

WS-1 FA

Application # _____

Application	_____
Permit	\$15 _____
Security Deposit	\$200 _____
Per Day Event	\$200 _____
Additional Services	TBD _____

Application For Temporary Use Permit

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

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

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

1. Name of organization: Friends of Knox Park
2. Individual responsible for this request: Kathleen York
3. Address: 437 Buffalo Rd.
East Aurora, NY 14052
4. Telephone number: (585) 410-4336
5. Fax: _____
6. Email: admin@friendsofknoxfarm.org
7. Date(s) of event: 4/8/24
8. Hours of use including set up/take down: Start 11am End 7pm
9. Description of the event or use:
parking for the Total Eclipse event at
Knox Park
10. Specific area(s) request. Please attach a map of the area.
 - a. Soccer fields _____
 - b. Polo Field X
 - c. Equestrian Park _____
 - d. Other _____
 - i. Describe _____

11. Specific equipment to be brought into the park (porta-johns, tents, etc.)

none

12. Needs: Water _____ Electric _____

13. Estimated attendance: 2000 people

- a. Will participants be crossing Knox Road? yes
- b. Will participants be attending via bus? possibly

PLEASE NOTE: Based on the estimated attendance of the event, a meeting with the Town Supervisor, Dir. of Recreation and Aquatics, the Highway Supervisor, and Chief of Police may be scheduled at the discretion of the Aurora Town Board to discuss a plan for proper traffic control and parking.

14. Will food or drinks be served? no

a. If yes, please describe _____

15. Will there be sound amplification, music, or a band(s)? no

a. If yes, please describe _____

16. Other services requested, please describe: none

- a. NYS Park Police* _____
 - i. *Applicant is responsible for contacting the East Aurora Police Department if the event involves the Village or Town streets.
- b. Parks Department: _____

17. Do you intend to use the main part of Knox Farm State Park between Buffalo Rd, Willardshire Rd., and Knox Rd.? yes

- a. If yes, you must request a permit from NYS Parks and Recreation. Contact their office at 716-549-1802. done

Provide drawings that describe location, size and text of all proposed signs for this event to the Town of Aurora Building Department, 575 Oakwood Ave. Approved signs may be erected 30 days prior to the event and must be removed immediately after.

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

Kathleen M. Yocum
Signature of Applicant

11/16/23
Date

Official Use Only

Event: _____

Attachments Submitted

- Indemnification Agreement
- Certificate of Insurance
- Map with area(s) requested to be used indicated
- Parking and Traffic plan
- Copy of application for sign permit, if applicable. (Upon application approval copy of approved sign permit must be filed with the Town Clerk NO LATER THAN 5 days prior to scheduled event.)

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

Application Recommended or _____ Not recommended
by the Recreation Department.

Action by Aurora Town Board

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

Approved: _____ Date: _____
Supervisor's Signature

Denied: _____ Date: _____
Supervisor's Signature

Conditions:

- _____ Police Department Approval
- _____ Highway Department Approval
- _____ Building Department Approval
- _____ Requesting organization shall attach a completed **Certificate of Insurance** with minimum limits to include public liability coverage with limits of \$1,000,000 each occurrence; property damage insurance with limits of \$1,000,000 each occurrence. Policy shall be endorsed to include the Town of Aurora as an additional name insured
- _____ Requesting organization or individual shall submit an **Indemnification Agreement** signed by authorized applicant or officer of company and duly notarized.
- _____ Approval of parking and traffic plan
- _____ Other

TOTAL ECLIPSE

Knox Farm State Park

April 8th, 2024

This plan anticipates that 2,500 people, in cars, on Monday, April 8th, 2024. will be traveling to the event on Friday, Saturday and Sunday. Visitors will be traveling mostly from the North, east and west on highways and local roads. Visitors coming from I90 have been routed around the Village of East Aurora to lessen the traffic impact on the Village roadways and minimize congestion within the Village. The intent of the plan is to minimize traffic congestion, provide sufficient facilities and signage to maintain safety and cope appropriately with the traffic that will be generated.

Traffic and Parking Management Plan

1. The Event and the Organizers

The event will be held at Knox Farm State Park on April 8th, 2024 (rain or shine). Organized by Friends of Knox.

Times: 12pm - 6pm

Maps of the area and the park are attached

2. OVERVIEW

Work with the Highway Superintendent, David Gunner with parking plans to accommodate all parking needs.

Peak car volume will be 12:00pm-4:00pm and end of event for egress.

Parking requirements are estimated to be 300-500 total vehicles.

Route plan will be highly advertised on all marketing materials, socials and websites. Event will coordinate with outside shuttles if necessary for inclement weather.

3.. **EMERGENCY ACCESS** Ambulance. Ingress and egress will be through the Main wrought Iron gates off Buffalo Rd. This entrance will be used strictly for vendors and volunteers and will be well marked with a security person at that gate. This entrance is not to be used for Eclipse visitors. Ambulance and Fire Dept. access also through Knox Rd. park entrance. Gate will be open.

