

2A

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held by the Town Board of the Town of Aurora on the 9th day of December, 2024 at 6:30 p.m. at the Aurora Municipal Center located at 575 Oakwood Avenue, East Aurora, New York, 14052, at which hearing parties and interested citizens shall have an opportunity to be heard on an application to rezone property at 397 Old Glenwood Road, PO West Falls, Town of Aurora, NY, (former railroad depot), from R1 (Residential 1) to C1 (Commercial 1).

All interested parties are entitled to be heard at said public hearing. Copies of said proposed rezoning application are available for review at the offices of the Town Clerk during normal business hours or on the Town website www.townofaurora.com

Comments may also be mailed, emailed or phoned to the Town Board c/o the Town Clerk until 4:00 p.m. on December 9, 2024 prior to the public hearing – townclerk@townofaurora.com or (716) 652-3280 or Town Clerk 575 Oakwood Ave., E. Aurora, NY 14052

Martha L. Librock
Town Clerk
Town of Aurora

(Submit in triplicate)

Fee: \$150.00

PETITION

TO AMEND THE ZONING MAP OF THE TOWN OF AURORA, NEW YORK

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. <u>Conor</u>	<u>W.</u>	<u>Schneider</u>
Name (First)	(Middle Initial)	(Last)

2. Location of property to be rezoned: 397 Old Glenwood Road, West Falls, NY 14170
199.01-3-13

3. Area, in square feet, of the property to be rezoned: 0.87 Acres / 37,897 sq. ft.
Dimension of the property to be rezoned: 464.90' x 141.97' x 502.63'

4. If the petitioner is not the owner of the property:
N/A

Owner's Name and Address

Owner's Name and Address

What is the interest of the petitioner in the proposed rezoning?
Commerical use desired to reopen the West Falls Depot for public use.
See attached for more information.

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: R-1

8. Proposed zoning classification of the property: C-1

9. Present use of the property: Vacant Historic Train Station / Under Restoration

10. Proposed use of the property: Restored mix-use museum, leasable commercial space,
and upstairs studio rental unit

11. Description of uses on all adjacent properties and a general description of the type of neighborhood in which the subject property is located: Primarily R-1 residential.

R-1 and Agricultural along west side of Old Glenwood Road

RR along east side of Old Glenwood Road / west side of railroad

R-2 on east side of railroad / west side of Davis Road

12. Names and Addresses of Owners of Adjutting Properties:

1. Mark I. Pifher & Cynthia S. Pifher - 1739 Davis Road

2. Bryan S. Hitchcock & Kelly Hitchcock - 1745 Davis Road

3. Genesee & Wyoming Railroad Inc. - immediately adjacent to western edge of property

4. Marissa A. Vincent & Robert Wodzinski - 1707 Davis Road

5. Dorothy J. Doty - 1756 Davis Road

6. John H. Herbst & Stacy L. Herbst - 1802 Davis Road


7. Joseph J. DiPasquale & Tanya L. Zabinski - 357 Old Glenwood Road

13. Additional information which the petitioner believes will assist the Town Board in its consideration of this request for rezoning: See attached documentation.

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: September 24, 2024


(Signature of Petitioner)


(Signature of Owner)

STATE OF NEW YORK }
COUNTY OF ERIE } SS:

On this 24th day of September personally appeared before me

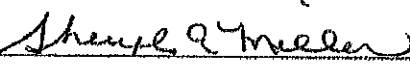
Conor W. Schneider

249 Old Glenwood Rd, West Falls, NY 14170

(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.


(Notary Public)
SHERYL A. MILLER
Reg. #01M6128663
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 13, 2025

Town of Aurora
Warrant Report

Unposted Batch Totals

Fund	Fund Description	Invoice Batch	Manual Checks	Total
Unposted Batch Grand Totals		\$0.00	\$0.00	\$0.00

Posted Batch Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A00	GENERAL FUND	\$19,826.98	\$0.00	\$187,624.00	\$0.00	\$207,450.98	\$0.00
DB0	HIGHWAY PART TOWN FUND	\$10,042.91	\$0.00	\$92,441.00	\$0.00	\$102,483.91	\$0.00
H70	VILLAGE BRIDGE REPAIRS	\$11,900.00	\$0.00	\$0.00	\$0.00	\$11,900.00	\$0.00
S30	SANITARY SEWER DISTRICT NO. 3	\$0.00	\$0.00	\$48,262.50	\$0.00	\$48,262.50	\$0.00
W60	SW6 - WATER DISTRICT 6	\$0.00	\$0.00	\$4,465.63	\$0.00	\$4,465.63	\$0.00
ZP0	PRIVATE WATER SYSTEM	\$1,174.35	\$0.00	\$0.00	\$0.00	\$1,174.35	\$0.00
Posted Batch Grand Totals		\$42,944.24	\$0.00	\$332,793.13	\$0.00	\$375,737.37	\$0.00

Report Grand Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A00	GENERAL FUND	\$19,826.98	\$0.00	\$187,624.00	\$0.00	\$207,450.98	\$0.00
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S30	SANITARY SEWER DISTRICT NO. 3	\$0.00	\$0.00	\$48,262.50	\$0.00	\$48,262.50	\$0.00
W60	SW6 - WATER DISTRICT 6	\$0.00	\$0.00	\$4,465.63	\$0.00	\$4,465.63	\$0.00
ZP0	PRIVATE WATER SYSTEM	\$1,174.35	\$0.00	\$0.00	\$0.00	\$1,174.35	\$0.00
Grand Totals		\$42,944.24	\$0.00	\$332,793.13	\$0.00	\$375,737.37	\$0.00

3B

V# 1509-1526
V# 1567-1570



5A

TOWN OF AURORA

Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

To: Aurora Town Board

From: Martha Libroek, Town Clerk

Date: December 4, 2024

Re: E. Fillmore & Church St. Bid Documents

Please consider authorizing the Supervisor to sign the attached bid package documents for the bid letting process for the E. Fillmore Ave. and Church St. bridge projects.

APPENDIX 11-5
RIGHT OF WAY CLEARANCE CERTIFICATE FOR AWARD

To: Regional Real Estate Officer, Region 5 Date: 11/14/2024 Design Approval Date: 3/12/2024
From: David Gunner Sponsor: Town of Aurora
P.I.N: 5763.87 Project: Church St. Culvert Replacement
Sponsor ID #: _____ Acquiring Agency: ---

I certify that; the right-of-way has been or will be acquired in accordance with the Highway Law, the Eminent Domain Procedure Law (when applicable), Uniform Relocation Assistance Real Property Acquisition Policies Act of 1970 as amended, and Title 23 of the Code of Federal Regulations, Part 635, Section 309 and that the status of the right-of-way is as follows:

Select: a, b, c, or d

(a) No right of way (including clearance of encroachments conflicting with the project construction within the existing right of way) is required for the project.

(b) All of the necessary rights of way, including control of access rights have been acquired (legal and physical possession). All payments/deposits are completed. If applicable, "Statement of Donations" attached. There are no improvements existing that need to be removed or demolished and/or all occupants have vacated the land and/or improvements and the acquiring agency has the physical possession and the right to remove.

(c) All the necessary rights of way, including control of access rights have not been completed, however, the acquisitions are being progressed and all legal and physical possession will be completed prior to advertisement of the contract (see attached ROW 9-15ALL "Acquisition and Clearance Status Report" for completion schedule).

(d) Acquisition of one or more remaining properties has not been completed and will not be completed prior to project advertisement for bids. All eligible occupants of the residences, if any, on such properties have had replacement housing made available to them in accordance with 49 CFR 24.204. (See attached ROW 9-15ALL "Acquisition and Clearance Status Report" for completion schedule and ROW 9-16ALL "Special Note – Availability of ROW"). The completion schedule will be included in the contract plans, engineering substantiation and a report of the quantity and quality of relocation assistance. A note designating the lack of availability shall appear on the specific plan sheet of each indicated property. FHWA approval of this (these) projection(s) is required. (Reasons property may not be available include acquisitions of properties in bankruptcy, acquisitions from cemeteries, acquisitions from the federal/state government, and relocations.)

Project Information:

No. of Maps required for project	<u>3</u>	No. of Relocations completed	<u>0</u>
No. of Claimants	<u>2</u>	No. of Maps paid to date	<u>3</u>
No. of Maps not requiring payment	<u>0</u>	No. of Maps deposited to date	<u>0</u>
No of Relocations required	<u>0</u>		

Completed Project Checklist and Property Checklist must be attached.

Responsible Local Official

Title: Supervisor

Name: Charles D. Snyder

Signature: _____ Date: _____

NYSDOT Real Estate Officer:

Name: Cameron Schulz, P.E.

Signature: _____

Date: _____

APPENDIX 11-5
RIGHT OF WAY CLEARANCE CERTIFICATE FOR PSE _____

To: Regional Real Estate Officer, Region 5 Date: 5/28/2024 Design Approval Date: 3/12/2024

From: David Gunner Sponsor: Town of Aurora

P.I.N: 5763.88 Project: E. Fillmore Ave. Culvert Replacement

Sponsor ID #: _____ Acquiring Agency: -----

I certify that; the right-of-way has been or will be acquired in accordance with the Highway Law, the Eminent Domain Procedure Law (when applicable), Uniform Relocation Assistance Real Property Acquisition Policies Act of 1970 as amended, and Title 23 of the Code of Federal Regulations, Part 635, Section 309 and that the status of the right-of-way is as follows:

Select: a, b, c, or d

(a) No right of way (including clearance of encroachments conflicting with the project construction within the existing right of way) is required for the project.

(b) All of the necessary rights of way, including control of access rights have been acquired (legal and physical possession). All payments/deposits are completed. If applicable, "Statement of Donations" attached. There are no improvements existing that need to be removed or demolished and/or all occupants have vacated the land and/or improvements and the acquiring agency has the physical possession and the right to remove.

(c) All the necessary rights of way, including control of access rights have not been completed, however, the acquisitions are being progressed and all legal and physical possession will be completed prior to advertisement of the contract (see attached ROW 9-15ALL "Acquisition and Clearance Status Report" for completion schedule).

