14052  
Phone: (716) 652-4050  
Fax: (716) 652-1123



NOV. 3, 2019

GYPSY LAKE  
(LOOKING NORTH)



GYPHY LANE  
(LOOKING NORTH)

NOV. 3, 2019

SUPERVISOR  
James J. Bach  
(716) 652-7590  
[jjeffe@townofaurora.com](mailto:jjeffe@townofaurora.com)



**TOWN OF AURORA**  
Southside Municipal Center  
300 Gleed Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

TOWN CLERK  
ck  
80  
pm  
tow  
WS-5  
5E

October 31, 2019

To: Town Board  
Re: Kistner Concrete Products, Inc. Quote

Please approve the updated quote provided by Kistner Concrete Products, Inc. for the manufacture and delivery of a box culvert to be used at the North Grove Bridge. The new quote exceeds the original one by \$1,015.97. The attached quote and email from Kistner explains the changes.

Elizabeth Deveso  
Town of Aurora Highway Secretary

## Elizabeth Deveso

---

**From:** David Gunner  
**Sent:** Thursday, October 31, 2019 9:40 AM  
**To:** Elizabeth Deveso  
**Subject:** FW: North Grove Culvert Drawings  
**Attachments:** 191029\_Town of Aurora\_BC UPDATE QUOTE.pdf

**From:** Shawn Dangelo [<mailto:shawn.dangelo@kistner.com>]  
**Sent:** Tuesday, October 29, 2019 3:45 PM  
**To:** David Gunner  
**Subject:** RE: North Grove Culvert Drawings

Dave,

See updated quote for the culvert.

There is a price difference of an extra \$1,015.97.

I can break down the cost different but to summarize change was caused by the following-

- Reduced length (Reduced)
- Changed span and rise (About the same)
- Increased headwall height (Added)
- Added Concrete Baffle (Added)
- Add Holes (Added)
- Two different piece lengths due to holes (Added)

Let me know if you have any questions.

Regards;

Shawn M. D'Angelo, P.E.  
Project Manager / Engineer

Kistner Concrete Products, Inc.  
5550 Hinman Rd.  
Lockport, NY 14094

Direct Line: 716-508-5576

[www.kistner.com](http://www.kistner.com)

**From:** David Gunner <[dgunner@townofaurora.com](mailto:dgunner@townofaurora.com)>  
**Sent:** Tuesday, October 8, 2019 2:58 PM  
**To:** Shawn Dangelo <[shawn.dangelo@kistner.com](mailto:shawn.dangelo@kistner.com)>  
**Subject:** FW: North Grove Culvert Drawings



QUOTATION FROM:  
**KISTNER CONCRETE PRODUCTS, INC.**

SUPERIOR PRECAST PRODUCTS

Lockport Office:

5550 Hinman Rd, Lockport, NY 14094

Phone#: 716-508-5550 / Fax # 716-508-5551

WEBSITE://www.kistner.com E-MAIL: kistner@kistner.com

Phone: 716-983-0313  
 Email: [dgunner@townofaurora.com](mailto:dgunner@townofaurora.com)  
 Attn: David Gunner (Highway Superintendent)  
 To: Town of Aurora

Date: 10/29/2019  
 Project: North Grove Street Culvert Replacement  
 Location: Town of Aurora, NY  
 Owner: Town of Aurora  
 Engineer:

REV 1

Bid Date: 08/08/19

We are pleased to quote as follows:

QTY	UN	ITEM	DESCRIPTION	UNIT PRICE	AMOUNT
44	lf	603.641607 15	Precast Concrete Box Culvert: Culvert ID: <u>North Grove</u> Style: 4 Sided Culvert Span (ft.): <u>16</u> x <u>7</u> (ft) Rise	\$ 1,677.00	\$ 73,788.00
Design for:			HL-93 & NYS Perm Loading Based On: 0.00 to 1.50 (ft.) Depth of fill & 0 * Skew Angle to CL of Road		
Section and / or Phasing info:			Center Sections 5 Sections @ 7.08 ft Lay Length @ 25.25 tons totaling	35.417 Lf (Estimated)	
			End Sections 2 Sections @ 4.17 ft Lay Length @ 14.75 tons totaling	8.3332 Lf (Estimated)	
Additional Precast Item(s):					
1.00	EA		Outlet Head	\$ 2,000.00	\$ 2,000.00
1.00	EA		Inlet Headwall:	\$ 1,500.00	\$ 1,500.00
2.00	EA		Cut-off Walls:	\$ 2,000.00	\$ 4,000.00
1.00	EA		Concrete Baffle Casing	\$ 5,500.00	\$ 5,500.00
			Wingwalls		
				<b>Culvert Total: \$ 86,788.00</b>	

**Project Specific Notes:**

- Culvert pricing is based on limited information given. Buyout pricing is subject to change upon receipt of contract plans.
- Precast Headwall shipped attached to culvert end section, max pick with attached headwall is 28 tons
- Pricing includes onsite supervision during day of install along with site inspection prior to install.
- Pricing includes crane coordination but crane paid for by the town
- Pricing includes all rigging need for install
- Town to provide 20' long 12" steel casing pipe. KCP to embed in concrete across culvert.
- Two steel sleeves and link seals. 16" Steel Sleeve for 10" walls

**KCP Standard Notes:**

- Culvert pricing based on 1 day(s) of installation (culvert sections only) delivering with a minimum of 4 trucks per day
- Manufacture and delivery schedules to be determined during negotiations & confirmed upon receipt of approved drawings. Kistner Concrete Products, Inc. can not be held responsible for any unnecessary process interruption and delays. All pricing subject to NYS DOT approval
- Noted weights are estimated for bidding purposes only and are subject to change. Actual product weights will be determined during the final design / submittal process and need to be verified prior to shipment.

**KCP Includes the following checked off items:**

Delivered. G.C. to unload, noted weights are approximate and need to be confirmed prior to delivery. Over height units will need to be rotated 90° in field.  
 All options allow 1 hr. for unloading, Additional time subject to \$130/hr. surcharge.

**Material Certifications:**  Units will be manufactured in accordance with NYS DOT Materials Bureau QC / QA Procedures & per NYS DOT Specification 704-03 (Precast Concrete General) & 706-17 (Precast Concrete Box Culverts).

**Special Culvert Sections:**  Skewed  V-Bottom Reinforcement:  Uncoated (Black)

**Concrete Additives:**  None required  Coatings: None

*Note: Coating of products may delay delivery due to weather conditions*

**Keyway & Inserts for:**  Headwall(s)  Toewall(s)  BC to WW Closure Pour

*Note: Dowel bars for above inserts are supplied in standard 2' lengths w/ cont. to cut & bend in the field as required.*

**Miscellaneous Items:**  Roof or Pipe Openings as Req  Permanent Connection System  Special Joint Sealant: \_\_\_\_\_

**Exclusions / Contractor to supply (unless included above)**  
 Offloading, setting units in place, crane, rigging, galvanized or epoxy coated reinforcement, additional reinforcement for all cast in place sections for: closure pours, wing walls, headwalls, toe walls, additional dowel bars, risers to grade for roof openings, grout material, waterproofing membrane system and any other miscellaneous materials and equipment.

**Quotation Contingencies:**

- Any portion of project released for production after 90 days from Sold date will be subject to pricing review and potential increase
- Structures not released for production from previous season must be released & produced by the end March ("prior to next busy season"), or any structures not delivered within 6 mo. of the original signed order will automatically be billed with a 10 % price escalation.

- All orders are subject to State and applicable taxes.
- If applicable, a valid tax exemption certificate must be submitted at the time of order.
- Payment by certified check required on delivery. Special orders require down payment.
- Non-COD orders require payment arrangements to be made in advance with credit dept.
- Acceptance of this offer is subject to Kistner Concrete Products Standard Terms & Conditions.
- Lifting apparatus will require payment on delivery.

Accepted By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_ P.O.#: \_\_\_\_\_



Quote good for 45 Days after bid date

*KCP must receive a customer purchase order within that period to hold the quoted prices. If the order is placed after 45 days of the date of quotation, this quote is subject to re-pricing.*

Prepared By: Shawn M. D'Angelo, P.E.  
 Signed: *Shawn M. D'Angelo, P.E.*  
 KISTNER CONCRETE PRODUCTS, INC.