All emergency communication is planned and coordinated with the East Aurora Police Department and New York State Police and East Aurora Fire Department.

4.. **PARKING/ RIDESHARE-- Off/Pick Up**

All parking will be located at soccer fields and polo grounds off Knox Road. Drop off for shuttle buses, RideShare and cars will be clearly marked on Buffalo Road/Seneca Street. (Red Barn buildings)

Golf cart or shuttle for handicapped will be available

5. **TRAFFIC**

DOT signs/boards to be placed at the corner of Knox and Wilardshire as well as the corner of Buffalo Rd. and Bowen Rd. with appropriate directions. Parking signs will be placed at the Polo Ground parking lot.

6. **.COMMUNICATION:** All traffic and parking information will be listed on the website and on the ticketing page with route and parking instructions. All ticket holders will be emailed clear parking and traffic information prior to the event. Parking will be posted on all social media sites relevant to the event.

DIRECTIONS:

From the North or west:

From Interstate 90 take exit 54, Route 400. Exit on Transit Rd south, then make the first left at the signal onto Seneca St. Drive 4.5 miles. Turn right on Wilardshire Rd. Turn left on Knox Rd. Follow signs for parking.

Follow Rt. 16 north to 20A. Turn left on 20A(west) to traffic circle. Bear right and travel Buffalo Road to Willardshire. Left on Willardshire and left on Knox. Follow signs for parking.

From the East

Follow 20A west through the Village of East Aurora to the traffic circle. Bear right and travel

Buffalo Road to Willardshire. Left on Willardshire and left on Knox. Follow signs for parking.

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



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

TOWN OF AURORA


575 Oakwood Ave., East Aurora, NY 14052

www.townofaurora.com

Indemnification Agreement

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

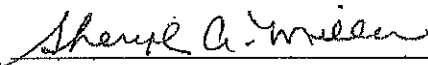
To the fullest extent permitted by law, I/We shall indemnify and hold harmless the Town of Aurora and its employees from and against claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of our work under this contract, provided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



Authorized Applicant (or) Officer

State of New York)
County of Erie)

Subscribed and sworn to before me this 6th day of November, 2023

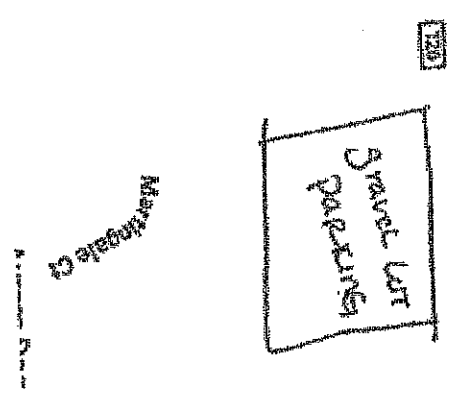
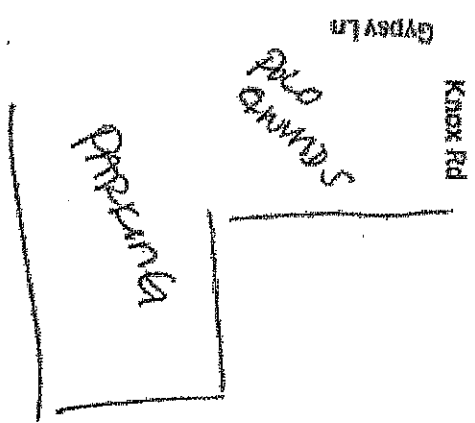


Notary Public

SHERYL A. MILLER
Reg. #01MI6128663
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 13, 2025

Qualified in Erie County, New York
My commission expires: June 13, 2025

Party for Eclipse event
Friends of Knox
April 8th



WS-2 4B

TOWN OF AURORA
LOCAL LAW INTRO 6-2023
LOCAL LAW ___ - 2023

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 KNOWN AS “THE CODES OF THE TOWN OF AURORA”, ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, TO AMEND THE ZONING MAP.

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

SECTION 1. LEGISLATIVE INTENT

This Local Law amends a prior Local Law known as “The Town of Aurora Code” adopted by the Town of Aurora on January 22, 1990, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Aurora as therein set forth. This Local Law will amend the boundaries of the Zoning Map to transfer the described property from its present location in A and RR Zoning Districts to a C-2 Zoning District.