(d) Acquisition of one or more remaining properties has not been completed and will not be completed prior to project advertisement for bids. All eligible occupants of the residences, if any, on such properties have had replacement housing made available to them in accordance with 49 CFR 24.204. (See attached ROW 9-15ALL "Acquisition and Clearance Status Report" for completion schedule and ROW 9-16ALL "Special Note – Availability of ROW"). The completion schedule will be included in the contract plans, engineering substantiation and a report of the quantity and quality of relocation assistance. A note designating the lack of availability shall appear on the specific plan sheet of each indicated property. FHWA approval of this (these) projection(s) is required. (Reasons property may not be available include acquisitions of properties in bankruptcy, acquisitions from cemeteries, acquisitions from the federal/state government, and relocations.)

Project Information:

No. of Maps required for project	<u>0</u>	No. of Relocations completed	<u>0</u>
No. of Claimants	<u>0</u>	No. of Maps paid to date	<u>0</u>
No. of Maps not requiring payment	<u>0</u>	No. of Maps deposited to date	<u>0</u>
No of Relocations required	<u>0</u>		

Completed Project Checklist and Property Checklist must be attached.

Responsible Local Official

NYSDOT Real Estate Officer:

Title: Supervisor

Name: Cameron Schulz, P.E.

Name: Charles D. Snyder

Signature: _____

Signature: _____ Date: _____

Date: _____

CONSTRUCTION MANAGEMENT PLANVersion Date: 11/22/2024PIN: 5763.87 & 5763.88 TITLE: Replacement of the Church St. & E. Fillmore Ave. CulvertsLOCATION: Village of East Aurora COUNTY: Erie County**SPONSOR CONTACT INFORMATION:**NAME: Dave Gunner TITLE: Town of Aurora Highway Department SuperintendentMAILING ADDRESS: 251 Quaker Road
East Aurora, New York 14052TELEPHONE NO: 716-652-4050 FAX NO: 716-652-1123EMAIL ADDRESS:
highway@townofaurora.com**I. Supervision of Project:****a. Roles and Responsibilities**

The Responsible Local Official (RLO) shall be the Project Manager, unless defined otherwise in this document. The RLO will be: Charles Snyder

The Sponsor will provide a Project Manager (PM), who is always a full-time public employee, to be in responsible charge of the project (see LPM 12.2.1 for PM's role and 15.2.3 for PM's duties). The inspection staff will be under the direction of a currently registered New York State Licensed Professional Engineer and must be familiar with NYSDOT specifications and procedures.

The project will be staffed by: David Gunner – PM, Gerard J. Sentz, P.E. – Project Engineer (Azar Design Co), Jill Powers – Resident Engineer (Azar Design Co), Harrison Sinatra – Office Engineer (Azar Design Co)

The Engineer-In-Charge (EIC)/Resident Engineer (RE) shall monitor the execution and progress of the project and shall be responsible for ensuring conformance with the contract plans and specifications, approving and forwarding contractor payment requisitions to the Sponsor's Project Manager, and monitoring the Work Zone. The EIC/RE will verify the accuracy of quantities entered by the Office Engineer. The EIC/RE will maintain an Engineer's Diary in accordance with the NYSDOT Manual of Uniform Record Keeping.

The Office Engineer (OE) will review Inspector Reports for accuracy, enter quantities into a tracking database, ensure Material Acceptances are correct and filed, develop and document estimates of completed work and prepare contractor payment requisitions.

The Designer will be available to answer questions regarding NEPA determinations, project development, commitments made to property owners that may not be evident in the construction documents, field change requests, shop drawing review and approval, and other issues that occurred prior to the project letting.

The Inspector(s) shall monitor and document daily construction activities of the contractor for conformance with the contract plans and NYSDOT specifications; take measurements of all unit price items and compute quantities of completed work, and monitor the execution of the project's maintenance and protection of traffic plan to assure the Contractor adheres to the contract requirements. Inspector reports will be maintained in accordance with the NYSDOT Manual of Uniform Record Keeping. All Inspectors shall be competent to perform the tasks assigned.

CONSTRUCTION MANAGEMENT PLAN

Version Date: 11/22/2024

The Sponsor and/or Consultant hereby certifies that all Inspectors assigned to this project are both competent and National Institute for Certification in Engineering Technologies (NICET) certified to perform their work.

Role	Name	Title (i.e., PE / NICET level)	Employed By
Project Manager	David Gunner	Highway Superintendent	Town of Aurora
Designer	Gerard J. Sentz	P.E.	Azar Design Co
EIC/Inspector	Jill Powers	NICET IV	Azar Design Co
OE	Harrison Sinatra	EIT	Azar Design Co
Inspector			
Inspector			
Inspector			

****Sponsor will not change project staff unless and until a revised CMP is submitted to and approved by the RLPL. WORK INSPECTED BY UNAPPROVED INSPECTOR MAY NOT BE REIMBURSED.**

b. Consultant and Funding

Identify whether the inspection staff shall be reimbursed in accordance with the Local Projects Manual (LPM) or Locally Funded?

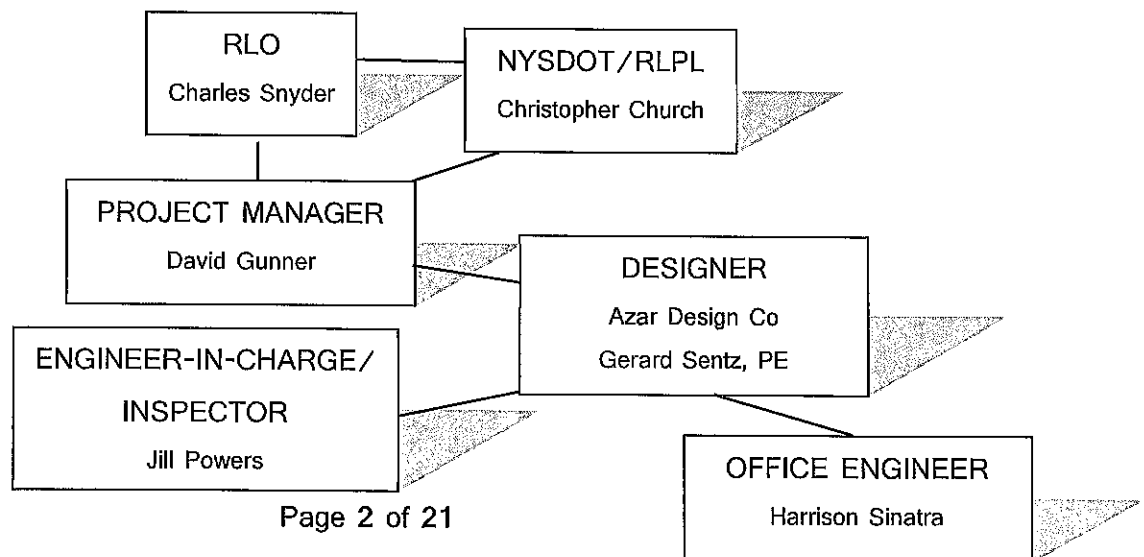
Indicate which funding applies: LPM

c. Inspection Staff Qualifications

ATTACH RESUMES AND CERTIFICATIONS FOR ALL STAFF

d. Chain of Command

The project staff hierarchy is illustrated in the organizational chart below. The final determination for dispute resolution will rest with the Responsible Local Official.



CONSTRUCTION MANAGEMENT PLAN

Version Date: 11/22/2024

**** EIC = Sponsor’s Employee RE = Consultant’s Employee**

e. Governing Specifications

NYSDOT Standard Specifications of May 1st, 2024, plus any and all revisions and applicable Engineering Instructions and Engineering Bulletins.

f. Local Projects Manual (LPM)

This project was developed, and construction will be progressed, according to NYSDOT’s LPM.

g. Pre-Construction Meeting

Prior to the start of construction, a pre-construction meeting must be held to review federal aid and NYSDOT requirements. The following or their representatives must be present, as applicable: Sponsor, Contractor, EIC, RE, CI Consultant Project Manager, NYSDOT Permit Engineer/Inspector, RLPL, Utilities, Railroads, and any affected party deemed necessary by Sponsor. **It is the responsibility of the Sponsor to schedule and coordinate this meeting and distribute meeting minutes.**

II. Contract and Project Requirements

a. Disadvantaged Business Enterprise (DBE) Goal

This contract has a 0 % DBE participation goal. (Only for Federally-funded projects.)

b. Minority and Women-Owned Business (M/WBE) and Service-Disability Veteran-Owned Business (SDVOB) Goals

This contract has a 7.99 %MBE and a 10.0 %WBE and a 6.0 %SDVOB participation goals
(Only for State-funded projects.)

c. Equal Employment Opportunity (EEO) Goals

This project has a **7.7%** EEO Minority Goal.

This project has a **10.0%** Women’s Goal (for all projects in New York State).

d. Permits

The EIC/RE will ensure that the Contractor is fully aware of the requirements and special conditions of the NYSDOT Highway Work Permit (HWP), NYSDEC, NYCDEP, and United States Army Corps of Engineers (ACOE) Permits or any other permits affecting this project. Permits required for this project are:

Issuing Agency	Date Received	Follow up if required	Date Expires
NYSDEC/USACE	2/25/2022	Water Quality Certification	3/14/2026
NYSDEC	10/15/2021	Stream Disturbance	

If permits are not required, please state *None*.

e. Requirements of Railroads and Utility Companies

Relocation of existing utilities prior to and during construction (if necessary)

f. Commitments contained in the Design Approval Document that are to be fulfilled during construction are as follows:

None

CONSTRUCTION MANAGEMENT PLANVersion Date: 11/22/2024**g. Project Schedule**

The following Construction Phase Milestones as per the approved Project Management Plan (PMP) shall be adhered to:

<u>2/7/2025</u>	Contract Award Date (Date of the notification to the Contractor of the Award of the Contract by the Sponsor.)
<u>10/1/2025</u>	Date Substantial Completion of Construction to be completed by. (See LPM Ch 1 for definition.)
<u>10/15/2025</u>	Date Punch list work to be completed by.
<u>10/15/2025</u>	Date Final Inspection to be completed by
<u>10/15/2025</u>	Date of Contractor's Construction Contract Completion.