WS-6

GA

# 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): KATHLEEN MOFFAT

Signature: Kathleen Moffat Date: 11/7/19

**I am requesting the following budget transfer(s):**

1. \$ 1992.<sup>00</sup> From (account number): DA 5120.100 Current Balance 4723.06  
 To (account number): DA 5120.433 Current Balance -1991.98

Reason: To Cover Shortage

2. \$ 1115.<sup>00</sup> From (account number): DA 5120.413 Current Balance 3474.48  
 To (account number): DA 9030.8 Current Balance -1114.88

Reason: To Cover Shortage

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

Reason: \_\_\_\_\_

**Approvals:**

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Town Board Approval Meeting Date: \_\_\_\_\_ Action #: \_\_\_\_\_



Application # \_\_\_\_\_

	Fee	Paid	Refund
Application Fee	\$25.	___	___
Permit Fee	\$15.	___	___
Security Deposit	\$200.	___	___
Per Day Event Fee	\$200.	___	___

WS-7

CB

## Application For Temporary Use Permit

Neil and Barb Chur Equestrian Park, Soccer Field and/or Polo Field  
At Knox Farm State Park

Submit applications to:  
Town of Aurora Parks and Recreation  
300 Gleed Ave  
East Aurora, NY 14052  
Telephone (716) 652-8866 Fax: (716) 652-5646

**ALL REQUESTS MUST BE MADE NO LESS THAN 60 DAYS IN ADVANCE OF EVENT/USE.**

- Name of Organization: MMSAA Monsignor Martin High School Athletic Association
- Individual Responsible for this request: Peter Schuerdi
- Address: 3756 Delaware Ave  
Kennett NY 14217
- Telephone number: 716-998-4589
- Fax: \_\_\_\_\_
- Email Address: Monsignor.Martin.Athletics@gmail.com  
MMSAA2017@gmail.com
- Date(s) of event 11/3/2019
- Hours of use including set up/take down: Start 7:30 am pm End 1:00 am/pm
- Description of the event or use:  
High School Boys & Girls Cross Country Athletic Race  
\_\_\_\_\_  
\_\_\_\_\_
- Specific area(s) requested, map attached  
 Soccer  
 Polo Field SEE ATTACHED MAP  
 Equestrian Park  
 Other: \_\_\_\_\_
- Specific equipment to be brought in to park (porta johns, tents, etc.)  
PORTA JOHNS AND TIMING SYSTEM
- Need: Water \_\_\_\_\_ Electric \_\_\_\_\_
- Estimated attendance: 350

14. Will food or drinks be served? \_\_\_\_\_ If yes, describe: yes - not by MM HSA  
Schools will/may bring food for runners

15. Will there be sound amplification or music or a band(s)? \_\_\_\_\_ If yes, describe:  
\_\_\_\_\_

16. Other services requested (describe): \_\_\_\_\_

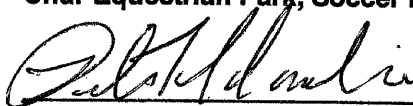
\_\_\_\_\_ NYS Park Police\*  
*\*applicant is responsible for contacting East Aurora Police Department if race involves Village/Town streets*

\_\_\_\_\_ Parks and Recreation Department \_\_\_\_\_

17. Do you intend to use the main part of Knox Farm State Park between Buffalo Rd, Willardshire Rd., and Knox Rd.? yes If yes, you must request a permit from NYS Parks and Recreation. Contact their office at 716-549-1802. SEE ATTACHED

(Provide drawings describing location, size and text of all proposed signs for this event to the Town of Aurora Building Department, 300 Gleed Ave. Approved signs may be erected 30 days prior to the event and must be removed immediately after same.)

I make this application and agree to abide by the **Guidelines for Use of Barb and Neil Chur Equestrian Park, Soccer Fields and/or Polo Field**

  
Signature of Applicant

10/30/19  
Date

**Official Use Only Below this Line**-----

Event: \_\_\_\_\_

Attachments submitted:

\_\_\_\_\_ Indemnification Agreement

\_\_\_\_\_ Certificate of Insurance

\_\_\_\_\_ Map with area(s) requested to be used indicated

\_\_\_\_\_ Copy of application for sign permit, if applicable. (Upon application approval, copy of approved sign permit must be filed with the Town Clerk NO LATER THAN 5 days prior to scheduled event.)

\_\_\_\_\_ Copy of this application to NYS Parks and Recreation c/o Evangola State Park

Application  **Recommended** or  **Not recommended**  
by Department of Parks and Recreation

**Action by Town Board:**

The Town Board, upon review of the application request # \_\_\_\_\_ submitted by \_\_\_\_\_ (organization or individual) took the following action, with or without conditions (as applicable) and noted below:

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Supervisor Signature

Denied: \_\_\_\_\_ Date: \_\_\_\_\_  
Supervisor Signature

**Conditions:**

\_\_\_\_\_ Police Department approval

\_\_\_\_\_ Highway approval

\_\_\_\_\_ Building Department approval

\_\_\_\_\_ Requesting organization shall attach a completed **Certificate of Insurance** with Minimum Limits to include public liability coverage with limits of \$1,000,000 each occurrence; property damage insurance with limits of \$1,000,000 each occurrence. Policy shall be endorsed to include the Town of Aurora as an additional named insured.

\_\_\_\_\_ Requesting organization shall submit an **Indemnification Agreement** signed by authorized applicant or officer of company and duly notarized.

\_\_\_\_\_ Other

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SUPERVISOR  
JAMES J. BACH  
(716) 652-7590  
[supervisor@townofaurora.com](mailto:supervisor@townofaurora.com)



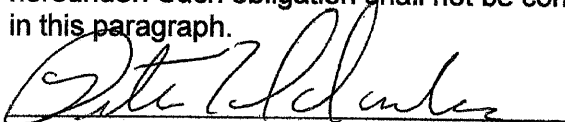
TOWN CLERK  
MARTHA L. LIBROCK  
(716) 652-3280  
[townclerk@townofaurora.com](mailto:townclerk@townofaurora.com)

**TOWN OF AURORA**  
300 Gleed Ave., East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

### Indemnification Agreement

#### Neil and Barb Chur Equestrian Park, Soccer Field and/or Polo Field

To the fullest extent permitted by law, I/We shall indemnify and hold harmless the Town of Aurora and its employees from and against claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of our work under this contract, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or injury to or destruction of tangible property, including the loss of use resulting there from but only to the extent caused in whole or in part by negligent acts or omissions of our organization, anyone directly or indirectly employed by us or for anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to otherwise exist as to a party or person described in this paragraph.

  
Authorized Applicant or Officer

State of New York )  
County of Erie )

Subscribed and sworn to before me this 30<sup>th</sup> day of Oct, 2019

  
Notary Public

Qualified in Erie County, New York  
My commission expires: 09-08-2023

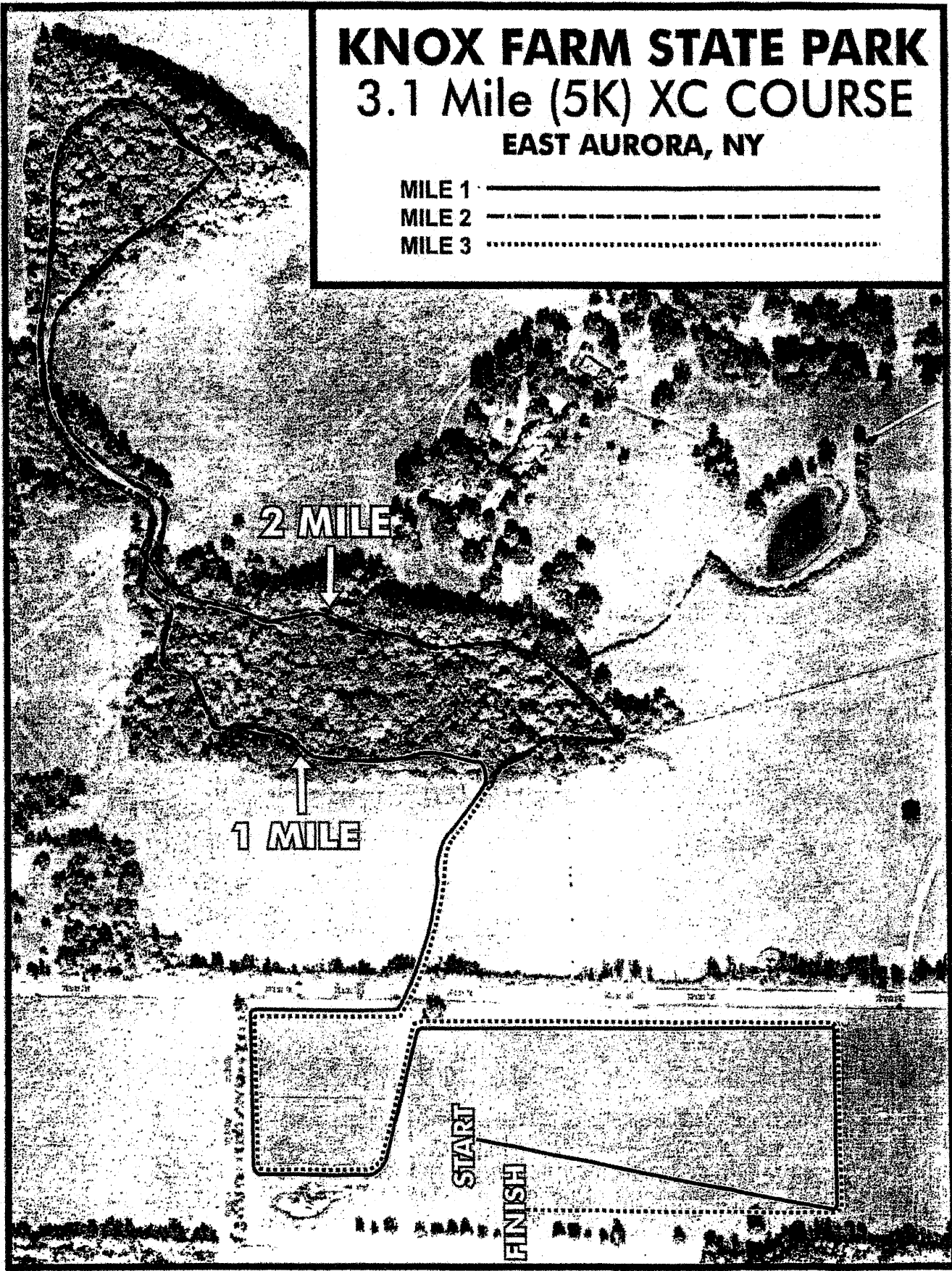
MOHAMMED RAHEEMUDDIN  
No. 01RA6098329  
Notary Public, State of New York  
Qualified in Erie County  
My commission expires SEPTEMBER 8th, 2023