SECTION 2. SECTION 116-6, ZONE MAP

Section 116-6(A), Zoning Map, of the Codes of the Town of Aurora is amended to transfer and place the following described property from its present classification as A and RR Zoning Districts to a C2 Zoning District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Aurora, County of Erie and State of New York, being part of Lot No. 14, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Olean Road, distant 1251.70 feet southeasterly from its intersection with the center line

of Lapham Road, which point of beginning is also a southwest corner of lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 1928 of Deeds at Page 110; thence N 72° 32' E end along southerly line of said lands conveyed to the County of Erie by aforesaid deed a distance of 538.5 feet record and 538.51 feet measured to a point; thence S 27° 06' E, a distance of 233.50 feet to a point, said point being also a southwest corner of said lands conveyed to the County of Erie by aforesaid deed; thence N 62° 54' E a distance of 200 feet to the southwesterly line of lands owned by Conrail, formerly Pennsylvania Railroad; thence S 27° 06' E along said southwesterly line of railroad lands 900 feet to a point in the lands conveyed by Nathaniel Fillmore the heirs of Ephraim Salisbury; thence N 89 ° 41' W along said Salisbury's land a distance of 890 feet record and 887.86 feet measured to the center line of Olean Road; thence N 23° 31' W along the center line of Olean Road 798.55 feet to a point or place of beginning.

SECTION 3. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence, or part or provision of this Local Law shall not affect the validity of any other part of this Local Law which shall be given effect.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York Secretary of State.

TOWN OF AUI

WS-3

4C-1#2

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

MEMO

TO: Jim Bach & Town Board Members
FROM: Doug Crow, Chairman, Planning Board
DATE: December 7, 2023

=====

The following actions were taken at the December 6, 2023, meeting of the Planning Board:

Chairman, Doug Crow, acknowledged six voting members present.

Chris Contento moved to recommend the Town Board approve the Special Use Permit for 1204 Blakeley Rd., SBL187.00-2-10.2, owned by John Hughes, for the installation of a ground mounted Solar Electric PV System.

Seconded by Jeanne Beiter

Upon a vote being taken:

ayes – six

noes – none

Motion Carried.

Project: 1204 Blakeley - solar
 Date:

4C-1

**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"/>

PRINT FORM

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, identify: _____			
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If the proposed action will exceed requirements, describe design features and technologies:			
Will not exceed. _____			
10. Will the proposed action connect to an existing public/private water supply?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing potable water: _____			
11. Will the proposed action connect to existing wastewater utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing wastewater treatment: _____			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			



4C-2

Town of Aurora Town Board
575 Oakwood Avenue, East Aurora NY, 14052

Special Use Permit Application Form

I. PROJECT INFORMATION (Applicant/Petitioner):

Business/Project Name: Hughes Residence

Business/Project Address: 1204 Blakeley Rd, East Aurora, NY, 14052

Applicant Name: Andrew Ward

Mailing Address: 2517 Long Rd

City Grand Island State NY ZIP 14072

Phone 716-362-5006 Fax _____ Email award@cirelectric.com

Interest in the property (ex: owner/purchaser/developer) Contractor

II. PROPERTY OWNER INFORMATION (If different than Applicant AND the Owner does not sign below, please submit and original, notarized "Owner Authorization" form - attached):

Property Owner(s) Name(s) John Hughes

If a corporate, please name a responsible party/designated officer: _____

Address 1204 Blakeley Rd

City East Aurora State NY ZIP 14052

Phone 716-652-1305 Fax _____ Email jshughes6@verizon.net

III. SPECIAL USE AND PROPERTY INFORMATION:

Property Address 1204 Blakeley Rd, East Aurora, NY, 14052

SBL# 187.00-2-10.2

Describe Special Use requested (use additional pages if needed): _____
7.5 kW Ground Mounted Solar Electric PV System.

Property size in acres _____ Property Frontage in feet _____

Zoning District _____ Surrounding Zoning _____

Current Use of Property Home

Size of existing building(s): _____ sf Size of proposed building(s) _____ sf

Present/Prior tenant/use: _____

Parking spaces: Existing: _____ Proposed additional spaces: _____ Total #: _____

Proposed water service: _____ public _____ private (well) _____ n/a Is this existing Y/N

Proposed sanitary sewer: _____ public _____ private (septic) _____ n/a Is this existing Y/N

Hours of operation (if applicable):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	By Appt.
Hours								

Peak hours: _____

Number of employees (if applicable): Full-time _____ Part-time _____ Seasonal _____

Upon approval of this application, the applicant intends to apply for: (Check all that apply)

a. Building Permit _____

b. Sign Permit _____

IV. SIGNATURE (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 4)

Andrew Ward

Signature of Applicant/Petitioner

Andrew Ward

Print name of Applicant/Petitioner

State of New York; County of Erie

On the _____ day of _____ in the year _____ before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Notary Public

(Notary stamp)