Anytime these dates are not met during the duration of the construction contract, the CMP must be updated and approved.

<u>10/15/2025</u>	Date of Final Acceptance of construction contract.
<u>10/15/2025</u>	Date of Contractor's Final Agreement.

h. Special Requirements

None

i. Water Quality Protection

NYSDOT Standard Specifications 107-12 is a joint responsibility of the Sponsor, as the owner and the holder of the environmental permits, and the Contractor. The Contractor shall protect all water resources within the contract limits and on lands adjacent to or affected by the work and take measures to maintain water quality of receiving water bodies. The EIC must review and approve the Contractor's soil erosion and sediment control plans and progress schedules included in the contract documents prior to the start of construction.

j. As-built plans documentation procedures

As-built plans shall be created by Azar Design Co and provided to the Town of Aurora Highway Department for their records.

III. Contract Administration**a. Subcontractor Approval Process**

The Contractor will enter into NYSDOT's approved civil rights reporting software anticipated subcontractors and material suppliers to be used on the project within **five (5)** calendar days of notification as apparent Low Bidder.

The EIC will ensure that the subcontractor(s) are not on the Debarred Contractor List.

The EIC will remind contractors of the requirements of Form FHWA 1273.1.2, which states that the Contractor shall physically insert all of the stipulations of the contract into all contracts with the subcontractors and that the prime contractor is responsible for the compliance of all subcontractors. Any subcontract found lacking these stipulations will not be eligible for reimbursement. The Sponsor **must** provide assurance to the RLPL that each subcontractor's eligibility has been verified.

CONSTRUCTION MANAGEMENT PLANVersion Date: 11/22/2024

The Contractor, Subcontractors, and DBE/MWBE/SDVOB suppliers will utilize NYSDOT's approved civil rights reporting software, currently *Equitable Business Opportunities* (EBO). The Sponsor will monitor prime's payments to the subcontractor and ensure that subcontractors are paid promptly per NYSDOT specifications. Prime must pay subcontractors within seven (7) calendar days of receipt of payment from the Sponsor.

Approval of Subcontractors in EBO, by Sponsor, will be considered assurance all eligibility has been verified. WORK PERFORMED BY ANY UNAPPROVED SUBCONTRACTOR WILL NOT BE REIMBURSED.

The Sponsor will include a copy of the "Prompt Payment" report from EBO and documentation of any corrective action taken with each request for reimbursement.

All primes and subcontractors **MUST** have an NYSDOT approved CCA-2 on file to be awarded a contract.

The Sponsor's PM will check, verify and document that each DBE Subcontractor and supplier is performing a "Commercially Useful Function" (CUF) at least once per construction season.

b. Change Order Approval Process

Change Orders will be processed using the current NYSDOT Change Order forms or equivalent forms in commercial software. The EIC/RE shall recommend approval to the Sponsor's Project Manager, who will have final approval.

After the Sponsor review and before final approval, a copy of all Change Orders will be sent to the Regional Local Projects Liaison (RLPL).

Prior approval **must** be obtained from the RLPL for any Change Order that:

1. adds significant* new item(s),
2. Significant changes for any project on the NHS,
3. Adds significant changes within the contract scope and limits,
4. changes the character of the work materially, in-kind or nature, from that included in the original proposed construction contract,
5. changes the quantity of any major item of work, fixed quantity item, or composite item (as defined in the contract) above 125% or below 75% of the original contract quantity,
6. proposes changes outside the contract limits,
7. proposes changes outside the contract scope,
8. the value of the proposed change exceeds the amount established in the State/Local Agreement.
9. Total net value of all changed work exceeding the field change payment item established for the project in the contract plans.

*Significant, as defined in the NYSDOT Standard Specifications, Sec.104-04 Significant Changes in the Character of Work, or as defined in the contract documents.

The EIC's written direction to the Contractor will be required before executing any additional work contemplated in a Change Order. The Sponsor will enter Change Orders into EBO.

c. Procedures to Ensure D/M/WBE/SDVOB Compliance

In accordance with the DBE section of Chapter 14 and the M/WBE/SDVOB section of Chapter 19 of the LPM, the Contractor will make good faith efforts to utilize D/MBE/SDVOBs as their subcontractors. The Sponsor and the Contractor will collaborate on all D/M/WBE/SDVOB reporting requirements.

CONSTRUCTION MANAGEMENT PLANVersion Date: 11/22/2024

ALL D/M/WBE/SDVOB REPORTING WILL BE DONE IN EBO. The Sponsor's PM will monitor D/M/WBE/SDVOB goals on a monthly basis, at a minimum, and take corrective action if goals are not being met; reference NYSDOT Standard Specifications Section 102-12, *D/M/WBE Participation*

The Sponsor will include a copy of "D/M/WBE/SDVOB Attainments Report" from EBO and documentation of any corrective action taken with each request for reimbursement.

d. Procedures to Ensure Workforce and EEO Compliance

The EIC/RE will interview the Contractor's EEO Officer to ensure the Contractor is thoroughly familiar with the Code of Federal Regulations (CFR): specifically, Title 41, Chapter 60, 60-1.1, Equal Opportunity Clause and 60-4, Construction Contractors, Affirmative Action Requirements; and Form FHWA 1273.III, Non-segregated Facilities; all of which are included in the Bid Proposal. The Resident Engineer or Office Engineer will monitor the Contractor's compliance with these requirements.

Revisions to the planned workforce, especially compliance to correct shortfalls in EEO goal attainment, will be documented by an updated AAP-35, Workforce and Training Utilization Schedule form, which will be reviewed by the EIC and accepted by the PM/RLO. To reinforce 102-11.D, the Contractor is expected to make substantially uniform progress in meeting its goals.

ALL EEO REPORTING WILL BE DONE IN EBO. Sponsor and/or PM **must** monitor EEO goals on a monthly basis at a minimum and take corrective action if goals are not being met; reference NYSDOT Standard Specifications Section 102-11, *Equal Employment Opportunity Requirements*.

The Sponsor will include a copy of the "Monthly Utilization" report from EBO and documentation of any corrective action taken with each request for reimbursement.

e. Wage Rate Compliance Procedures

Sponsors must comply with the following:

- Collect and maintain all payroll records for 5 years after the completion of work.
- Designate, in writing, the individual responsible for collecting payrolls from the Prime Contractor.
- The Sponsor's designated employee's name must be posted in a conspicuous location at the project.
- **All certified payroll data will be entered in EBO by Prime and Subcontractors.**

The Sponsor must make the Prime Contractor's filing of payrolls with the Sponsor a condition of payment. If the Prime Contractor fails to file payrolls or willfully underpays wages, the contractor can face possible felony charges.

The EIC/RE will:

- Audit the Contractor's Certified Payroll weekly in accordance with NYSDOT Contract Administration Manual (CAM) Section 102-10.I.C. (Completion of payroll audits are to be noted in EBO.)
- Conduct wage rate interviews using the MURK 10 form with at least one member of each trade and at least twenty percent of the Contractor's labor force by the end of the project.

The statement of compliance as required by Form FHWA 1273.IV, 3, Payroll and Basic Records, will be strictly enforced. The OE/RE/EIC will compare the actual pay rates and supplemental benefits paid to the labor force with the State and Federal Wage rates published in the Bid Proposal.

The Contractor will be advised immediately in writing if there is a violation of this contract requirement and will have one week to rectify the disparity.

CONSTRUCTION MANAGEMENT PLANVersion Date: 11/22/2024**f. Procedures to Ensure Work Zone Safety**

The EIC should ensure that the contractor's and subcontractor's site-specific work zone traffic control (WZTC) plans are checked and updated as needed in accordance with Section 619 of the Standard Specifications. Subcontractors should coordinate all their site-specific WZTC plans directly with the Contractor as necessary prior to beginning work.

The contractor shall designate and identify a WZTC person. This person will have primary responsibility and sufficient authority for implementing the WZTC plan and other safety and mobility aspects as necessary.

Indicate who the Contractor's WZTC person will be: To Be Determined

In accordance with Section 105-01 of the Standard Specifications, the EIC will have the authority to issue a Stop Work order in the case where the contractor fails to comply with any requirement or provision in the contract documents or with any State or Federal law or regulation; or where nonconformance with the WZTC provisions is causing serious disruptions to traffic operations.

g. Procedures to Ensure Worker Safety

In accordance with Section 107-05B of the Standard Specifications, the EIC/RE will have the contractor's and subcontractor's **site-specific** Project Safety and Health Plan on file **PRIOR TO** the start of any work on site.

The contractor/subcontractor shall identify in the site-specific safety plan at least one person skilled in safety and health procedures and familiar with State, and Federal safety and health regulations, whose responsibility it is to monitor methods and procedures. This person shall be deemed qualified by the contractor/subcontractor by virtue of training and experience, will attend the pre-construction meeting, and will review and approve all safety plans and procedures the contractor/subcontractor will employ in the performance of the work.

In accordance with Section 107-05B of the Standard Specifications (and in compliance with NYS Labor Law Section 220-h), the contractor will provide proof of completion of the OSHA 10-hour safety course for each employee with the first payroll and with subsequent payrolls for new employees as necessary. The EIC will retain documentation of the contractor's weekly safety talks and attend when practicable.