# KNOX FARM STATE PARK

## 3.1 Mile (5K) XC COURSE

### EAST AURORA, NY

MILE 1 \_\_\_\_\_  
MILE 2 - - - - -  
MILE 3 ·······



2 MILE



1 MILE



START

FINISH

# SPECIAL USE/SPECIAL EVENT PERMIT

New York State Office of Parks, Recreation, and Historic Preservation  
Knox Farm State Park

Issued To: Pete Schneider

Address: 3756

City, State Zip: Kenmore NY 14221

Email: [monsignor.martin.athletics@gmail.com](mailto:monsignor.martin.athletics@gmail.com)

Phone: (716) 998-4589

Event Name: **Monsignor Martin High School  
Athletic Association C.C. meet**

Event Date(s): **11/3/19**

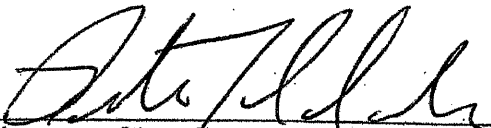
Event Times: **7:30am – 12:00pm**

Estimated # of attendees: 350

The New York State Office of Parks, Recreation and Historic Preservation hereby grants permission to Monsignor Martin Athletic Association – Pete Schneider, hereinafter referred to as "Permittee", to hold a Cross Country meet, subject to the following terms and conditions:

- 1) Permittee shall be responsible for all personal injury, including death, and all property damage due to its activities under this permit and agrees to defend, indemnify and hold harmless the People of the State of New York; New York State Executive Department, Office of Parks, Recreation, and Historic Preservation (OPRHP); their commissioners, officers, agents, and employees from any and all claims, suits, actions, damages and costs of every nature and description which might result from the conduct of activities under this permit.
- 2) Insurance and Indemnification: The permittee covenants and agrees to defend, indemnify, and hold harmless the New York State Office of Parks, Recreation and Historic Preservation and the State of New York from any and all liability which may arise out of or result from use made by the Permittee of the PREMISES. The Permittee shall, at its own cost and expense, procure a policy of public liability insurance. **The People of the State of New York, the New York State Executive Department, the Office of Parks, Recreation and Historic Preservation and their officers, agents, employees and assigns** shall be additional named insured in such policy. Said policy shall contain limits of no less than \$1,000,000 for each occurrence and a general aggregate minimum of \$2,000,000 to protect Permittee and each additional insured from any claims for damages to property and for personal injuries, including death which may arise in connection with the uses permitted under this PERMIT. Permittee shall deliver to PARKS certificates of insurance at the beginning of the term of the PERMIT and upon each renewal of said policy. Public liability insurance minimums may be adjusted to the New York State Office of General Services guidelines for public liability insurance. Failure by the Permittee to maintain the aforementioned insurance policy in full force and effect throughout the term of the PERMIT shall result in immediate termination of the PERMIT by PARKS. Said policy shall include provision of direct notification to PARKS by the insurance carrier not less than thirty (30) days prior to cancellation.
- 3) There will be no obligation on the part of OPRHP for garbage, water, electric, security, preparation, clean-up, or restoration of the area, or furnishing of equipment, supplies, or personnel, except as is normally done by OPRHP or as specified in the "SPECIAL CONDITIONS AND ARRANGEMENTS" section of this permit.
- 4) This is a non-exclusive permit.
- 5) Permittee must leave the area in the condition in which it was found.

- 6) The event must not interfere with use of the site or its surrounding areas and roads by the general public.
- 7) This permit does not constitute a waiver of any applicable vehicle use fees (parking) nor does it reserve any parking spaces. Vehicles must park in designated areas.
- 8) Permittee must comply with all OPRHP, state, county, and local rules and regulations. In addition, any directions issued by the Park Police; or authorized representatives of OPRHP must be immediately followed.
- 9) SPECIAL CONDITIONS AND ARRANGEMENTS:
  - a) Permittee will contact The Town of Aurora Rec. Department (716-652-8866) for permission to use the athletic fields on Knox Road.
  - b) Permittee will post signage at trail heads advising other park users "CAUTION! - RACE IN PROGRESS".
- 10) Permittee shall promptly report any and all unusual incidents directly to the Park/Site Manager or Park Police. Unusual incidents include, but are not limited to, damage to Park property, accidents, personal injuries, and emergencies involving medical personnel.
- 11) This permit is issued to Permittee for the date(s), time(s), and location(s) listed. It may not be sold, transferred, or re-issued. For identification purposes, it must be available for inspection by OPRHP officials.
- 12) Failure to adhere to the terms and conditions of this agreement shall result in its immediate cancellation and the forfeiture of any monies already paid to NYSOPRHP.
- 13) The on-site Park Manager or designated employee or Park Police may postpone or cancel this event because of any unsafe condition.
- 14) This permit will not be valid until signed by an authorized representative of Organization and a copy returned together with the required insurance certificate, fees, and other paperwork, as specified hereinabove, to the Knox Farm Park Office no less than 30 days prior to the date of the event.

  
 \_\_\_\_\_  
 Signature of Permittee

8/29/19  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 ve

8/10/19  
 \_\_\_\_\_  
 Date



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
7/9/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Arthur J Gallagher Risk Management Services, Inc. 2 Westchester Park Drive White Plains, NY 10804		<b>CONTACT</b> NAME: John Scholl PHONE: (914) No. Ext: 716-847-8394 FAX: (914) No: 716-847-5538 E-MAIL: jscholl@buffalodiocese.org ADDRESS: jscholl@buffalodiocese.org	
<b>INSURED</b> Diocese of Buffalo 795 Main Street, Buffalo, NY 14203-1250 Monsignor Martin High School Athletic Association		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: National Catholic RRG, Inc. NAIC #: 10083 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES      CERTIFICATE NUMBER:      REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSUR	TYPE OF INSURANCE	ADDL. BUREAU	POLICY NUMBER	POLICY EFF. DATE	POLICY EXP. DATE	LIMITS
TR		INSUR. SYSD.		(MM/DD/YYYY)	(MM/DD/YYYY)	
A	<input checked="" type="checkbox"/> GENERAL LIABILITY		RRG 1054-20	07/01/2019	07/01/2020	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	<input checked="" type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR				DAMAGE TO RENTED PREMISES (Ea occurrence) \$
						MED EXP (Any one person) \$
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ None
						PRODUCTS - COMP/OP AGG \$ None
						\$
	<b>GEN'L AGGREGATE LIMIT APPLIES PER:</b>					
	<input checked="" type="checkbox"/> POLICY	<input type="checkbox"/> PRO-SECT				
		<input type="checkbox"/> LOC				
	<b>AUTOMOBILE LIABILITY</b>					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS					PROPERTY DAMAGE (Per accident) \$
						\$
	<b>UMBRELLA LIAB</b>					EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
	<input type="checkbox"/> DED	<input type="checkbox"/> RETENTION \$				\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>					WC STATUTORY LIMITS: \$
	<input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N	<input type="checkbox"/> N/A			EL EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS					EL DISEASE - EA EMPLOYEE \$
						EL DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Additional insured Status for any Persons with whom the Named Insured has agreed to provide Insurance Protection. Insurance shall not exceed amount agreed upon or exceed policy limits provided by this policy. The limit is inclusive of the insured's \$250,000 Self Insured Retention.

State of New York and the Office of Parks, Recreation, and Historic Preservation; the People of the State of New York; New York State Executive Department; Office of Parks Recreation and Historic Preservation-Region #1, their Officers, Agents or Employees Albany New York are listed as additional insured

<b>CERTIFICATE HOLDER</b> Knox Farm State Park 437 Buffalo Road East Aurora NY 14052	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
---	--





5B-1

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL \_\_\_\_\_, WHO MOVED  
IT'S ADOPTION, SECONDED BY COUNCIL \_\_\_\_\_,  
TO WIT

A RESOLUTION RELATING TO THE STATE  
ENVIRONMENTAL QUALITY REVIEW PROCESS

WHEREAS, the Town Board of the Town of Aurora is considering adopting a Local Law to exclude those provisions of Real Property Tax Law of the State of New York §487 that provides a tax exemption for any Solar Energy Systems created or placed in connection therewith from being effective within the Town; and

WHEREAS, the Town Board of the Town of Aurora is duly qualified to act as lead agency for environmental review of certain actions undertaken by local government;

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Board of the Town of Aurora hereby declares itself as Lead Agency for SEQRA review purposes relating to excluding those provisions of Real Property Tax Law §487 relating to a tax exemption from being effective within the Town and hereby determines that the proposed action is a Type II action that will result in no significant environmental impact and no further review will be undertaken.