Office Use Only: Date received: _____ Receipt #: _____

Application reviewed by: _____

Hughes Residence Written Narrative for Utility

Interconnection

Date: 09/05/2023

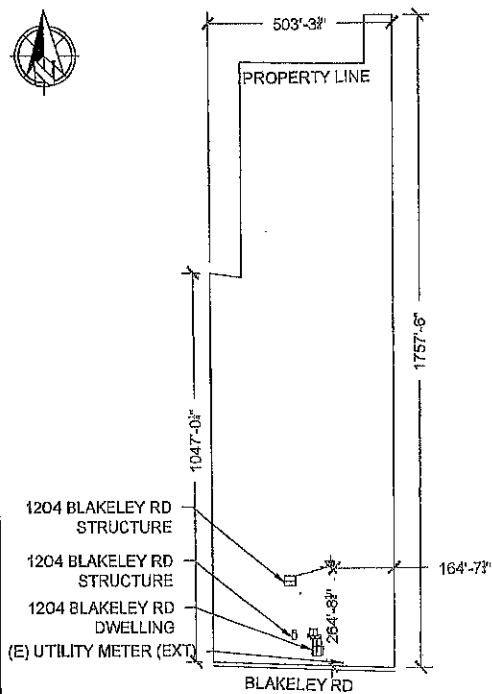
John Hughes living at 1204 Blakeley Rd, East Aurora, NY, 14052 has

agreed to have CIR Electrical Construction Corp. located at, 2517 Long Rd. Grand Island, NY 14072, install a 6 kW AC/7.5 kW DC Ground Mounted Solar Electric PV System at 1204 Blakeley Rd, East Aurora, NY, 14052. The solar array will consist of 15 Silfab Solar SIL-500-HM solar panels, with a size of 500 kW per panel, 1 SolarEdge Technologies SE6000H-US with a rating of 6,000 per inverter. The System is being attached to the Ground Mount with the Solar Foundations Ground Mount racking system.

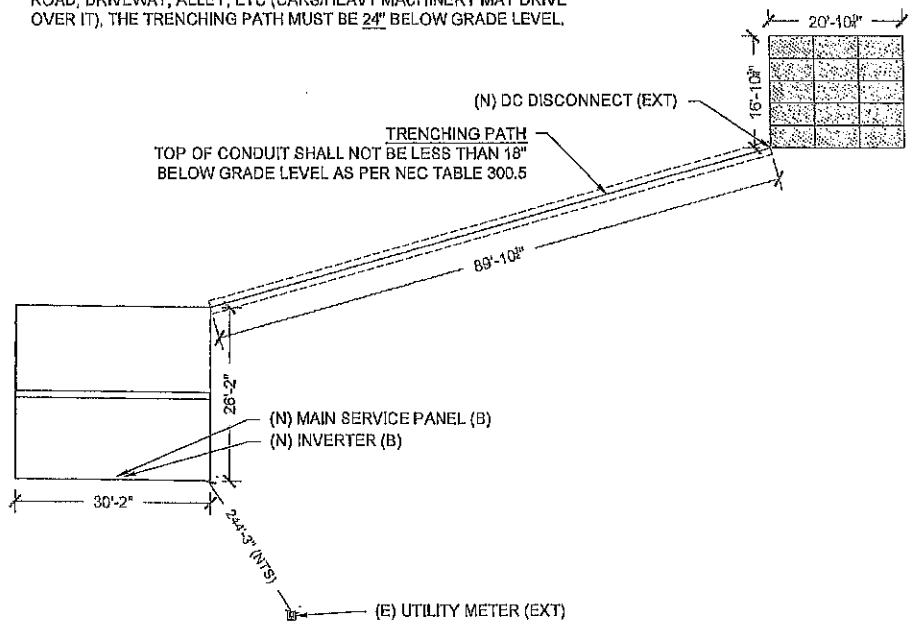
Andrew Ward-Project Coordinator

CIR Electrical Construction Corp.

2517 Long Rd. Grand Island, NY 14072



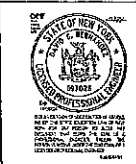
TRENCHING PATH: IF TRENCHING PATH WILL BE UNDER ANY TYPE OF ROAD, DRIVEWAY, ALLEY, ETC (CARS/HEAVY MACHINERY MAY DRIVE OVER IT), THE TRENCHING PATH MUST BE 24" BELOW GRADE LEVEL.



NOTES:
 - SCALE AS SHOWN
 - ALL DIMENSIONS IN FEET UNLESS OTHERWISE STATED

SAFETY PLAN:
 - INSTALLERS SHALL DRAW IN DESIGNATED SAFETY AREA AROUND HOME
 - INSTALLERS SHALL UPDATE NAME, ADDRESS, AND PHONE NUMBER OF NEAREST URGENT CARE FACILITY RELATIVE TO THE SITE BEFORE STARTING WORK