In accordance with Section 105-01 of the Standard Specifications, the EIC will have the authority to issue a stop-work order in the case of imminently hazardous working conditions or serious safety violations where conditions are considered to be sufficiently deficient as to seriously affect the safety of the public or the workers employed.

h. Claim and Dispute Resolution Procedures

Claim and Dispute Resolution Procedures will follow those specified under NYSDOT Section 105-14, Dispute Resolution and Disputed Work Provisions to settle claims and disputes. The EIC/RE will organize and coordinate the dispute resolution process and David Gunner, Town of Aurora Highway Department Superintendent will make the final finding upon the recommendation of the PM.

i. Scheduling and Time Extensions

As required under NYSDOT Section 108-01, Start and Progress of Work, the contractor will be required to provide a work schedule at the Pre-construction Meeting. The schedule will include Construction Phase milestone dates. The EIC/RE and the Project Manager will review this schedule and monitor the Contractor's compliance with this schedule. If the Contractor does not progress the work at the rate proposed, he will be advised in writing of the failure to comply with his schedule, and he will be ordered to provide an updated schedule indicating the means that he will use to guarantee the completion of the

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project on time.

A time extension request shall identify the projected revised construction milestones: Substantial Completion and Construction Contract Completion. The Contractor will provide a Time Impact Analysis (TIA), comparing the accepted schedule to the modified schedule identified as documentation to the request.

No extensions of time will be allowed unless specifically negotiated under Section 105-14, Dispute Resolution and Disputed Work Provisions. Time extensions are considered (no-cost) change orders and are subject to review by the RLPL before final approval per PDM Exhibit 4-3.

j. Record Keeping and Record Retention Procedures

The project will be administered and monitored using the NYSDOT Manual of Uniform Record Keeping (MURK). Staff listed in Section I. a. will complete daily logs and any special daily reports in the NYSDOT Construction Inspection Manual (CIM), including activity-specific MURK forms such as structural concrete and asphalt paving reports.

Upon completion of the project, all documents will be cataloged and copied. Original documents will be retained by the Sponsor. Closeout materials requested by the RLPL will be provided in accordance with LPM, Chapter 17. **All documents will be retained for seven (7) years** after the State/Local Project Agreement has been closed.

Where work is performed on State Highway Right of Way, the Sponsor will provide NYSDOT Permit Department with one complete set (copy) of the project records.

The Sponsor will use a commercially available Web-based software, such as Appia, for record-keeping and payment accounting. Such software must be capable of correlating payments to material and other certifications and should flag and/or prevent payment for work not certified per specifications. Additionally, such software must be capable of tracking multiple PINs with multiple financial and/or engineering shares, where applicable. The Sponsor will provide the RLPL with a User ID and password(s) to access the project records.

Please state which software will be used APPIA.

k. Contract Payments

- The Sponsor will record all contract payments to the prime contractor in EBO.
- When the Sponsor makes FINAL PAYMENT to the prime contractor, the Sponsor will inform the RLPL of this date in writing as well as the last day of work on-site. The final payment will be marked as such in EBO, e.g., ESTIMATE #xx-FINAL.
- The prime contractor will record all payments to all subcontractors and suppliers in EBO.
- Prime contractors, subcontractors, and suppliers will **PROMPTLY** acknowledge receipt of contract payments in EBO.
- The prime contractor will identify in EBO, and Sponsor will verify that **ALL SUBCONTRACTORS AND SUPPLIERS WHO ARE DBE CERTIFIED**, even if the DBE goal is 0%.
- The Sponsor will monitor EBO and verify that the prime contractor has **PROMPTLY** paid subcontractors and suppliers after each payment to the prime contractor. Prompt Payment requirement is for the prime contractor to make payments within seven (7) calendar days of receipt of payment from the Sponsor.

CONSTRUCTION MANAGEMENT PLANVersion Date: 11/22/2024**I. Other Requirements - Communications**

To facilitate project progress and communication, regular meetings will be held between the RLO/PM, engineer/consultant, contractor, and the RLPL. Minutes of progress meeting will be forwarded to all parties.

IV. Construction Inspection**a. Inspection Plan**

See Section I a. and state any further requirements here.

b. Quality Control/Quality Assurance Plan

The prime contractor and its suppliers will be responsible for Quality Control of all aspects of Supplies, Materials, and Construction Procedures. The Sponsor will develop a Quality Assurance Plan. The PM will make periodic visits to the Jobsite to ensure the work is completed in accordance with the contract proposal and NYSDOT Standard Specifications. The EIC/RE will be interviewed by the Project Manager prior to the start of the project to ensure they are fully familiar with the inspection procedure for any item of work in the project prior to the start of work on that item. NYSDOT CIM will be referenced for that assurance.

c. Material Testing Procedures**Project On-site Material Testing**

The EIC/RE is responsible for all material testing and acceptance that occurs at the project site. These duties cannot be assigned or delegated to the contractor. The material testing procedures must be tailored to each project. Use of the NYSDOT Construction Inspection Manual (CIM) for guidance on frequency and amount of testing. Consultant Inspectors and/or an Independent Testing Company Technicians performing the Quality Assurance testing of concrete material must be American Concrete Institute (ACI) certified. Consultant Inspectors and/or an Independent testing Company Technicians will approve/certify all construction materials. The individuals performing the Quality Assurance must be IAST certified and must be from a different firm from those performing the Quality Control testing.

In addition to NICET certification, all Inspectors and/or Technicians performing sampling and testing and/or Inspection functions must be currently certified as follows:

- Earthwork: Soils and Aggregate Inspector Certification, New England Transportation Technician Certification Program (NETTCP), or equivalent.
- Concrete: American Concrete Institute (ACI) certification as appropriate or equivalent.
- Nuclear Gauge Density Testing of Hot Mix Asphalt: Density Gauge Inspector Certification, The Associated General Contractors, New York State Chapter or equivalent.
- Erosion & Sedimentation Control: NYS Professional Engineer, or Certified Professional on Erosion and Sediment Control (CEPESC), EnviroCert International, Inc.
- Work Zone Traffic Control: minimum of two (2) days classroom training on a recognized training program or one day of classroom training plus responsible experience. Acceptable courses include:
 - FHWA – NHI 133112 – Design & Operation of Work Zone Traffic Control.
 - NSC – Temporary Traffic Control Design and Supervision.
 - ATSSA – a) Traffic Control Supervisor (TSC) Course and b) Urban Work Zone Design Course.
- Certificates – the RE/OE will verify that each certificate is **current** and **valid**, make a photocopy, and file with project records.

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- The Construction Inspection consultant and/or Sponsor will develop and implement a **Quality Management Plan (QMP)** to ensure that work performed meets the terms of the contract inclusive of:
 - Means to coordinate and direct the activities of staff and any Sub-consultants
 - A description of field staff oversight policy for ensuring the quality of inspection and recordkeeping, including the individual/officer performing these functions and the frequency of the reviews.
 - Compliance with Manual on Uniform Record Keeping (MURK); contract administration, inspection, testing, materials acceptance, and documentation.
 - Weekly review of Equitable Business Opportunities (EBO) Software for Civil Rights Monitoring & Reporting.
 - QC/QA sampling and testing plan, including approvals process.
 - Maintenance, calibration, and certification of testing equipment.
 - Monitoring contractor’s operations for safety compliance.
 - Address/eliminate any “Conflict of Interest.”
 - Safety of Inspection staff.
 - Verification and maintenance of staff licenses and certifications.
- **The Quality Management Plan must be appended to and become part of this CMP.**
- **Independent Testing Labs** –
 - All non-State Transportation Department (non-STD) Labs must be certified and meet AASHTO R18 requirements at a minimum, or comparable FHWA approved accreditation.
 - All personnel must be qualified for sampling and testing
 - Non-STD Labs may perform **only one** of the following on a project:
 - Verification testing
 - Quality Control testing
 - Independent Assurance testing
 - Dispute resolution testing

COMPLETE AND APPEND a QA Table using the format below for **all contract items/materials requiring testing/certification:**

Item #	Item Description	Material Certifications (Off-Site QA) <i>Yes/No? Type?</i>	Person Responsible for Off-Site Quality Assurance (QA)	On-Site Testing /Certifications (QA) <i>Yes/No? Method?</i>	Person Responsible for On-Site QA
203.03	Embankment in Place	No	Jill Powers	Yes Compaction test	Jill Powers
203.07	Select Granular Fill	Yes Stockpile	Jill Powers	Yes Compaction Gradation	Jill Powers
204.02	Controlled Low Strength Material (CLSM)	Yes	Jill Powers	Yes	Jill Powers
207.20	Geotextile Bedding	Yes Materials	Jill Powers	No	Jill Powers

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		Approved List			
207.26	Prefabricated Composite Structural Drain	Yes Materials Approved List	Jill Powers	No	Jill Powers
209.13	Silt Fence - Temporary	Yes Materials Approved List	Jill Powers	No	Jill Powers
304.11	Subbase Course – Type 1	Yes Stockpile	Jill Powers	Yes Compaction Gradation	Jill Powers
304.12	Subbase Course – Type 2	Yes Stockpile	Jill Powers	Yes Compaction Gradation	Jill Powers
402.90730118	Waterproofing Bridge Deck Overlay F3, 70 Series Compaction	Yes Certification	Jill Powers	Yes Compaction Density	Jill Powers
404.0983	9.5 F3 Top Course Asphalt – 80 Series Compaction	Yes Certification	Jill Powers	Yes Compaction Density	Jill Powers
404.1989	19 F9 Binder Course Asphalt – 80 Series Compaction	Yes Certification	Jill Powers	Yes Compaction Density	Jill Powers
404.3789	37.5 F9 Base Course Asphalt – 80 Series Compaction	Yes Certification	Jill Powers	Yes Compaction Density	Jill Powers
407.0103	Straight Tack Coat	Yes Materials Approved List	Jill Powers	No	Jill Powers
418.7603	Asphalt Joint Adhesive	Yes Materials Approved List	Jill Powers	No	Jill Powers
555.0011	Footing Concrete, Performance	Yes Certification	Jill Powers	Yes Slump Air Temperature Cylinders	Jill Powers
553.02000X	Cofferdam – Type 2	Yes Means and Method	Jill Powers	No	Jill Powers
553.030001	Temporary	Yes	Jill Powers	No	Jill Powers