5B-2

RESOLUTION TO ADOPT LOCAL LAW INTRO. NO. 3 -2019

WHEREAS, Local Law Intro. No. 3-2019 has been submitted amending Chapter 101 of the Zoning Code with regard to exclusion of the provisions of Real Property Tax Law §487 granting a tax exemption relating to any Solar Energy Systems, and

WHEREAS, the amendments to the Zoning Code set forth in the Local Law have been carefully considered by the Town, and

WHEREAS, Chapter 101 of the Zoning Code provides for amendments to the Zoning Code, setting forth the procedure requiring a Public Hearing, and

WHEREAS, a Public Hearing was held on November 12, 2019 permitting public comments in regard to the proposed amendments, which included amendments to the Zoning Code,

NOW, THEREFORE, be it

RESOLVED, Local Law No. 3-2019 is hereby adopted and shall become effective upon filing of the Local Law with the New York Secretary of State, and be it further

RESOLVED, the Town Clerk is directed to file a copy of the Local Law with the New York State Department of State and forward a copy to General Code Publishers for the purpose of amending the Code Book of the Town of Aurora.

Duly adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**TOWN OF AURORA**

**LOCAL LAW INTRO. No. 3**

**LOCAL LAW NO. 3 -2019**

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 KNOWN AS “THE CODES OF THE TOWN OF AURORA”, ADOPTED BY THE TOWN BOARD ON JANUARY 22, 1990 BY AMENDING CHAPTER 101, TAXATION, TO EXCLUDE THE PROVISIONS OF REAL PROPERTY TAX LAW §487 GRANTING A TAX EXEMPTION.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

**SECTION 1. LEGISLATIVE INTENT**

It is the intent of this Local Law to amend Chapter 101 Taxation to exclude the provisions of Real Property Tax Law §487 that grant a tax exemption for Solar Energy Systems that would otherwise be eligible within the Town of Aurora.

**SECTION 2. CHAPTER 101, TAXATION**

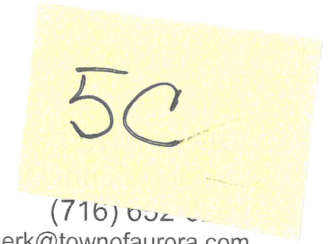
Chapter 101 of the Code of the Town of Aurora is amended by adding Article XI excluding a tax exemption for any Solar Energy Systems, as follows:

Article XI, Property Tax Exemption, §101-35: The provisions of Real Property Tax Law §487 providing for exemption from taxation to the extent of any increase in the value thereof by reason of the inclusion of such Solar Energy System for a period of fifteen (15) years is excluded as authorized by the enactment of this Local Law within the Town of Aurora.

**SECTION 3. EFFECTIVE DATE**

This Local Law shall take effect immediately upon adoption by the Town Board of the Town of Aurora and filing with the Secretary of State.

SUPERVISOR  
James J. Bach  
(716) 652-7590  
[jbach@townofaurora.com](mailto:jbach@townofaurora.com)



**TOWN OF AURORA**  
Southside Municipal Center  
300 Gleed Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

To: Aurora Town Board

From: Martha Librock, Town Clerk

Date: November 7, 2019

Re: AMC – Payment No. 3 – Greater Niagara Mechanical

Please approve payment no. 3 to Greater Niagara Mechanical in the amount of \$80,821.25 for period October 1 through October 24, 2019 for the Aurora Municipal Center project. The request has been reviewed and approved by Fontanese Folts Aubrecht Ernst.

# APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702/CMA

**TO OWNER:**  
Town of Aurora  
300 Gleed Ave.  
East Aurora, NY 14052

**PROJECT:**  
Aurora Municipal Center  
Mechanical Work

**FROM CONTRACTOR:** Greater Niagara Mechanical  
7311 Ward Road  
North Tonawanda, NY 14120

**CONTRACT FOR:** Mechanical

**APPLICATION NO.:** 3  
**PERIOD TO:** 10/24/2019  
**PROJECT NO.:** 17.18  
**CONTRACT DATE:** 5/1/2019

**Distribution To:**  
OWNER \_\_\_\_\_  
CONSTRUCTION MANAGER \_\_\_\_\_  
ARCHITECT \_\_\_\_\_  
CONTRACTOR \_\_\_\_\_

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT .....	\$	547,600.00
2. Net Change by Change Orders.....	\$	1
3. CONTRACT SUM TO DATE (Line 1 +/- 2).....	\$	547,600.00
4. TOTAL COMPLETED & STORED TO DATE..... (Column G on G703)	\$	148,900.00
5. RETAINAGE: _____ 5% .....	\$	7,445.00
6. TOTAL EARNED LESS RETAINAGE..... (Line 4 less Line 5 Total)	\$	141,455.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate).....	\$	60,633.75
8. CURRENT PAYMENT DUE .....	\$	80,821.25
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6).....	\$	406,145.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Change Orders approved in previous months by Owner:		
Total approved this Month		
<b>TOTALS</b>		
Net changes by Change Order		

AIA DOCUMENT G702/CMA -APPLICATION AND CERTIFICATE FOR PAYMENT - CONSTRUCTION MANAGER-ADVISER EDITION

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

**CONTRACTOR:** GREATER NIAGARA MECHANICAL, INC.

By: *William A. Heist* Date: 10/24/2019  
State Of: New York  
County Of: Niagara  
Subscribed and sworn to before me this 24 day of October 2019

Notary Public: \_\_\_\_\_  
My Commission expires: 3/8/22 *William A. Heist*

## CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Construction Manager and Architect certify to the Owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

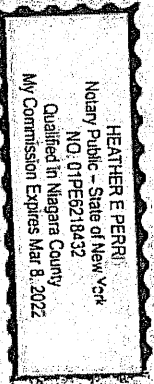
**AMOUNT CERTIFIED** ..... \$ 80,821.25

*(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that changed to conform to the amount certified.)*

**CONSTRUCTION MANAGER:** \_\_\_\_\_  
By: \_\_\_\_\_ DATE: \_\_\_\_\_

**ARCHITECT:** *William A. Heist* DATE: 11/06/19  
By: *William A. Heist*

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are with prejudice to any rights of the Owner or Contractor under this Contract.





SUPERVISOR  
James J. Bach  
(716) 652-7590  
[jbach@townofaurora.com](mailto:jbach@townofaurora.com)



5D  
TC  
Martha L. Librock  
(716) 652-3280  
[townclerk@townofaurora.com](mailto:townclerk@townofaurora.com)

**TOWN OF AURORA**  
**Southside Municipal Center**  
300 Glead Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

To: Aurora Town Board

From: Martha Librock, Town Clerk

Date: November 5, 2019

Re: Foit-Albert Payment – North Grove Bridge

Please consider approval of payment no. 2/final to Foit-Albert in the amount of \$7,650.00 for professional services rendered from September 28 to October 11, 2019 for the North Grove Street bridge replacement project. Funds will be disbursed from H7 Village Bridges capital project.





FOITALBERT

Buffalo  
295 Main St.  
Suite 200  
Buffalo, NY 14203  
716.856.3933  
Albany  
435 New Karner Rd  
Albany, NY 12205  
518.452.1037  
New York City  
215 West 94th St.  
Suite 517  
New York, NY 10025  
212.372.4813

**Invoice**

October 11, 2019

Dave Gunner  
Highway Superintendent  
Town of Aurora  
251 Quaker Road  
East Aurora, NY 14052

Project No: 19061.00  
Invoice No: 19061.00-2

North Grove Street Culvert Replacement  
Per Proposal Singed 7/24/19  
Terms: Net 30

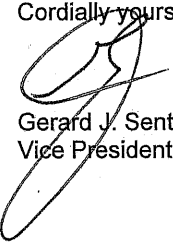
**Professional Services from September 28, 2019 to October 11, 2019**

**Fee**

Total Fee	17,000.00		
Percent Complete	100.00	Total Earned	17,000.00
		Previous Fee Billing	9,350.00
		Current Fee Billing	7,650.00
		<b>Total Fee</b>	<b>7,650.00</b>
		<b>Total Due This Invoice</b>	<b><u><u>\$7,650.00</u></u></b>

Please do not hesitate to contact me should you have any questions regarding this invoice or any of the services performed to date.