NEAREST URGENT CARE FACILITY
 NAME:
 ADDRESS:
 PHONE NUMBER: _



Solar by CIR
 COMMERCIAL • INDUSTRIAL • RENEWABLE

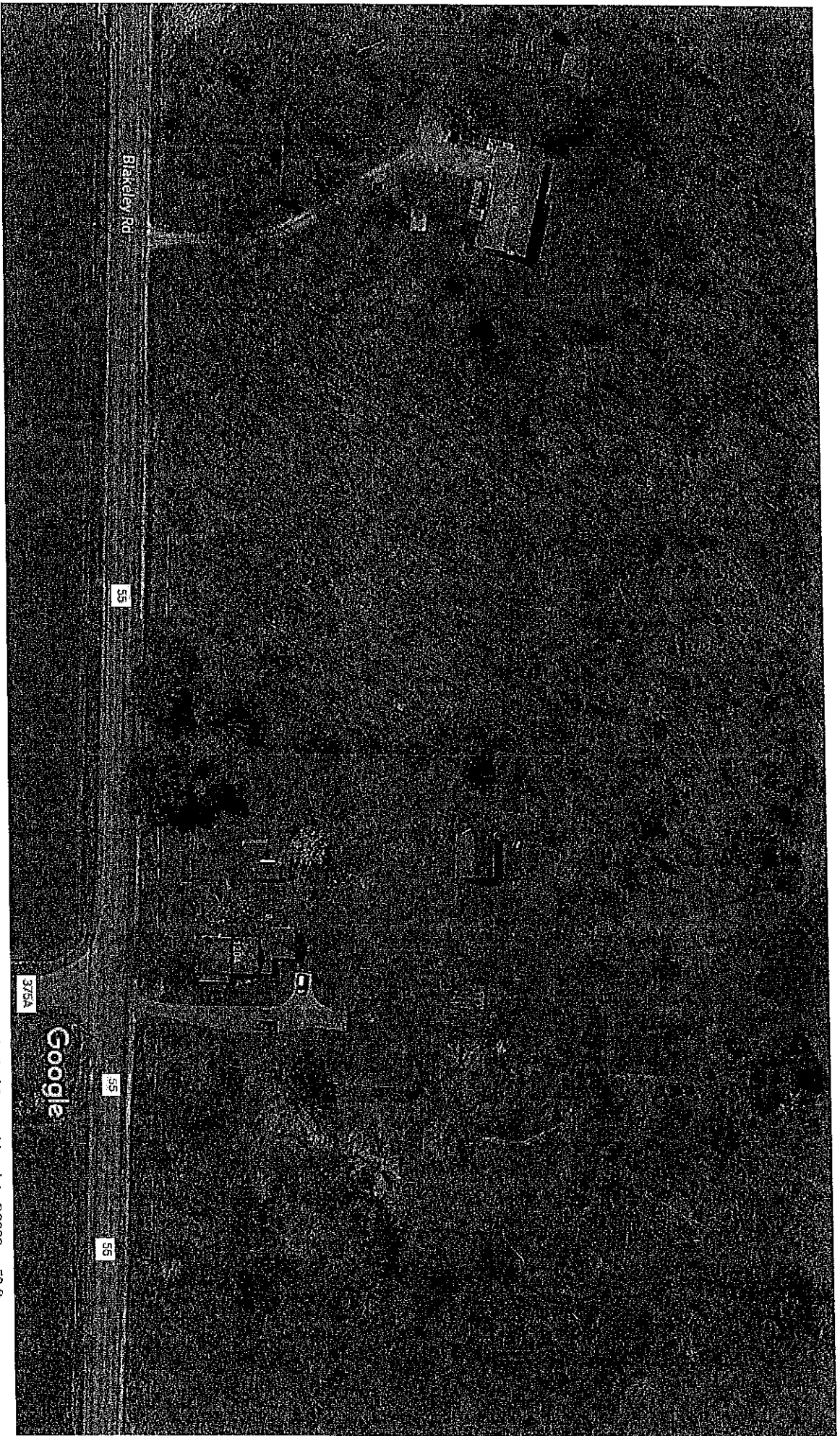
SOLAR BY CIR
 PHONE: +1 716-362-5000
 WWW.SOLARBYCIR.COM

PROJECT: 1204 BLAKELEY RD
 MUNICIPALITY: TOWN OF AURORA, NY
 ZIP CODE: 14022
 CLIENT: JOHN HUGHES
 7,500 KW DC-STC / 6,000 KW AC

AUTHOR: —
 DATE: 04/OCT/23
 REV: -

SITE PLAN

G1



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Hughes Residence			
Project Location (describe, and attach a location map): 1204 Blakeley Rd, East Aurora, NY, 14052			
Brief Description of Proposed Action: 7.5 kW Ground Mount Solar Electric PV System.			
Name of Applicant or Sponsor: Andrew Ward		Telephone: 716-362-5006 E-Mail: award@cirelectric.com	
Address: 2517 Long Rd			
City/PO: Grand Island		State: NY	Zip Code: 14072
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Aurora Building and Special Use Permits.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ >1 acres	
b. Total acreage to be physically disturbed?		_____ >1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 20.4956 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

TOWN OF AURORA
2024 QUARTERLY WATER CHARGES RECOMM

WS-4

5A

I) O&A FEE (Operations & Administration)

Water Director	1,030
Travel & Expense	750
Testing	750
Social Security	79
NYSEG	<u>275</u>
TOTAL	2,884

2,884/36 = 80.11 EACH Annually; 20.03 EACH Quarterly

II) QUARTERLY INFRASTRUCTURE CHARGE - ECWA

S. Herrick:	$542.88/7 = 77.55$ EACH
Mary Jane:	$173.73/6 = 28.96$ EACH
Hickory:	$173.73/6 = 28.96$ EACH
Mitchell:	$173.73/11 = 15.79$ EACH
Center/WG:	$108.60/6 = 18.10$ EACH