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	Waterway Diversion Structure	Means and Method			
562.0101	Reinforced Concrete Span Units	Yes Calculations Shop Drawings	Jill Powers	Yes Certification	Jill Powers
562.03	Wing Wall With Footing	Yes Calculations Shop Drawings	Jill Powers	Yes Certification	Jill Powers
568.83	Pedestrian and Bicycle Railing (4-Rail)	Yes Materials Approved List	Jill Powers	Yes Certification	Jill Powers
595.50000018	Sheet-Applied Waterproofing Membrane	Yes Certification	Jill Powers	No	Jill Powers
603.63190815	Precast Concrete Box Culvert – 19' Span x 8' Rise	Yes Materials Approved List Shop Drawings	Jill Powers	Yes Plant Inspection	Jill Powers
603.67000001	Precast Concrete Wingwall Units for Box Culverts	Yes Materials Approved List Shop Drawings	Jill Powers	Yes Plant Inspection	Jill Powers
603.9812	Smooth Interior Corrugated Polyethylene Culvert and Storm Drain 12 Inch Diameter	Yes Materials Approved List	Jill Powers	No	Jill Powers
603.9824	Smooth Interior Corrugated Polyethylene Culvert and Storm Drain 24 Inch Diameter	Yes Materials Approved List	Jill Powers	No	Jill Powers
603.99240015	Polyvinyl Chloride Pipe, Sanitary Sewer Gravity, 10 In. Diameter	Yes Certification	Jill Powers	No	Jill Powers
607.41010010	Temporary Plastic Barrier Fence	Yes Certification	Jill Powers	No	Jill Powers
607.08000010	Wood Board Fence	Yes Shop Drawings	Jill Powers	No	Jill Powers

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		Certification			
608.0101	Concrete Sidewalks and Driveways	Yes Certification	Jill Powers	Yes Certification	Jill Powers
608.01070615	6" Thick Curb Ramp and Subbase (All Work Included)	Yes Certification	Jill Powers	Yes Certification	Jill Powers
609.0401	Cast-In-Place Concrete Curb Type VF6	Yes Certification	Jill Powers	Yes Certification	Jill Powers
610.0701	Mycorrhizal Fungi	Yes Certification	Jill Powers	No	Jill Powers
610.08	Moisture Retention Additive	Yes Certification	Jill Powers	No	Jill Powers
610.1402	Topsoil – Roadside	Yes Certification	Jill Powers	No	Jill Powers
610.1601	Turf Establishment – Roadside	Yes Certification	Jill Powers	No	Jill Powers
610.1605	Turf Establishment – Performance	Yes Certification	Jill Powers	No	Jill Powers
610.19	Watering Vegetation	No	Jill Powers	Yes Visual	Jill Powers
611.0432	Planting – Deciduous Shrubs – 18 Inch Height/Spread Container or Box Grown	No	Jill Powers	Yes Visual	Jill Powers
611.0472	Planting – Deciduous Shrubs – 5 Foot Height/Spread Container or Box Grown	No	Jill Powers	Yes Visual	Jill Powers
611.0592	Planting – Evergreen Shrubs – 5 Foot Height/Spread Container or Box Grown	No	Jill Powers	Yes Visual	Jill Powers
611.0611	Planting – Vines,	No	Jill Powers	Yes	Jill Powers

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	Ground Covers – As Specified Container Grown			Visual	
611.0712	Planting – Herbaceous Plants – As Specified Bare Root	No	Jill Powers	Yes Visual	Jill Powers
611.19040024	Post Planting Care With Replacement – Deciduous Trees	Yes Certification	Jill Powers	No	Jill Powers
613.04000001	Stockpiling And Placing Existing Streambed Materials	Yes Means and Methods	Jill Powers	No	Jill Powers
614.060204	Tree Removal Over 6 Inches to 12 Inches Diameter Breast Height – Stumps Grubbed	Yes Certification	Jill Powers	No	Jill Powers
619.04	Type III Construction Barricade	Yes Certification	Jill Powers	No	Jill Powers
619.1711	Temporary Positive Barrier – Category 1	Yes Materials Approved List	Jill Powers	No	Jill Powers
620.04	Stone Filling (Medium)	Yes Stockpile	Jill Powers	No	Jill Powers
620.0801	Bedding Material – Type 1	Yes Stockpile	Jill Powers	No	Jill Powers
623.12	Crushed Stone (In-Place Measure)	Yes Stockpile	Jill Powers	No	Jill Powers
640.11020004	White Paint Reflectorized Pavement Markings – 20 Mils (Special Stripes)	Yes Materials Approved List	Jill Powers	No	Jill Powers
645.5101	Ground-Mounted Sign Panels Without Z-Bars	Yes Materials Approved List	Jill Powers	No	Jill Powers
645.5102	Ground-Mounted	Yes	Jill Powers	No	Jill Powers

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	Sign Panels Less Than Or Equal To 32 SF, With Z-bars	Materials Approved List			
645.81	Type A Sign Posts	Yes Materials Approved List	Jill Powers	No	Jill Powers
660.23240010	Segmental Steel Casing, 24" (OD)	Yes Certification	Jill Powers	Yes Utility Company	Jill Powers

Sponsor is responsible for the accuracy of the contents of the QA table.

In-Plant Material Quality Assurance Testing

The RLPL must be advised at least seventy-hours prior to the first plant order. The RLPL will make arrangements with the Regional Materials Unit to verify that the plant source has a current State DOT approval for all "In-Plant" inspection for the production of Hot Mix Asphalt (HMA) and Portland Cement Concrete (PCC). Call-in procedures are subject to strict adherence. The EIC must inform the contractor of the proper notification process:

- **CALL-IN PROCEDURE:**
 - Contractor must call in the order to the plant **BY 3:00 PM on the business day BEFORE the day of delivery,**
 - Provide the plant with **6-digit PIN and Contract LD#; and,**
 - Inform the plant that the project is a **NYSDOT Local Project, so the order must be conveyed to the Regional Materials Unit.**
- **Asphalt and concrete will be provided only by NYSDOT approved plants.**

NYSDOT Materials Bureau (Albany) will provide all quality assurance inspections for all bridge bearings. The EIC/RE will provide the RLPL with an electronic copy of the approved shop drawings, and RLPL will arrange for the inspections by contacting the Materials Bureau.

d. Shop Drawing Approval Process

Shop drawing review will be the responsibility of the design engineer through the EIC/RE. The review time will be as allowed by the NYSDOT Specifications and/or Contract Plans for the subject item.

e. Roadwork Reporting

The EIC/RE shall inform the Surface Transportation Controller (STC) and/or Regional Office of all work impacting State Highways by submission of the Roadwork form.

V. Coordination with Others

a. Anticipated efforts to ensure compliance with permits

The EIC/RE will notify all permitting agencies listed in Section II. c. of the schedule of each project. No work will be progressed prior to the full execution of any permit.

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b. Anticipated efforts to coordinate with affected utility companies and railroads
Affected overhead or underground utilities have been notified. Affected utility poles will be relocated prior to construction. Contractor to coordinate construction schedule with water and gas line owners for potential relocation of their respective utilities.

The EIC/RE will notify the appropriate utilities when construction is complete so that any temporarily relocated facilities can be returned to permanent locations.

c. Commitments made to other municipalities, emergency service providers, schools, etc.
The Project Manager will be responsible for keeping the public, affected property owners, and key organizations apprised of road closure and construction activity. Dates of road closures will be published in local newspapers. Affected schools, police, fire departments, ambulance companies, and other affected organizations will be notified. The EIC/RE and the Contractor will coordinate closures and inform the Project Manager at least 1 week prior to closures or staging changes.

Local School District
Local Emergency Services

d. Anticipated efforts to ensure satisfaction of unfulfilled commitments made in Design Approval, SHPO Memorandum of Agreements, or other unfulfilled commitments made in the Design Approval.

None

e. Anticipated efforts to address all special requirements.
Special requirements are requirements that are outside the PE, Design, and Construction phases but require documentation.

None

VI. Close-Out**a. Contract Acceptance and Close-out Procedures**

The project close-out will be the responsibility of the EIC/RE. The project will be inspected by the EIC/RE and the Project Manager for completeness. If the project is deemed to meet the contract requirements, the Sponsor will notify the RLPL that a final inspection can be performed.

Where work involves a NYSDOT Highway Work Permit, e.g., work in State Highway Right of Way, the supervising Permit Engineer and/or Permit Inspector must also be invited to the final inspection. It will be the responsibility of the Sponsor or Agent to coordinate with the RLPL and Permit Engineer/Inspector to attend this final inspection.

After approval by all parties, the Final Payment request will be completed by the contractor and submitted to the EIC/RE so that final payment can be made.

The Sponsor will notify the RLPL of the project acceptance and final payment and provide all required close-out information to close the State/Local Agreement.

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CMP Approval:

RLO	_____	_____	_____
	Signature	Print Name	Date
RLPL	_____	_____	_____
	Signature	Print Name	Date
EIC	_____	_____	_____
	Signature	Print Name	Date
Designer	_____	_____	_____
	Signature	Print Name	Date

DIRECTIONS FOR COMPLETION OF CONSTRUCTION MANAGEMENT PLAN (CMP)

THIS DOCUMENT IS TO BE REVISED WITH ANY CHANGES IN STAFFING, PROCEDURES, METHODS, OR REQUIREMENTS THROUGHOUT THE LIFE OF THE PROJECT.

The CMP should be reviewed periodically, such as before a monthly progress meeting, to see if changes are needed. Updates can be made via email to the principals identified in Section 1, Supervision of Project. If the CMP itself is modified, the new version should show new material highlighted, and old material struck out.

Some revisions may require new signatures of the Responsible Local Official (RLO), Regional Local Project Liaison (RLPL), and Engineer-in-Charge (EIC).

Header Information

Indicate the PIN, Title, Location, and County of the project.

SPONSOR CONTACT INFORMATION:

Provide the Name, Mailing Address, Telephone Number, Fax Number, and email address of the Sponsor.

I. Supervision of Project

a. Roles and Responsibilities

The language within this section should not be revised or amended other than to indicate who the Responsible Local Official will be and, based on the descriptions provided, complete the chart with the identified personnel.