Cordially yours,



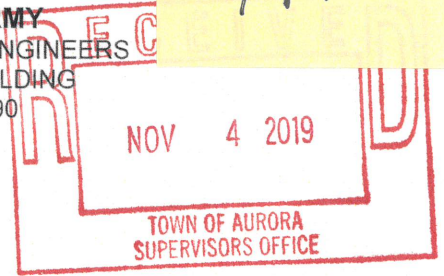
Gerard J. Sentz, P.E.  
Vice President, Engineering





DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT, CORPS OF ENGINEERS  
JACOB K. JAVITS FEDERAL BUILDING  
NEW YORK, N.Y. 10278-0090  
October 28, 2019

7A



REPLY TO  
ATTENTION OF

Programs and Project Management Division

TO: INTERESTED PARTIES

RE: PROPOSED PLAN FOR THE FORMER NIAGARA FALLS BUFFALO DEFENSE NIKE  
BATTERY BU-34/35, AURORA AND ORCHARD PARK, NEW YORK,  
FORMERLY USED DEFENSE SITE (FUDS); PROPERTY No. C02NY0077

Enclosed please find the *Proposed Plan for the Former Niagara Falls Buffalo Defense Nike Battery BU-34/35, Aurora and Orchard Park, New York*, dated October, 2019.

We will be holding a public meeting to present the *Proposed Plan* on Wednesday, November 13, 2019, from 6:30 – 8:00 P.M. at the Town of Aurora Senior Citizen Center, 101 King Street, Suite A, East Aurora, New York 14052. Please consider attending this meeting.

Please contact me at (917) 790-8235 for anything further regarding this matter.

Sincerely,

Gregory J. Goepfert  
Project Manager

Encl.: Proposed Plan



U.S. Army Corps of Engineers  
**PROPOSED PLAN**  
Former Niagara Falls – Buffalo Defense Nike Battery Unit 34/35  
Aurora and Orchard Park, New York

October 2019

## INTRODUCTION

This Proposed Plan provides information to the public on the *United States Army Corps of Engineers (USACE)*<sup>1</sup>, New York District's proposed plan for no further action at the Former Niagara Falls-Buffalo Defense Nike Battery Unit 34/35 (BU-34/35) Site in Orchard Park and Aurora, New York. This plan is intended to inform the community of the rationale for the determination that the Site requires no further action, and to encourage and facilitate community participation in that determination.

Applicable federal and state environmental laws govern characterization and response activities at federal facilities. The Department of Defense (DoD) has the responsibility for identifying, investigating, and determining cleanup activities related to former DoD facilities under the Formerly Used Defense Site (FUDS) Program. USACE is the lead agency responsible for managing investigation and cleanup activities at the Site.

The Site is being addressed under the FUDS program in accordance with the *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)*, as amended by the Superfund Reauthorization Act (SARA). USACE is required to comply with CERCLA and the *National Oil and Hazardous Substances Pollution Contingency Plan (NCP)* for all FUDS program sites. In addition, certain actions were completed at the Site under the FUDS program that were not regulated under CERCLA but are relevant to USACE's determination for no further action. These activities were performed under State and local requirements for underground storage tank (UST) removal, building demolition, and septic tank closure.

The Site (FUDS Property Number C02NY007701) consists of two properties that were utilized by the U.S. Army between 1957 to 1963. The Control Area property is located in Orchard Park, New York and the Launch Area property is located in Aurora, New York (see Figure 1 on the next page). Both properties are located in Erie County and Congressional District NY-26. USACE worked closely with the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health to characterize the Site and implement appropriate actions

### Public Comments are Requested

#### **PUBLIC COMMENT PERIOD – October 28, 2019 through December 16, 2019**

Written comments on this Proposed Plan can be submitted to USACE during this comment period. Comment letters must be postmarked no later than December 16, 2019 and can be sent to:

Mr. Gregory J. Goepfert, Project Manager  
U.S. Army Corps of Engineers, New York District  
26 Federal Plaza, 17<sup>th</sup> Floor – Station 17 401-2  
New York, NY 10278.

#### **PUBLIC MEETING – November 13, 2019**

USACE and NYSDEC will host an information session followed by a formal public hearing from 6:30pm to 8:00pm at the Town of Aurora Senior Citizen Center, 101 King Street, Suite A, East Aurora, New York, 14052, to provide information and answer questions. This meeting will consist of a presentation by USACE and an opportunity for public comments to be submitted – either verbally or in writing.

necessary for site closure and the determination of no further action.

As the lead agency for implementing the environmental response program for the Site, USACE prepared this Proposed Plan in accordance with CERCLA Section 117(a) and Section 300.430(f)(2) of the NCP (40 Code of Federal Regulations [CFR] Section 300.430(f)(2)) to continue its community awareness efforts and to encourage public participation.

## PURPOSE OF THE PROPOSED PLAN

The purpose of this Proposed Plan is to ensure the community understands the information compiled for the Site and understands the proposed determination for no further action. After the public has had the opportunity to review and comment on this Proposed Plan, USACE will summarize and respond to all comments received during the comment period and the public meeting in a document called the Responsiveness Summary. Refer to the **Public Comments are Requested** highlight box (top left of this page) for the meeting date and times.

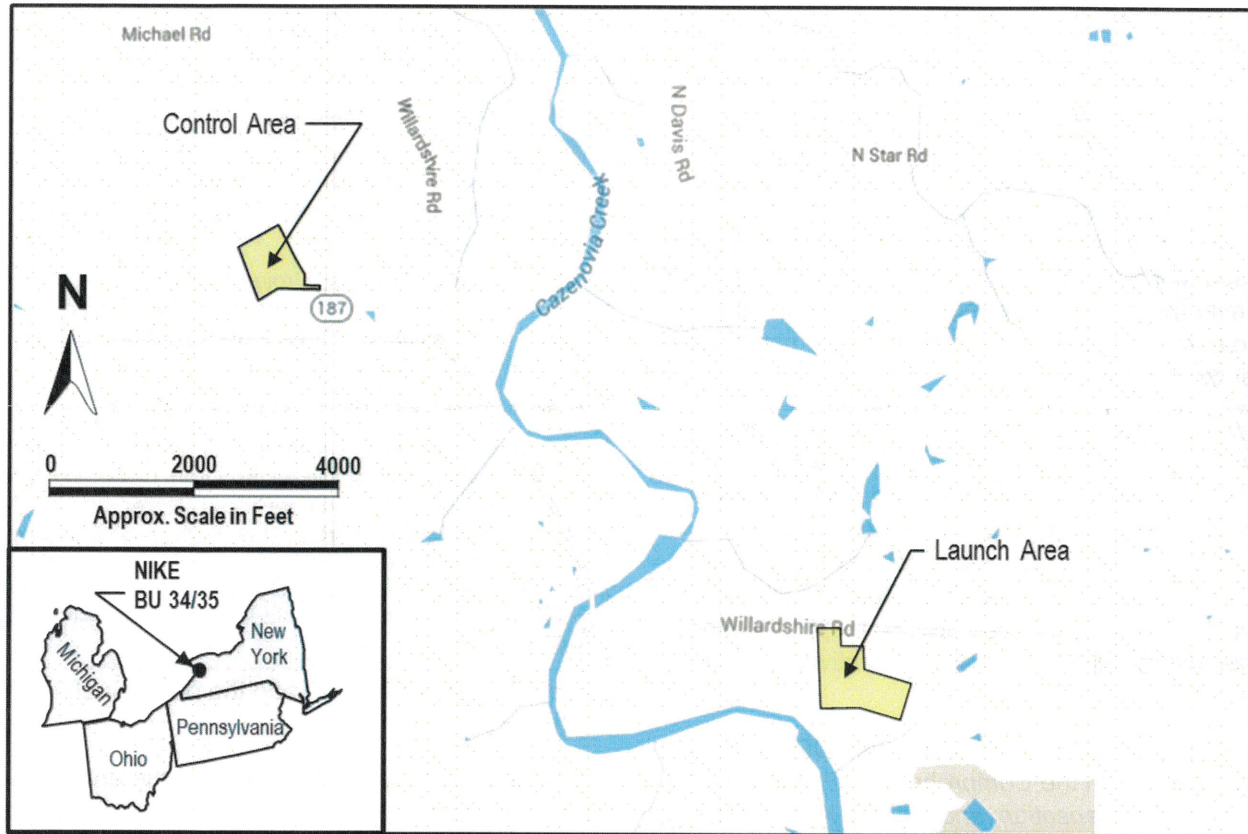
USACE will carefully consider all comments received. The final decision for the Site will be documented in a *Decision Document*.

<sup>1</sup> Definitions of *italicized* words are in the Glossary of Terms on page 8.



U.S. Army Corps of Engineers  
**PROPOSED PLAN**  
Former Niagara Falls – Buffalo Defense Nike Battery Unit 34/35  
Aurora and Orchard Park, New York

October 2019



**Figure 1. The Former Niagara Falls – Buffalo Defense Nike BU-34/35 Site consists of two properties near Buffalo, New York: the Control Area and the Launch Area.**

This Proposed Plan highlights key information regarding site characterization presented in the *Remedial Investigation (RI)* Report. The RI Report, which includes a Screening Level Ecological Risk Assessment (SLERA) and a Human Health Risk Assessment (HHRA), presents the nature and extent of Site contamination. These and other documents that support this Proposed Plan are part of the *Administrative Record File*, which is available at the *Information Repositories* located at the Aurora Town Public Library, 550 Main Street, East Aurora, New York 14052 and the Orchard Park Library, 4570 South Buffalo Street, Orchard Park, New York 14127.