III) R&M FEE 25/Quarter EACH

IV) QUARTERLY WATER BILLING

- a. S. Herrick
 - i. ECWA Master Meter Minimum: 198,000 gallons; \$3.64/1,000
 - ii. TOA Customer Minimum: 28,300 gallons; \$3.64/1,000
- b. Mary Jane
 - i. ECWA Master Meter Minimum: 63,000 gallons; \$3.64/1,000
 - ii. TOA Customer Minimum: 10,500 gallons; \$3.64/1,000
- c. Hickory
 - i. ECWA Master Meter Minimum: 63,000 gallons; \$3.64/1,000
 - ii. TOA Customer Minimum: 10,500 gallons; \$3.64/1,000
- d. Mitchell
 - i. ECWA Master Meter Minimum: 63,000 gallons; \$3.64/1,000
 - ii. TOA Customer Minimum: 5,800 gallons; \$3.64/1,000
- e. Center/WG
 - i. ECWA Master Meter Minimum: 39,000 gallons; \$3.64/1,000
 - ii. TOA Customer Minimum: 6,500 gallons; \$3.64/1,000

Water rate increase comparison chart:

Private road/line	O&A New rate	O&A Old rate	Infrastructure New rate	Infrastructure Old rate	R&M (no increase)	Min. water use New rate	Min. water use Old rate	Minimum total New rate	Minimum total Old rate
Center/WestGate	\$20.03	(\$20.02)	\$18.10	\$16.61	\$25.00	\$23.66	\$21.71	\$86.79	\$83.34
Mitchell	\$20.03	(\$20.02)	\$15.79	\$15.94	\$25.00	\$21.12	\$21.05	\$81.94 *	\$82.01
Hickory (Sanford)	\$20.03	(\$20.02)	\$28.96	\$26.57	\$25.00	\$38.22	\$35.07	\$112.21	\$106.66
Mary Jane Ln	\$20.03	(\$20.02)	\$28.96	\$26.57	\$25.00	\$38.22	\$35.07	\$112.21	\$106.66
South Herrick	\$20.03	(\$20.02)	\$77.55	\$71.16	\$25.00	\$103.02	\$94.53	\$225.60	\$210.71

*Mitchell Road minimum total rate decrease due to addition of an additional customer.

SECTION 2, PARAGRAPHS 2.02B, 2.06-2.15

COMMODITY VOLUMETRIC RATES:

Meters read and billed quarterly: (To Nearest Thousand Gallons)

\$[3.34] 3.64 per 1,000 gallons

Meters read and billed monthly: (To Nearest Thousand Gallons)

\$[3.34] 3.64 per 1,000 gallons

~~CENTER/WEST GATE~~

SIZE OF METER	QUARTERLY COMMODITY ALLOWANCE (IN GALLONS)	QUARTERLY MINIMUM COMMODITY CHARGE	QUARTERLY INFRASTRUCTURE INVESTMENT CHARGE	QUARTERLY MINIMUM CHARGE
1-1/4 inch	27,000	\$ [90.18] 98.28	\$ [99.63] 108.60	\$ [189.81] 206.88
1-1/2 inch	39,000	[130.26] 141.96	[99.63] 108.60	[229.89] 250.56
2 inch	63,000	[210.42] 229.32	[99.63] 108.60	[369.33] 403.05
3 inch	120,000	[400.80] 436.80	[298.86] 325.77	[699.66] 762.57
4 inch	198,000	[661.32] 720.72	[498.06] 542.88	[1,159.38] 1,263.60
6 inch	390,000	[1,302.60] 1,419.60	[996.12] 1,085.76	[2,298.72] 2,505.36
8 inch	630,000	[2,104.20] 2,293.20	[1,593.75] 1,737.18	[3,697.95] 4,030.38
10 inch	900,000	[3,006.00] 3,276.00	[2,291.07] 2,497.26	[5,297.07] 5,773.26
12 inch	1,230,000	[4,108.20] 4,477.20	[4,283.22] 4,668.72	[8,391.42] 9,145.92
20 inch	2,820,000	[9,418.80] 10,264.80	[18,433.80] 20,092.83	[27,852.60] 30,357.63
24 inch	3,840,000	[12,825.60] 13,977.60	[37,226.31] 40,576.68	[50,051.91] 54,554.28