Regional Local Projects Liaison (RLPL): The person(s) from New York State Department of Transportation's (NYSDOT) Regional office, who represents NYSDOT, provides technical and process guidance, exercises project oversight on behalf of NYSDOT and the Federal Highway Administration (FHWA) and processes the Sponsor's reimbursement requests.

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Sponsor: The State, county, city, town, village or other public agency, public authority, or nonprofit organization authorized and designated under its agreement with NYSDOT to design, acquire Right-of-Way (ROW), advertise, open bids, award, and administer contracts for locally administered Federal aid transportation projects. The Administering Agency may also be referred to as the local public agency, agency, local government, municipality, owner, or Sponsor that is the subrecipient of federal aid.

Responsible Local Official (RLO): The project facility owner's top official who has the authority to enter into an agreement with NYSDOT to progress a transportation project and grant project approvals (RLO examples: mayor, town supervisor, county executive, chair of the county board of supervisors, state agency commissioner, etc.). With the exception of Design Approval, Non-Standard Feature Approval, and Contract Document Approval, the top municipal/agency official may delegate the authority to another official (e.g., highway superintendent, municipal engineer, chief financial officer, deputy commissioner).

Project Manager (PM): Title **23 CFR 635.105(c)(4)** requires a full-time employee of the Sponsor to be in responsible charge of the project (e.g., make engineering decisions on behalf of the Sponsor/owner) even when using consultants to provide engineering and construction inspection services or project management. The PM will report to the RLO, who will have ultimate oversight and responsibility for the project. The PM and the RLO may be the same individual unless defined otherwise in this document.

Project Engineer or Project Designer: The person who will provide engineering support during construction, such as the consultant's or Sponsor's Project Designer. This person usually is a PE qualified to stamp plans and shop drawings on behalf of the RLO. The Project Engineer may report to the PM.

Note: The Project Engineer or Project Designer is not the same as the Contractor's engineer.

Engineer-In-Charge (EIC): The Sponsor's or consultant's staff person who will be on-site at all times to monitor construction and oversee the Contractor's/subcontractor's activities. The EIC may or may not be a professional engineer and may report to a consultant Project Manager (add role if applicable) or the Project Engineer.

Inspector(s): The Sponsor's or consultant's staff person who will be on-site to monitor construction. NOTE: Inspector(s) may not be needed full-time and may be present only as the contractor's work dictates. The project may be staffed according to the guidelines in Chapter 15 of the LPM, but at all times must have inspection staff sufficient to monitor construction activities, ensure quality and conformance, and perform recordkeeping.

b. Consultant and Funding

The language within this section should not be revised or amended other than to indicate whether the inspection staff shall be reimbursed in accordance with the Local Projects Manual (LPM) or Locally Funded.

c. Inspection Staff Qualifications

Provide the resumes and certification for all staff.

d. Chain of Command

Specify whom each person reports to by indicating the name of the individual for the position noted and who they represent, i.e., Sponsor or Consultant.

e. Governing Specifications

Indicate the date of issuance of the NYSDOT Standard Specifications governing the project.
<https://www.dot.ny.gov/main/business-center/engineering/specifications/busi-e-standards-usc>

f. NYSDOT's Local Projects Manual can be found at: <https://www.dot.ny.gov/plafap>

g. Pre-Construction Meeting

Prior to the start of construction, a pre-construction meeting must be held. It is the responsibility of the

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Sponsor to schedule and coordinate this meeting.

II. Contract and Project Requirements**a. Disadvantaged Business Enterprise (DBE) Goal**

Indicate the DBE Goal as noted in the Contract Bid Proposal Package; even if it is a zero. If zero, the contractor is encouraged to utilize certified DBE firms.

b. Minority and Women-Owned Business (M/WBE) and Service-Disability Veteran-Owned Business (SDVOB) Goals

If project is 100% State Funded ONLY - Indicate the MBE Goal, WBE Goal, and SDVOB Goal as noted in the Contract Bid Proposal Package

c. Equal Employment Opportunity (EEO) Goals

Indicate the Minority Goal as per the County in which the project is located as indicated in the Contract Bid Proposal Package. The Women's Goal will always be 6.9% for all projects in New York.

d. Permits

The language within this section should not be revised or amended other than to complete the chart for those permits that are required for this project. If follow-up is required completed, the CMP will need to be updated. If permits are not required, please state *None*.

e. Requirements of Railroads and Utility Companies

List any specific requirements of either the railroad or the utility companies. Attach the railroad and/or utility agreement(s) to the CMP.

f. Commitments contained in Design Approval Document that are to be fulfilled during construction are as follows:

List any specific commitments made during design that need to be fulfilled during construction. For example, time-related provisions, stakeholder interest; stakeholder notification; property owner agreement.

g. Project Schedule

Identify the Project Schedule Milestone dates.

h. Special Requirements

List any special requirements that are needed that the inspection staff should be aware of, including emergency service providers, drivers first initiative restrictions, etc., or work that requires input from stakeholders (school, property owner, other municipality, etc.) even though no formal permitting procedures exist.

i. Water Quality Protection

The language within this section should not be revised or amended.

j. As-built plans documentation procedures

Describe the procedures for completion, transmission, and retention of the as-built plans.

III. Contract Administration**a. Subcontractor Approval Process**

The language in this section should not be revised or amended.

b. Change Order Approval Process

The language within this section should not be revised or amended. Where the forms indicate NYSDOT or one of its offices or representatives, substitute using the RLO and/or PM.

c. Procedures to Ensure DBE Compliance

The language within this section should not be revised or amended. If a contract does not have a DBE goal, the contractor is encouraged to utilize DBE vendors.

d. Procedures to Ensure Workforce and EEO Compliance

The language within this section should not be revised or amended. Data is due to the Sponsor by the 15th of each month. This does not relieve the contractor or subcontractor from submitting certified payrolls.

CONSTRUCTION MANAGEMENT PLANVersion Date: 11/22/2024**e. Wage Rate Compliance Procedures**

The language within this section should not be revised or amended.

f. Procedures to Ensure Work Zone Safety

The language within this section should not be revised or amended. Indicate who the Contractor's WZTC person will be during the construction of the project.

g. Procedures to Ensure Worker Safety

The language within this section should not be revised or amended.

h. Claim and Dispute Resolution Procedures.

Provide the Sponsor's highest-ranking individual's name(s) and titles to coordinate dispute resolutions. If the RLO cannot resolve the dispute, the RLPL and NYSDOT's Regional Construction Engineer can be consulted.

i. Scheduling and Time Extensions

The language within this section should not be revised or amended. The Sponsor must notify the RLPL of any scheduling and time extension changes.

j. Record Keeping and Record Retention Procedures

Indicate the software to be used in record keeping. The language within this section should not be revised or amended.

k. Contract Payments

The language within this section should not be revised or amended.

l. Other Requirements - Communications

Indicate any additional instructions from the Sponsor regarding flow of communications. The language within this section should not be revised or amended.

IV. Construction Inspection**a. Inspection Plan**

Provide any further requirements.

b. Quality Control/Quality Assurance Plan

The language within this section should not be revised or amended. NYSDOT Construction Inspection Manual (CIM) will be referenced.

c. Material Testing Procedures

The language within this section should not be revised or amended.

- **Project On-site Material Testing**

The Quality Management Plan must be appended to and become part of the CMP.

Complete and append a QA Table. Sponsor is responsible for the accuracy of the contents of the QA table.

Recognized Training Providers include American Traffic Safety Services Association (ATSSA), National Safety Council (NSC), and Federal Highway Administration's National Highway Institute (FHWA-NHI), and accredited colleges and universities with advanced degree programs in Civil/Transportation/Traffic Engineering.

- **In-Plant Material Quality Assurance Testing**

Verify with RLPL process per Region.

d. Shop Drawing Approval Process

The language within this section should not be revised or amended.

e. Roadwork Reporting

The EIC/RE shall inform the Surface Transportation Controller (STC) and/or Regional Office of all work impacting roadway use by submission of the Roadwork Form.

V. Coordination with Others**a. Anticipated efforts to ensure compliance with permits**

The language within this section should not be revised or amended.

b. Anticipated efforts to coordinate with affected utility companies and railroads

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The language within this section should not be revised or amended other than providing a list of what has been or needs to be accomplished if relocations are required.

c. Commitments made to other municipalities, emergency service providers, schools, etc.

The language within this section should not be revised or amended other than providing a list of key organizations to be apprised of road closure and construction activities.

d. Anticipated efforts to ensure satisfaction of unfulfilled commitments made in Design Approval, SHPO Memorandum of Agreements, or other unfulfilled commitments made in the Design Approval.

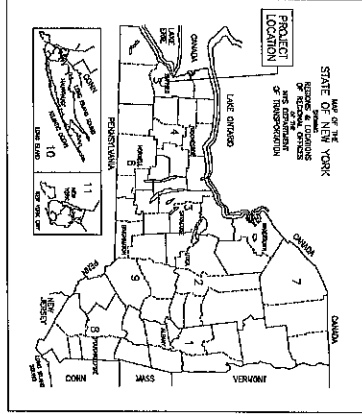
Provide a list of any items here or state there are none.

e. Anticipated efforts to address all special requirements.