### SITE BACKGROUND

The Niagara Falls-Buffalo Defense Nike BU-34/35 Site was acquired by the United States to serve as a surface-to-air missile launch site. The launch equipment and facilities were constructed by the U.S. Army between December 1955 and January 1957. The launch site was used by the United States Army between January 1957 and March 1963.

The type of missile stored at Nike BU-34/35 was the Nike Ajax Missile. This installation was used exclusively by the United States Army during the period of DoD ownership. The former Launch Area occupies approximately 19 acres and included the former barracks and six former underground missile storage and launching silos. The former Control Area occupies approximately 26 acres and consisted of radar systems and computer systems necessary for Nike Ajax Missile operations.

Following termination of the Nike Missile Program by DoD, the properties were excessed and transferred. The Control Area property was transferred to Health Research Incorporated (HRI), a public benefit corporation of the State of New York. HRI is still the owner of the Control Area property. The Launch Area property was transferred to the estate of Marjorie K.C. Klopp. The Launch Area is currently owned by Waterhill Evergreen Holdings, LLC.

At the Control Area, the current site owner, HRI, conducted environmental activities to investigate and remediate the property. The Control Area was not



U.S. Army Corps of Engineers  
**PROPOSED PLAN**  
Former Niagara Falls – Buffalo Defense Nike Battery Unit 34/35  
Aurora and Orchard Park, New York

October 2019

investigated directly by USACE because hazardous materials were not typically stored or used by DoD at Nike control sites. Studies, assessments, and site cleanup actions were conducted by HRI from 1991 to 2002. These activities were undertaken at the Control Area to address environmental issues related to HRI operations at the Control Area after the property was transferred.

In 1988, a preliminary evaluation was completed by USACE at the Launch Area to evaluate environmental conditions due to former DoD activities. The evaluation recommended that additional investigation be conducted. In 1995, a Limited RI was conducted at the site to further characterize *groundwater*, characterize any chemical impacts to the silo water, perform a qualitative assessment of risk to human health and the environment, and prepare a list of remedial action alternatives. The limited RI recommended extraction of water from the silos, grouting of the silo drainage system and walls, and backfilling of the silos. No further investigations or actions were conducted at the Site until the RI, UST closure, silo closure, and septic tank closure were performed by USACE from 2016 through 2019.

## SITE CHARACTERISTICS

### Control Area

The environmental activities conducted by the current site owner, HRI, from 1991 to 2002, and research performed by USACE support there are no remaining unacceptable risks to human health and environment at the Control Area. Previous investigations and cleanup actions determined that residual concentrations of metals in soil and groundwater were consistent with background conditions and *volatile organic compounds* (VOCs) were not detected in groundwater during the final sampling event performed in 2002. Therefore, additional environmental sampling was not conducted as part of the RI. The previous investigations and cleanup actions are summarized in the RI Report. Site visits were conducted as part of the RI and the Army Geospatial Center (AGC) performed archival research for the Control Area. The results of these additional activities support that there are no unacceptable risks to human health or the environment resulting from DoD activities at the Control Area.

### Launch Area

During U.S. Army operations in the 1950s and 1960s, Nike missiles were typically assembled, serviced, maintained, and prepared for firing at the Launch Area. The missiles were stored in underground silos measuring approximately 60-feet by 60-feet. The tops of the silos were approximately 3 feet below surface, and the floors of the silos were approximately 16 feet below surface. Other structures formerly present at the Launch Area included barracks, a missile assembly building, and an acid mixing and wash rack area. Figure 2 shows the site layout and locations of former structures.

The Launch Area had its own electrical power generator and UST for diesel fuel storage. During RI fieldwork, a geophysical survey identified the presence of a UST remaining at the Launch Area associated with the former generator and located adjacent to the former Generator Building (see Figure 2). The UST was then removed by USACE in 2017 in accordance with NYSDEC requirements.

The Launch Area potable water facilities included a pump house, chlorinator, and potable water lines. Sanitary sewage treatment facilities included a chlorinator house, a sand filter, and a septic tank (see Figure 2). The septic tank was closed in accordance with local regulations in 2019. The facility was configured to direct storm water away from the underground missile silos.

The Launch Area was used by DoD between 1957 and 1963, and then the property was transferred. The only facilities utilized after DoD ownership and operation were the former enlisted men's barracks and bachelor officers' quarters building. These building structures have since been razed by the property owner.

An evaluation of historical information available for the Launch Area indicated that hazardous substances may have been released to the environment as a result of historical DoD activities. Therefore, a RI was performed at the Launch Area to collect data necessary to characterize the site and evaluate Site risk to human health and the environment.





U.S. Army Corps of Engineers  
**PROPOSED PLAN**  
Former Niagara Falls – Buffalo Defense Nike Battery Unit 34/35  
Aurora and Orchard Park, New York

October 2019

polychlorinated biphenyls (PCBs); samples were collected from 10 borings (BACK1 through BACK10) located adjacent to the Launch Area to characterize background conditions in the surface and subsurface soil; three test pits were excavated at the Launch Area to evaluate subsurface soils near potential sources; silo

water samples were collected to evaluate impacts within the silos; and groundwater sampling was conducted at nine monitoring wells to evaluate site groundwater for VOCs, SVOCs, metals, and PCBs. Figure 3 shows the locations of monitoring wells, soil borings, background borings, and test pits.

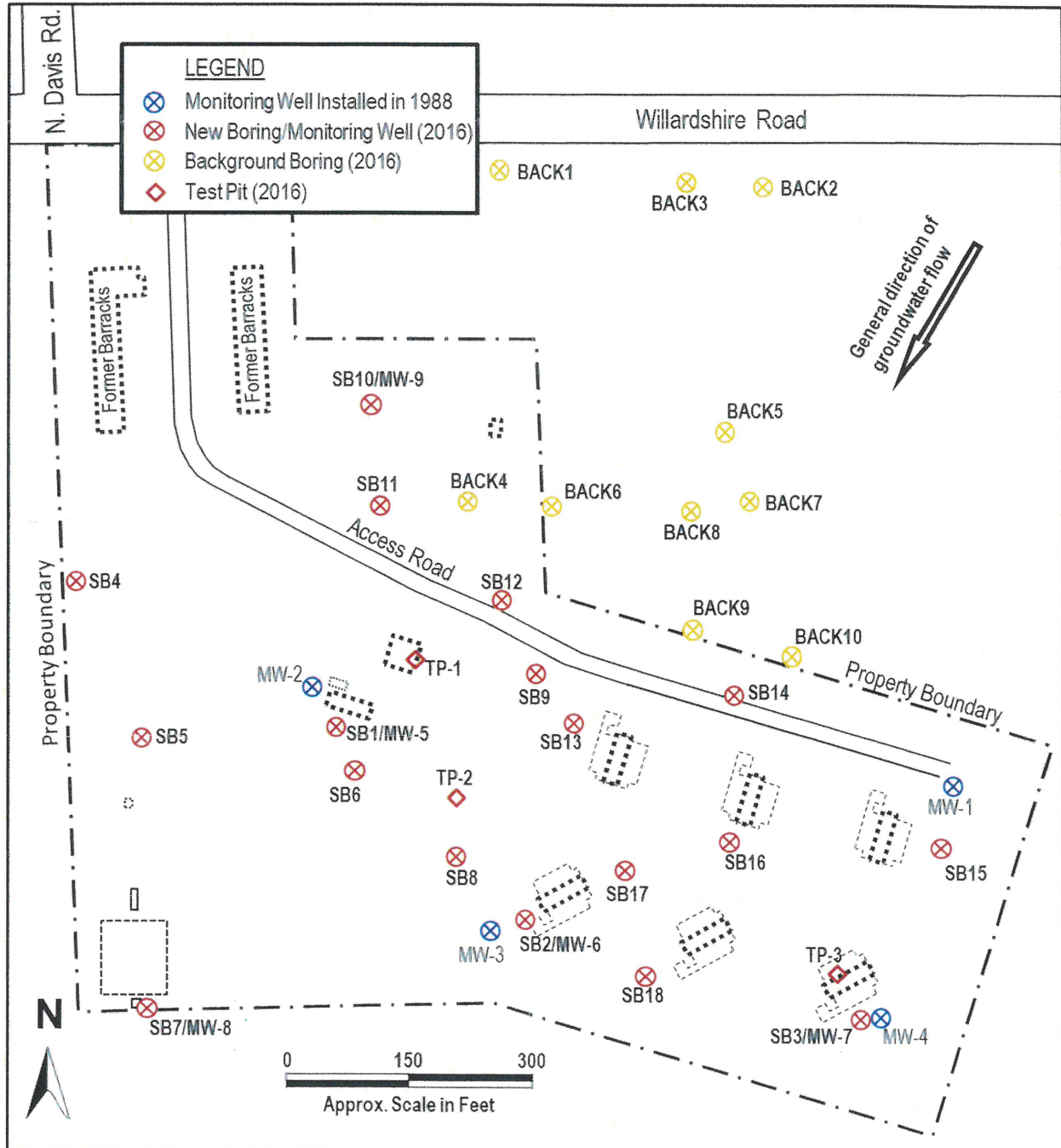


Figure 3. RI Sampling Locations.