~~South Hill~~
MARY JANE LN

SIZE OF METER	MONTHLY COMMODITY ALLOWANCE (IN GALLONS)	MONTHLY MINIMUM COMMODITY CHARGE	MONTHLY INFRASTRUCTURE INVESTMENT CHARGE	MONTHLY MINIMUM CHARGE
1-1/4 inch	9,000	\$ [30.06] 32.76	\$ [33.21] 36.20	\$ [63.27] 68.96
1-1/2 inch	13,000	[43.42] 47.32	[33.21] 36.20	[76.63] 83.52
2 inch	21,000	[70.14] 76.44	[53.13] 57.91	[123.27] 134.35
3 inch	40,000	[133.60] 145.60	[99.62] 108.59	[233.22] 254.19
4 inch	66,000	[220.14] 240.24	[99.62] 108.59	[386.46] 420.20
6 inch	130,000	[434.20] 473.20	[332.04] 361.92	[766.24] 835.12
8 inch	210,000	[701.40] 764.40	[531.25] 579.06	[1,232.65] 1,343.46
10 inch	300,000	[1,002.00] 1,092.00	[763.69] 832.42	[1,765.69] 1,924.42
12 inch	410,000	[1,369.40] 1,492.40	[1,427.74] 1,556.24	[2,797.14] 3,048.64
20 inch	940,000	[3,139.60] 3,421.60	[6,144.60] 6,697.61	[9,284.20] 10,119.21
24 inch	1,280,000	[4,275.20] 4,659.20	[12,408.77] 13,525.56	[16,683.97] 18,184.76

SERVICE CLASSIFICATION NO. 3

C. Metered Hydrant Consumption

SUPERVISOR
James J. Bach
(716) 652-7590
jbach@townofaurora.com



WS-5

5B

ERK
brock
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com
12/6/23

To: Town Board
Re: Request to set pay rates for 2024

Please set the following pay rates, effective January 1, 2024.

David Thomason-Part Time Laborer, \$20/hour
Mark Gemerek Part Time Laborer -\$20/hour
Paul Kielich-Please change his title to Regular Part time Laborer -\$20/hour

Thank you,

A handwritten signature in black ink, appearing to read "David Gunner".

David Gunner
Highway Superintendent

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



WS-6

5C

townclerk@townofaurora.com

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

MEMO

TO: Town Board

FROM: Valerie Venturo

RE: NYS Updates to Sexual Harassment Policy

DATE: December 4, 2023

Approval is respectfully requested to replace the Town's existing Sexual Harassment policy (section 5.02) in its entirety and replace it with the attached updated policy in the Town of Aurora Employee Personnel policy.

The updates to the policy include the following:

- Purpose and Goals of the policy.
- Bystander Intervention.
- "What is Sexual Harassment?" definition expanded to include gender-based discrimination (gender role stereotyping and treating someone differently because of their gender).
 - Harassment no longer needs to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences.
 -
- Examples of Sexual Harassment expanded to include more sample behaviors but is not all inclusive.
- "Where Can Sexual Harassment Occur?" definition expanded to include remote workers.
- Retaliation expanded to include examples but is not all inclusive.
- The Policy was updated in 2022 to include the Division of Human Rights (DHR) hotline for individuals to file a complaint. For the 2023 update, DHR has created an email address for individuals to file a complaint, and there is a fax option as well. While not in the model policy at this time, we recommend adding in the email address and fax number.
- The policy must include a complaint form.
- Conclusion paragraph at the end of the policy.

Sexual Harassment Policy for All Employers in New York State



Combating
Sexual Harassment

This model policy is a template that can be used by employers to meet the New York State Labor Law requirements for a sexual harassment prevention policy. Employers are encouraged to tailor this policy to their individual needs, though as the minimum standard, no section in this policy should be omitted. The list of examples provided in this model policy is not meant to be exhaustive.

Purpose and Goals

The Town of Aurora is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the Town of Aurora recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of the Town of Aurora commitment to a discrimination-free work environment.

Goals of this Policy:

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with the Town of Aurora. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Adoption of this policy does not constitute a defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

Sexual Harassment and Discrimination Prevention Policy:

1. The Town of Aurora's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the Town of Aurora. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the company.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of the Town of Aurora who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the Town Supervisor's Office. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the Town of Aurora to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. The Town of Aurora will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. The Town of Aurora will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, the Town of Aurora will act as required. In addition to any required discipline, the Town of Aurora will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination

or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.

6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency. **The complaint form is available in the Town Supervisor's Office.**

Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Town Supervisor's Office.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a

violation of the Town of Aurora's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;

- This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as "difficult" and excluding them from projects to avoid "drama";
- Undermining an individual's immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager or the Town Supervisor's Office. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or the Town Supervisor's Office.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable. **Complaint forms also are available in the Town Supervisor's Office.**

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to the Town Supervisor's Office. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Town of Aurora will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

The Town of Aurora recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the Town Supervisor's Office:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, the town Supervisor's Office will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. The Town Supervisor's Office will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;
4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;
 - d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the Town of Aurora, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

New York State Division of Human Rights:

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Town of Aurora does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at **1(800) HARASS3** for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission:

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e *et seq.* An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain

cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Conclusion

The policy outlined above is aimed at providing employees at the Town of Aurora and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

WS-7

5D

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
OFFICE OF RIGHT OF WAY
PERMIT FOR TEMPORARY USE OF STATE PROPERTY

This is a legally binding document. You may wish to consult with your attorney before signing.