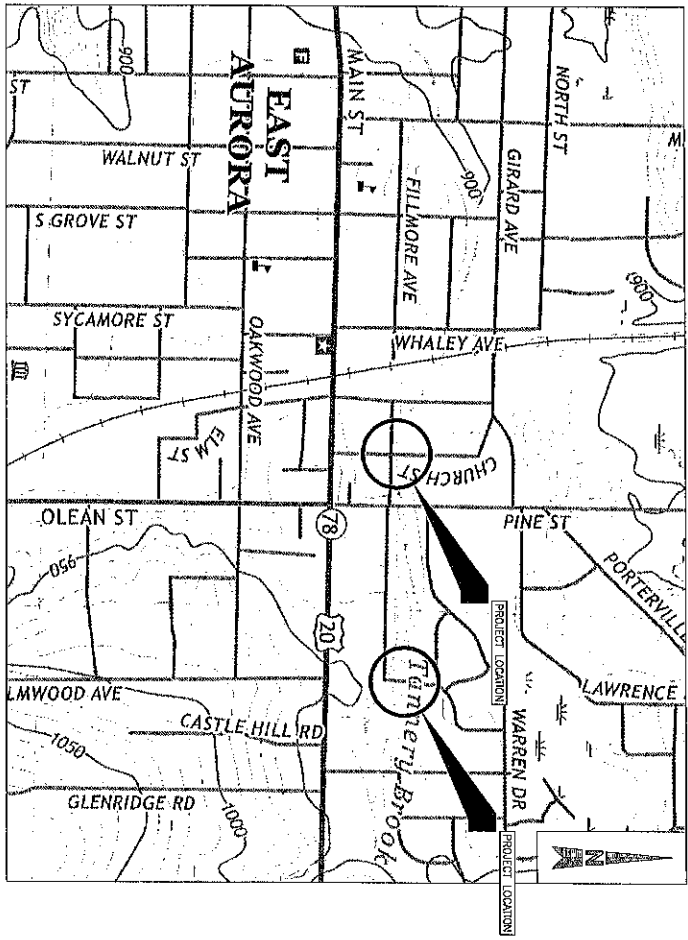
The language within this section should not be revised or amended other than to provide a list of any special requirements or state there are none.

VI. Close-Out**a. Contract Acceptance and Close-out Procedures**

The language within this section should not be revised or amended other than obtaining the proper signatures for the Responsible Local Official (RLO), the Regional Local Project Liaison (RLPL), the Engineer-In-Charge (EIC) or Resident Engineer (RE).



TOWN OF AURORA
HIGHWAY DEPARTMENT
 PROJECT IDENTIFICATION No. 5763.87 & 5763.88
REPLACEMENT of the CHURCH STREET & EAST FILLMORE AVENUE
CULVERTS
 Crossing over TANNERY BROOK
 VILLAGE OF EAST AURORA
 ERIE COUNTY, NEW YORK



PROJECT LOCATION MAP
 THE PROJECT IS LOCATED ON EAST FILLMORE AVENUE BETWEEN PINE STREET AND TANNERY BROOK AND EAST TANNERY BROOK CROSSING OVER TANNERY BROOK. THE PROJECT LENGTH OF APPROXIMATELY 292 FEET APPROXIMATELY 178 FEET NORTH OF EXISTING CULVERT FOR A TOTAL PROJECT LENGTH OF APPROXIMATELY 292 FEET APPROXIMATELY 119 FEET SOUTH OF EXISTING CULVERT FOR A TOTAL PROJECT LENGTH OF APPROXIMATELY 194 FEET.

THE LATEST REVISIONS OF THE STANDARD SHEETS MAINTAINED BY ANSOTC WHICH ARE CURRENT AS OF THE STANDARD SPECIFICATIONS ADOPTION DATE SHOWN ON THE PROPOSAL COVER, SHALL BE CONSIDERED TO BE IN EFFECT. ALL PAVEMENTS AND WORK COVERED IN THE CONTRACT AND ANY ADDITIONAL PAVEMENTS AND WORK ENCOUNTERED DURING THE COURSE OF THE CONTRACT SPECIFIED IN THE CONTRACT SHALL BE APPLIED TO THE STANDARD SHEETS(S) UNLESS OTHERWISE SPECIFIED IN THE CONTRACT DOCUMENTS.
 ALL WORK CONTEMPLATED UNDER THIS CONTRACT IS TO BE COVERED BY AND IN CONFORMANCE WITH THE STANDARD SPECIFICATIONS (US CUSTOMARY) REFERENCED IN THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE CONTRACT FORMS IN CONTRACT PROJECT "PROPOSALS" BY THESE PLANS OR BY OTHERWISE SET FORTH IN CONTRACT PROJECT "PROPOSALS".
 CONTRACT PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH NYSDOT POLICIES AND GUIDELINES AND THE FINAL DESIGN REPORT APPROVED ON MARCH 12, 2014.

CONTRACTOR'S NAME _____
 AWARD DATE _____
 COMPLETION DATE _____
 FINAL ACCEPTANCE DATE _____
 REGIONAL DIRECTOR _____
 ENGINEER IN CHARGE _____
 FINAL COST TOTAL _____

CHARLES D. SNOYER, SUPERVISOR _____ DATE _____
 TOWN OF AURORA _____

PREPARED AND
 RECOMMENDED BY:

FOR-ALERT ASSOCIATES	DATE
MONITORING, SCHEDULING, & SERVICES, P.C.	

IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LAND SURVEYOR, OR LANDSCAPE ARCHITECT TO PREPARE ANY DRAWING OR SPECIFICATION FOR A PROJECT OF THIS NATURE WITHOUT BEING A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LAND SURVEYOR, OR LANDSCAPE ARCHITECT. THE DOCUMENT AND INCLUDE THE NOTATION ALTERED BY FOLLOWED BY THE NAME OF THE PERSON WHO MADE THE ALTERATION, AND A STATEMENT OF THE ALTERATION.

CHURCH STREET & EAST FILLMORE AVENUE	
over TANNERY BROOK CULVERT REPLACEMENT	
VILLAGE OF EAST AURORA	
ERIE COUNTY, NEW YORK	
FED. ROAD REG. NO.	STATE
SHEET NO.	1
ENGINEER AND	
PROJECT NO. 5763.87 & 5763.88	
COPYRIGHT	
IDENTIFICATION NO.	
INDEX ON SHEET NO.	2



5B

TOWN OF AURORA
Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

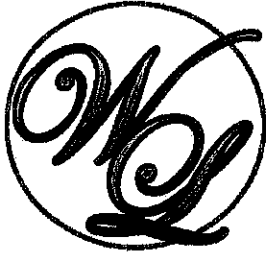
To: Aurora Town Board

From: Martha Librock, Town Clerk

Date: December 4, 2024

Re: Church St. bridge project – land acquisition

Please consider authorizing the Supervisor to sign the final documents for the land acquisition for the Church St. bridge project.



William D. Lonergan, Esq.

2440 Sheridan Drive, Suite 100
Tonawanda, New York 14150
P: 716 548 9770 F: 716 558 2825

November 25, 2024

Town of Aurora
c/o Charles D. Snyder, Supervisor
575 Oakwood Avenue
East Aurora, New York 14052

Re: Church Street Bridge Replacement
East Aurora, Erie County
Maps 1 & 2; 3

Dear Mr. Snyder:

Enclosed please find the following documentation for the above noted maps:

1. Contracts of Sale and Release with acquisition maps (Original and Two (2) copies)
2. Forms TP-584
3. Forms RP-5217
4. Forms W9 – for check to be cut

Page number 4 of all copies of the Contracts require a notarized signature (notary on page 5) from the highest-ranking Town official (Town Supervisor), or their written authorized signatory. Additional signatures that the town may require following the Town Supervisor include an authorized representative from DPW to approve the content, and an authorized legal representative to approve as to form (no notary needed for the additional signatures).

The Warranty Deed and Grant of Permanent Easement signed by the owners do not require a signature from the town and are retained in my office.

The Forms TP-584 must be signed at the bottom of the page numbered 3 by an authorized Town representative as "Grantee". The Town's Employee Identification Number (EIN) must be written in on the first page where highlighted.

The Forms RP-5217 must be signed and dated where indicated near the bottom of the page by an authorized Town representative as "Buyer".

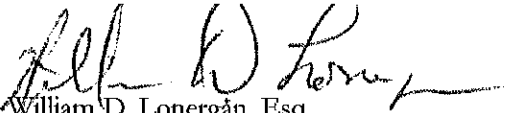
Mr. Charles D. Snyder
October 25, 2024
Page 2

Once all the documentation has been fully executed and notarized where required, I would request that all of the documents be returned to me in addition to the checks. The property owners' W9 forms identifying their SSN are included for the Town's records in order to cut the checks. Check amount, ownership, and map are identified in the following table.

<i>Map #/Parcel #</i>	<i>Ownership</i>	<i>Amount</i>
1/1 (Fee) 2/2 (PE)	Daniel Joseph Conron & Maryceleste Conron	\$4,700.00
3/3 (Fee)	William F. Marusza & Kristin M. Marusza	\$7,200.00

Should you or any of the signatories have any questions, please feel free to contact me.

Sincerely,


William D. Lonergan, Esq.
WDL/tjm



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TOWN OF AURORA

Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

To: Supervisor Snyder & Town Board Members
From: Raymond Wrazen Town Board Member
Date: December 5, 2024

Re: Comprehensive Plan addition and Budget Amendment

As we launch the Town of Aurora Comprehensive Plan outreach the need for a previously unplanned for requirement has emerged. Public feedback from the New York Forward process has been a critique that notification of the NY Forward process did not reach all affected Town residents. The notification process for the Comprehensive plan has followed a similar path of NY Forward so the addition of a mailer was seen as a significant addition to reach as many households as possible. Thus, a request was made for the LaBella the consultants to give an estimate of what the costs to produce a mailer would be.

The estimated cost to produce and mail 3,158, 4 by 6 inch mailers would be \$2,388. Leaving that portion of the budget with only \$1,612 for the balance of the community outreach. This critical public outreach includes two public Open House events as well as future press releases and ads. While budget lines could be amended, an already tight budget may require critical components of the Comprehensive Plan to be sacrificed.

Therefore I am requesting:

1. We approve the requested addition for a Town wide Comprehensive Plan mailer. LaBella would develop, have printed and mail up to 3,158 mailers which will notify all Town residents outside the village of the initiative, the website and the survey link for public input.
2. We approve LaBella to amend the current approved budget and approve the addition of \$2,388 which will be paid for by A7110.454 ARPA . Total LaBella Comprehensive Plan budget would be \$52,348.