U.S. Army Corps of Engineers  
**PROPOSED PLAN**  
Former Niagara Falls – Buffalo Defense Nike Battery Unit 34/35  
Aurora and Orchard Park, New York

October 2019

RI sampling results for the Launch Area indicated that concentrations of metals in soil at the site were consistent with background conditions, and that acetone (a VOC) and polycyclic aromatic hydrocarbons (PAHs; a subset of SVOCs) in soil were the only site-related chemicals that exceeded screening levels that are protective of human health and the environment. Acetone exceeded a screening level that is based on the protection of groundwater, but acetone was not detected in site groundwater. In addition, the concentrations of acetone in site soils are five orders of magnitude below the United States Environmental Protection Agency (EPA) residential Regional Screening Level (RSL) and, therefore, pose no risk to human health or the environment. PAH exceedances were limited to three sampling locations (SB3, SB14, and SB17) and the following specific compounds: benzo(k)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, chrysene, benzo(b)fluoranthene, and benz(a)anthracene. All three locations exhibited similar trends, with the highest concentrations being observed in the surface and/or near-surface sample, which generally decreased to non-detect levels in deeper samples. Based on the limited mobility of PAHs, residual PAHs are expected to have a low potential for mobilization and/or impacts to other environmental media, which is supported by non-detect results for PAHs in all groundwater samples.

The human health risk assessment (HHRA) for the Launch Area evaluated risks to all potential current (site workers, adolescent trespassers, and youth recreational users) and future receptors (site workers, construction workers, adolescent trespassers, youth recreational users, and future resident). The HHRA determined that carcinogenic risk and non-carcinogenic hazards are below target levels. Overall, the HHRA results support that residual concentrations of chemicals in environmental media related to historical operations at the Former Nike BU-34/35 Launch Area pose no actionable risk to human health. The Screening Level Ecological Risk Assessment (SLERA) was performed to determine whether conditions at the Launch Area pose an unacceptable risk to ecological receptors from exposure to site soil. Site contaminants were detected infrequently and at low concentrations in surface soil at the Launch Area. As a result, the SLERA identified no unacceptable risk to ecological receptors.

The final Remedial Investigation (RI) Report, dated October 2019, is available for public review at the Aurora and Orchard Park Public Libraries.

Following RI sampling and risk assessment, the six silos were demolished and removed from the site, and clean topsoil was placed at the site. The silo closure activities were performed in accordance with State and local requirements.

In addition to the RI, USACE performed three separate actions under the FUDS program at the Launch Area site between 2017 and 2019 that were separate from the CERCLA investigation, but relevant to USACE's determination for no further action and site closure. These actions included removal of an 8,000-gallon UST, demolition and closure of six underground silos, and closure of the septic tank.

Collectively, the RI results support that residual concentrations of chemicals in environmental media potentially related to historical operations at the Control Area and Launch Area of Former Nike BU-34/35 pose no actionable risk to human health or the environment. Based on these results, no further action is required for the Control Area and Launch Area of Former Nike BU-34/35, and future use of the Control Area and Launch Area properties is unrestricted.

#### **NEXT STEPS**

Once the community has commented on this Proposed Plan, USACE will consider all comments received. An opportunity for the public to comment will be at the upcoming Public Meeting (see details under community participation). Alternatively, comments can be mailed directly to USACE (refer to page 1 highlight box for details). USACE will provide written responses to all formal comments, and will combine those responses into a Responsiveness Summary, which will be included in the Decision Document for the Site. The no further action determination presented in this document is based on current information and it could change in response to public comment or new information. The Public is encouraged to comment this document.

A responsiveness summary to comments received from the public on this no further action Proposed Plan will be prepared and included in the Decision Document for the Site. USACE anticipates that the Decision Document will be finalized and signed by approximately March 2020, at which time the document will be made available to the public at the Information Repositories



U.S. Army Corps of Engineers  
**PROPOSED PLAN**  
Former Niagara Falls – Buffalo Defense Nike Battery Unit 34/35  
Aurora and Orchard Park, New York

October 2019

located at the Aurora Town Public Library, 550 Main Street, East Aurora, New York 14052; and the Orchard Park Library, 4570 South Buffalo Street, Orchard Park, New York 14127.

Comments on this Proposed Plan may be submitted using the attached comment sheet.

### COMMUNITY PARTICIPATION

The community is encouraged to review the documents supporting this Proposed Plan (including the RI report, dated October 2019), submit comments on the Proposed Plan, and attend the Public Meeting on November 13, 2019 from 6:30pm to 8:00pm at the Town of Aurora Senior Citizen Center, 101 King Street, Suite A, East Aurora, New York, 14052. Documents supporting the Proposed Plan are available at the information repositories identified below:

Aurora Town Public Library  
550 Main Street  
East Aurora, New York 14052

*Mon.-Thurs.*            10AM – 8PM  
*Friday*                10AM – 6PM  
*Saturday*             10AM – 3PM

Orchard Park Library  
4570 South Buffalo Street  
Orchard Park, New York 14127

*Mon., Tues., Thurs.* 10AM – 9PM  
*Wednesday*        1PM – 9PM  
*Fri. and Sat.*        10AM – 5PM

#### **Contact Information**

Mr. Gregory J. Goepfert  
Project Manager  
U.S. Army Corps of Engineers, New York District  
26 Federal Plaza  
17<sup>th</sup> Floor – Station 17 401-2  
New York, NY 10278  
917-790-8235  
[Gregory.J.Goepfert@usace.army.mil](mailto:Gregory.J.Goepfert@usace.army.mil)

Mr. Jaspal S. Walia  
Remedial Case Manager  
New York State Department of Environmental  
Conservation  
Division of Environmental Remediation, Region 9  
270 Michigan Avenue  
Buffalo, New York 14203-2915  
716-851-7220  
[jaspal.walia@dec.ny.gov](mailto:jaspal.walia@dec.ny.gov)



U.S. Army Corps of Engineers  
**PROPOSED PLAN**  
Former Niagara Falls – Buffalo Defense Nike Battery Unit 34/35  
Aurora and Orchard Park, New York

October 2019

## GLOSSARY OF TERMS

Acetone: Acetone is used in industrial processes to manufacture other products, such as plastics, fibers, and pharmaceuticals and is also used as a solvent. Acetone occurs naturally in plants, trees, volcanic gases, and forest fires.

Administrative Record File: A collection of all documents used to select and justify remedial decisions at CERCLA site. These documents are available for public review.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA): A federal law passed in 1980 and amended in 1986 by the SARA. USACE FUDS Program characterization and remediation at sites is conducted in accordance with CERCLA/SARA, while funded by the Department of Defense under the Defense Environmental Restoration Program (DERP).

Decision Document: A legal, technical, and public document that explains the rationale and remedy decision for a given site. It also summarizes the public's involvement in the decision.

Groundwater: Groundwater is the water found beneath the ground surface that fills pores between such materials as sand, soil, gravel, and rock. In the case of the Site, groundwater is predominantly found in soil and sand beneath the ground surface.

Information Repository: A public file containing site/project information and documents of site investigation and remedial activities in either hard copy or electronic form.

National Oil and Hazardous Substances Pollution Contingency Plan (NCP): Regulations issued by the EPA to implement the requirements of CERCLA.

Polycyclic Aromatic Hydrocarbons (PAHs): PAHs are a group of chemicals that are formed during the incomplete burning of coal, oil and gas, garbage, or other organic substances like tobacco or charbroiled meat. There are more than 100 different PAHs. PAHs generally occur as mixtures, not as single compounds. PAHs are found in coal tar, crude oil, creosote, and roofing tar. They are found throughout the environment in the air, water, and soil.

Remedial Investigation (RI): The collection of data and information necessary to characterize the nature and extent of contamination at a site. The RI also includes information as to if the contamination poses a significant risk to human health or the environment.

Semi-Volatile Organic Compound (SVOC): A chemical compound that contains the element carbon and that does not readily evaporate into air at room temperature.

United States Army Corps of Engineers (USACE): Provides comprehensive environmental restoration services for the Army, DoD, EPA, and other federal agencies. The DoD has designated USACE to oversee the FUDS work at Former Niagara Falls – Buffalo Defense Nike BU-34/35.

Volatile Organic Compound (VOC): A chemical compound that contains the element carbon and that readily evaporates into air at room temperature.