CONTRACT MODIFICATION SHORT FORM

DATE: 12/4/2024
CLIENT: Town of Aurora
PROJECT: Town of Aurora Comprehensive Plan
TASK TITLE: Community Engagement
REQUESTED BY: Derik Kane

PROPOSAL NUMBER:
PROJECT NUMBER: 2243684
PHASE NUMBER: 0200
MODIFICATION NUMBER: 1

DESCRIPTION OF SCOPE/BUDGET CHANGE (reference attached scope and fee exhibits if applicable):
Add budget to allow for direct mailers to be sent to each household within the Town of Aurora.

SCHEDULE:

Changes to Schedule: none Start: Completion Date:

This Modification Form is considered an extension of our original Agreement for this project dated 7/25/2024 and all terms and conditions of the original Agreement apply. This Contract Modification (including schedule and fee) is only valid for 30 days from issuance.

BUDGET/FEE:

- 1. Previously-approved budget/fee for this task: \$7,510
2. Labor: [X] LUMP SUM FEE or \$2,388 [] TIME & MATERIALS ESTIMATE
3. Sub-Consultant Estimate:
4. Reimbursables Estimate:
5. Total for this Modification (lines 2+ 3+ 4): \$2388
6. TOTAL Revised Budget/Fee: (lines 1 +5) \$9,898
7. Additional Retainer Required: \$2,388

Please review and call with any questions. Receipt of this signed document and any additional retainer required will be authorization to schedule this work. We look forward to working with you on this project.

LABELLA:

Signature: [Handwritten Signature]
Printed Name: Derik Kane

Title: Project Manager / Senior Planner
Date: 12/04/2024

CLIENT AUTHORIZATION TO PROCEED:

Signature:
Printed Name:

Title:
Date:

COMMENTS/DIRECTION:

cc:



Section 5 of Intermunicipal Agreement between The County of Erie and Town of Aurora

5. **PAYMENT and REPORTING:** It is expressly agreed and understood that in exchange for the services described herein, the total amount to be paid by the County to the Town under this Agreement shall not exceed \$54,000.
- A. **Payment Requests:** Payments will be made on a reimbursement basis upon proof submitted by the Town for eligible expenses actually incurred by the Town.
- B. **Final Payment Request:** The Town shall only receive final payment upon proof that Municipal Action has been taken regarding this Agreement. "Municipal Action" shall be constituted by approval and adoption of the final planning document by the municipal governing board. The Town shall certify that Municipal Action has been taken by submitting a final payment request with a certified resolution.
- C. **Quarterly Reports:** The Town shall report to the County on a quarterly basis regarding project progress.
- D. **Closeout Report:** The Town shall only receive final payment upon submittal of a closeout report detailing project accomplishments and outcomes. The Town shall submit the closeout report with the final payment request.

LaBella approved budget for Comprehensive Plan with the Town of Aurora

COST PROPOSAL

Town of Aurora Comprehensive Plan Update

Task	LaBella Staff				Hours	Fee
	Principal-In-Charge	Project Manager	Senior Planner Engineer/Designer	Planner/ GIS Analyst		
Project Management	10	24	0	16	50	\$5,810
Community Engagement	6	24	8	32	70	\$7,510
Vision & Goals	0	20	8	24	52	\$5,460
Inventory & Analysis	0	24	16	60	100	\$9,940
Strategies & Projects	8	24	16	20	68	\$7,700
Priority Areas & Solutions	0	14	8	28	50	\$5,050
Draft Final Plan, SEQRA & Adoption	6	22	16	28	72	\$7,840
Total	30	152	72	208	462	\$49,310
Rates - Some Blended	\$145.00	\$125.00	\$115.00	\$85.00	-	-
General Expenses	-	-	-	-	-	\$650
TOTAL	\$4,350.00	\$19,000.00	\$8,280.00	\$17,680.00	462	\$19,980

Note: All fees and rates include fringe benefits, overhead, and profit.

5D-1

RESOLVED that the Town Board of the Town of Aurora declares itself lead agency with regard to SEQR for the Special Use Permit application for a short-term rental at 59 Cook Road; and further

RESOLVED that after considering the action stated herein, reviewing the criteria contained in Section 617.11 of the Rules and Regulations of the State Environmental Quality Review Act, determines that the action is an Unlisted action; and further

RESOLVED that the Town Board of the Town of Aurora has determined that this Unlisted action will result in no significant adverse impacts on the environment, and therefore, an environmental impact statement need not be prepared; and further

RESOLVED that a negative declaration is issued with regard to the Special Use Permit for a short-term rental at 59 Cook Road.

Project:	59 Cook Rd
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:		
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"/>

5D-2

RESOLUTION APPROVING SPECIAL USE PERMIT
59 Cook Road

WHEREAS, Jennifer Higgins has applied for a Special Use Permit for a short term rental at 59 Cook Road, East Aurora, NY; and

WHEREAS, Chapter 116 of the Aurora Town Code states that this type of use requires a Special Use Permit from the Town Board; and

WHEREAS, the Town Board of the Town of Aurora referred the Special Use Permit application to the Town of Aurora Planning Board for their review and recommendation; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Special Use Permit; and

WHEREAS, as an unlisted action under SEQRA the Town Board found that the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 116 – Zoning, Article III of the Code of the Town of Aurora, the Town Board of the Town of Aurora does hereby grant a Special Use Permit, to Jennifer Higgins for a short-term rental at 59 Cook Road, East Aurora, NY.

RESOLVED that the Town Board of the Town of Aurora declares itself lead agency with regard to SEQR for the Special Use Permit application for a short-term rental at 275 Bowen Road; and further

RESOLVED that after considering the action stated herein, reviewing the criteria contained in Section 617.11 of the Rules and Regulations of the State Environmental Quality Review Act, determines that the action is an Unlisted action; and further

RESOLVED that the Town Board of the Town of Aurora has determined that this Unlisted action will result in no significant adverse impacts on the environment, and therefore, an environmental impact statement need not be prepared; and further

RESOLVED that a negative declaration is issued with regard to the Special Use Permit for a short-term rental at 275 Bowen Road.

Project: 275 Bowen Rd
 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: 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"/>

SE-2

RESOLUTION APPROVING SPECIAL USE PERMIT
275 Bowen Road

WHEREAS, James and Donna Atkinson have applied for a Special Use Permit for a short term rental at 275 Bowen Road, East Aurora, NY; and

WHEREAS, Chapter 116 of the Aurora Town Code states that this type of use requires a Special Use Permit from the Town Board; and

WHEREAS, the Town Board of the Town of Aurora referred the Special Use Permit application to the Town of Aurora Planning Board for their review and recommendation; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Special Use Permit; and

WHEREAS, as an unlisted action under SEQRA the Town Board found that the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 116 – Zoning, Article III of the Code of the Town of Aurora, the Town Board of the Town of Aurora does hereby grant a Special Use Permit, to James and Donna Atkinson for a short-term rental at 275 Bowen Road, East Aurora, NY.

5F-1

RESOLVED that the Town Board of the Town of Aurora declares itself lead agency with regard to SEQR for the Special Use Permit application for a Bed and Breakfast/short-term rental at 140 Jewett Holmwood; and further

RESOLVED that after considering the action stated herein, reviewing the criteria contained in Section 617.11 of the Rules and Regulations of the State Environmental Quality Review Act, determines that the action is an Unlisted action; and further

RESOLVED that the Town Board of the Town of Aurora has determined that this Unlisted action will result in no significant adverse impacts on the environment, and therefore, an environmental impact statement need not be prepared; and further

RESOLVED that a negative declaration is issued with regard to the Special Use Permit for a Bed and Breakfast/short-term rental at 140 Jewett Holmwood Road.

Project:	140 Jewett Holmwood
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: 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"/>

SF-2

RESOLUTION APPROVING SPECIAL USE PERMIT
140 Jewett Holmwood Road

WHEREAS, Douglas Nemeč has applied for a Special Use Permit for a Bed and Breakfast/short term rental at 140 Jewett Holmwood Road, East Aurora, NY; and

WHEREAS, Chapter 116 of the Aurora Town Code states that this type of use requires a Special Use Permit from the Town Board; and

WHEREAS, the Town Board of the Town of Aurora referred the Special Use Permit application to the Town of Aurora Planning Board for their review and recommendation; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Special Use Permit; and

WHEREAS, as an unlisted action under SEQRA the Town Board found that the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 116 – Zoning, Article III of the Code of the Town of Aurora, the Town Board of the Town of Aurora does hereby grant a Special Use Permit, to Douglas Nemeč for a Bed and Breakfast/short-term rental at 140 Jewett Holmwood Road, East Aurora, NY.

56-1

RESOLVED that the Town Board of the Town of Aurora declares itself lead agency with regard to SEQR for the Special Use Permit application for a Bed and Breakfast at 1150 Underhill Road; and further

RESOLVED that after considering the action stated herein, reviewing the criteria contained in Section 617.11 of the Rules and Regulations of the State Environmental Quality Review Act, determines that the action is an Unlisted action; and further

RESOLVED that the Town Board of the Town of Aurora has determined that this Unlisted action will result in no significant adverse impacts on the environment, and therefore, an environmental impact statement need not be prepared; and further

RESOLVED that a negative declaration is issued with regard to the Special Use Permit for a Bed and Breakfast at 1150 Underhill Road.

Project: 1150 Underhill Rd
 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: 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"/>

56-2

RESOLUTION APPROVING SPECIAL USE PERMIT
1150 Underhill Road

WHEREAS, John Radford has applied for a Special Use Permit for a Bed and Breakfast at 1150 Underhill Road, East Aurora, NY; and

WHEREAS, Chapter 116 of the Aurora Town Code states that this type of use requires a Special Use Permit from the Town Board; and

WHEREAS, the Town Board of the Town of Aurora referred the Special Use Permit application to the Town of Aurora Planning Board for their review and recommendation; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Special Use Permit; and

WHEREAS, as an unlisted action under SEQRA the Town Board found that the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 116 – Zoning, Article III of the Code of the Town of Aurora, the Town Board of the Town of Aurora does hereby grant a Special Use Permit, to John Radford for a Bed and Breakfast at 1150 Underhill Road, East Aurora, NY.