7B

MONTHLY REPORT FOR TOWN BOARD, TOWN OF AURORA FOR October 2019

\*see attached fee report for permits issued\*

\$ 10,108.09	October 2019 Fees
\$ 106,406.12	Current Year Total Fees through October 2019
\$ 80.00	Monthly Zoning Compliance letter fees (\$ YTD total)
\$ 95,414.78	Total Fees through October 2018

ZONING BOARD OF APPEALS:

New Hearings:	1
Req to Amend:	
Adjourned:	
Review:	
Decisions:	0

NOTICES SENT:

Permits Expiring Soon:	7
Expired Permits:	8
Violations:	6
2 <sup>nd</sup> Notice Violations:	
Fire Violations:	9
Zoning Comp Letters:	2
General Letters:	5
False Alarm Notices:	6
FA 2 <sup>nd</sup> Notice:	0
FA Final Notice:	0

<u>JCA CASES:</u>	0
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# Town of Aurora

## Building Permit Fee Report - by Issued Date: 10/01/2019 - 10/31/2019

Permit#	Location	Issued	Description	Square Ft	Project Cost	Permit Fee	Rec Fee	Water Fee	Sec Dep
2019-0431	555 Center St	10/01/19	(RI 18-342) Finish Garage Construction (	1,000.00		100.00			
2019-0432	250 Quaker Rd	10/02/19	Permanent Sign	36.00	6,934.00	60.00			
2019-0433	25 Aurora Mills Dr.	10/02/19	Single Family Dwelling with Attached Gar	2,261.00	315,180.00	841.35	200.00		
2019-0434	30 Creekstone Dr.	10/02/19	Single Family Dwelling with Attached Gar	5,496.00	481,585.00	1973.60	200.00		
2019-0435	30 Creekstone Dr.	10/02/19	Generator		6,000.00	50.00			
2019-0436	640 Aurora Porterville R	10/03/19	Fence - 3 1/2' h front yard			50.00			
2019-0437	186 Elmwood Ave	10/04/19	Demo detached garage	340.00		50.00			
2019-0438	186 Elmwood Ave	10/04/19	Detached Garage	528.00	20,000.00	114.20			
2019-0439	168 Olean St	10/04/19	Shed	192.00	5,200.00	63.80			
2019-0440	145 West Fillmore Ave	10/04/19	Shed - Prebuilt	120.00	3,500.00	53.00			
2019-0441	246 South Grove St	10/04/19	Enclose Porch	222.00		107.70			
2019-0442	1875 Davis Rd	10/07/19	Addition & renovation	912.00	60,000.00	384.20			
2019-0443	31 Aurora Mills Dr.	10/08/19	Deck	144.00	4,000.00	56.60			
2019-0444	139 King St	10/09/19	Fence - 6' h back and side yards		10,000.00	50.00			
2019-0445	25 Boies Aly	10/10/19	Temporary Sign @ Goodyear Tire	16.00		25.00			
2019-0446	1464 Blakeley Rd	10/11/19	Single Family Dwelling w/attached garage	4,606.00	535,000.00	1662.10	200.00		
2019-0447	1622 Mill Rd	10/11/19	Shed with porch	288.00	3,183.00	78.20			
2019-0448	86 The Meadow	10/11/19	Fence			50.00			
2019-0449	274 Perry St	10/15/19	Addition for new family room	288.00	67,000.00	171.40			
2019-0450	78 Pine St	10/15/19	Addition - kitchen/porch and 1st floor r	921.00	47,000.00	352.35			
2019-0451	192 Elmwood Ave	10/15/19	(RI 18-357) Convert garage to living spa	943.00		102.51			
2019-0452	584 Oakwood Ave	10/15/19	(RI 18-232) 1st floor renovation, conver	1,005.00		60.38			
2019-0453	153 Girard Ave	10/16/19	Pre-built shed	160.00	4,195.00	59.00			
2019-0454	Main St	10/16/19	Temporary Signs @ First Presbyterian Chu			25.00			
2019-0455	697 Oakwood Ave	10/16/19	Bathroom Remodel	100.00	25,482.00	100.00			
2019-0456	1501 Center St	10/16/19	Install wood burning stove in pole barn		500.00	50.00			
2019-0457	276 Behm Rd	10/16/19	2nd story renovation	465.00	58,500.00	192.75			

Month Year Reported: ----> October 2019 CLERK'S MONTHLY REPORT  
 Town Name: -----> Town of Aurora  
 Prepared By: -----> Martha L. Librock  
 Date Submitted: -----> Nov, 01 2019

70

TO THE Supervisor:

Pursuant to Section 27, Subd. 1, of the Town Law, I hereby make the following statement of all the fees and monies received by me in connection with my office, during the month above stated, excepting only such fees and monies the application and payment of which are otherwise provided for by law.

RSC Code	Revenue Description	Item Count	Total Revenue	Town Portion	Other Disburses
100	SPORTING LICENSE REVENUE	17	1,091.00	55.20	1,035.80
200	DOG LICENSE REVENUE	221	2,827.00	2,550.00	277.00
301	MARRIAGE LICENSE	6	240.00	105.00	135.00
303	CERTIFIED MARRIAGE CERTIFICATE	4	40.00	40.00	0.00
602	DEATH CERTIFICATE	4	240.00	240.00	0.00
621	PETITION TO TB FOR REZONING	1	35.00	35.00	0.00
622	ZONING MAPS	1	4.50	4.50	0.00
701	DOG CENSUS FEE	21	145.00	145.00	0.00
<b>Report Totals:</b>		<b>275</b>	<b>4,622.50</b>	<b>3,174.70</b>	<b>1,447.80</b>

REVENUES TO SUPERVISOR - CLERK FEES 624.70  
 REVENUES TO SUPERVISOR - DOG FEES 2,550.00  
**TOTAL TOWN REVENUES TO SUPERVISOR: 3,174.70**

Amount paid to NYS DEC REVENUE ACCOUNTING 1,035.80  
 Amount paid to DEPT. OF AG. AND MARKETS 277.00  
 Amount paid to STATE HEALTH DEPARTMENT FOR MARRIAGE LICENSES 135.00  
**TOTAL DISBURSED TO OTHER AGENCIES: 1,447.80**

**TOTAL DISBURSED: 4,622.50**

NOVEMBER 1 2019 JAMES J. BACH Supervisor,  
 State of New York, County of Erie, Town of Aurora

Martha L. Librock being duly sworn, says that she/he is the Town Clerk of the Town of Aurora that the foregoing is a full and true statement of all Fees and Monies received by her/him during the month stated, excepting only such Fees the application and payment of which are otherwise provided for by law.

Subscribed and Sworn to before me  
 this 1st day of November 2019

Martha L. Librock  
 Town Clerk

Sheryla A. Miller Notary Public

**SHERYLA A. MILLER**  
 Reg. #01MI6128663  
 Notary Public, State of New York  
 Qualified In Erie County  
 Commission Expires June 13, 2021



7D

**TOWN OF AURORA**  
Southside Municipal Center  
300 Gleed Avenue, East Aurora, NY 14052

From: Martha L. Librock, Town Clerk

Monthly Statement – Tax Collection

To: James J. Bach, Town of Aurora Supervisor

Pursuant to Section 27 Subd. 1 of the Town Law, I hereby make the following statement of all fees and monies received by me during the month of Oct, 2019 in connection with the collection of taxes, excepting only such fees the application and payment of which are otherwise provided for by law:

Received From	Type of Receipt	Amount
Taxes	School	\$ 18,537,933.73
Taxes	Penalties	14,033.00
Taxes	Interest	
Taxes	NOW Acct Interest	578.02
Taxes		
	Total Received	\$ 18,552,544.75

CHECK INCLUDES .01 CENT FROM AUGUST 2019 REPORT

State of New York  
County of Erie  
Town of Aurora

Martha L. Librock, being duly sworn, says that she is the Town Clerk of the Town of Aurora; that the foregoing is a full and true statement of all fees and monies applicable to tax collection received by her during the month stated excepting only such fees and monies the application of which are otherwise provided for by law.

Martha L. Librock, Town Clerk

Subscribed and Sworn to before me  
this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public





7E

**TOWN OF AURORA**  
Southside Municipal Center  
300 Glead Avenue, East Aurora, NY 14052

From: Barbara A. Halt, Water Clerk

Monthly Statement – Water Fee Collection

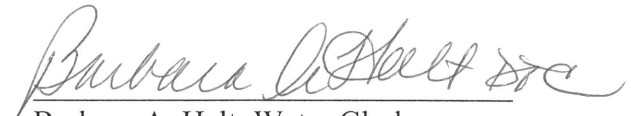
To: James J. Bach, Town of Aurora Supervisor

Pursuant to Section 27 Subd. 1 of the Town Law, I hereby make the following statement of all fees and monies received by me during the month of October, 2019\_ in connection with the collection of water fees, excepting only such fees the application and payment of which are otherwise provided for by law:

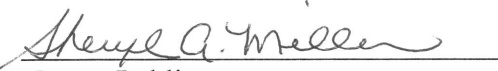
Received From	Type of Receipt	Amount
Water Billing	Water Bills	\$5204.51
	Total Received	\$5204.51

State of New York  
County of Erie  
Town of Aurora

Barbara A. Halt, being duly sworn, says that she is the Water Clerk of the Town of Aurora; that the foregoing is a full and true statement of all fees and monies applicable to water fee collection received by her during the month stated excepting only such fees and monies the application of which are otherwise provided for by law.

  
Barbara A. Halt, Water Clerk

Subscribed and Sworn to before me  
this 3<sup>rd</sup> day of October, 2019

  
Notary Public  
**SHERYL A. MILLER**  
Reg. #01MI6128663  
Notary Public, State of New York  
Qualified In Erie County  
Commission Expires June 13, 2021