P.I.N.: S019.01.201
Property Location: NYS ROUTE 240, NEAR REFERENCE MILEMARKERS 1144 AND 1151
Project: VARIOUS
Map and Parcel Nos.: N/A
County: ERIE
Town/City/Village: AURORA

Permittee's Adjoining Property: N/A
Address: N/A
County: ERIE Town/City/Village: AURORA

THIS PERMIT, made this _____ day of _____, _____ between

TOWN OF AURORA

575 OAKWOOD AVENUE, AURORA, NY 14052

“Permittee”; and the COMMISSIONER OF TRANSPORTATION FOR THE PEOPLE OF THE STATE OF NEW YORK,
hereinafter referred to as “the State”,

WITNESSETH:

WHEREAS the State is the owner of or has jurisdiction over the above identified property, hereinafter referred to as “Property” ; and

WHEREAS the Permittee wishes to use and occupy said Property on a temporary basis understanding that the permit is revokable at will;

NOW, THEREFORE, the State hereby grants this permit to the Permittee, subject to the following covenants and conditions:

1. The parties acknowledge that this instrument is not a lease but is merely a permit to occupy and use the State’s Property for a temporary period of time, and therefore a landlord-tenant relationship is not hereby created; and further, that since this is not a lease, Section 5-321 of the General Obligations Law does not apply to this permit to the extent permitted by law, hereinafter referred to as “Permit.”

2. Property description and use:

7FT X 1FT (7SF) AREAS FOR EACH OF TWO (2) DECORATIVE COMMUNITY GATEWAY SIGNS WITH TEXT STATING "WELCOME HAMLET OF WEST FALLS, TOWN OF AURORA, NY" (14 SF TOTAL):

LOCATIONS:

- 1- NYS ROUTE 240 SOUTHBOUND AT MILEMARKER 1151; Sized approximately 7ft wide by 10ft tall
- 2- NYS ROUTE 240 NORTHBOUND AT MILEMARKER 1144; Sized approximately 7ft wide by 10ft tall

As depicted on the sketch attached hereto and made a part hereof. The Property covered by this Permit shall be used only for above described use and for no other purpose whatsoever. Permittee shall not sublet the Property nor assign or transfer the Permit to any other parties in part or in whole without the prior written consent of the State.

a. The Permittee acknowledges that this Permit is a temporary license. Any construction, repair, reconstruction, or relocation of any installations on Property is expressly prohibited except as specifically described above.

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10. The Permittee understands and agrees that the fee charged by the State for this Permit may be updated by the State to reflect the Permit's fair market value. In the event the fee is so updated, the State shall send the Permittee a new permit providing for the updated fee at least 60 days before the new permit is designated to take effect. If the Permittee wishes to remain in occupancy, the Permittee shall sign and return the new permit to the State no less than 30 days before it is designated to take effect. Permittee's timely return of the new permit, properly signed, shall serve to cancel this Permit as of midnight on the day before the new permit is designated to take effect. The Permittee's failure to sign and return the new permit no less than 30 days before it is designated to take effect shall void the new permit and the Permittee will be required to vacate the Property.
11. The Permittee understands and agrees that unless a new fee is established by the State's appraisal obtained at the State's discretion, the fee to be charged as indicated in Paragraph 4 shall be increased by 2% on the anniversary of the Permit Effective Date as follows:

Year	Fee
1	\$ 1
2	\$ 1
3	\$ 1
4	\$ 1
5	\$ 1

Increases at a 2% rate shall continue each subsequent anniversary of the effective date of the Permit until a new Use and Occupancy Permit is issued.

12. The State may record a Notice of Permit against the Permittee's adjoining property, putting the Permittee and the general public on notice of such Permit.
13. This Permit supersedes the permit number 51799 issued to TOWN OF AURORA in the amount of \$ 1 per YEAR and approved by the Director, Office of Right of Way on 8/19/2022, if applicable.
14. Permittee, at the Permittee's expense and for the term of the Permit, shall furnish and show evidence of General Liability Insurance coverage issued by an insurance carrier licensed to do business in the State of New York for the protection of the State of New York and Permittee against any claims, suits, demands or judgments by reason of bodily injury, including death, and for any claims resulting in property damage occurring on the Property.
- Such General Liability Insurance shall be in the amount no less than \$ 300,000 for residential permittees and \$ 2,000,000 for commercial permittees (combined property damage and/or bodily injury, including death) single limit per occurrence, shall name the People of the State of New York as an additional insured and include a (30) thirty days' prior written notice of any cancellation or major change in the policy conditions.
 - Approval of this Permit shall be contingent upon receipt, by the State, of a copy of a properly executed insurance certificate.
 - The Permit shall be voided if insurance is cancelled, modified or lapses.
 - Such insurance certificates must be updated and resubmitted annually by the anniversary date of the Permit to:
- NYSDOT Office of Right of Way
 Regional Property Management Unit
 Region 5
 100 Seneca Street, Buffalo, NY 14203
15. Permittee is responsible for any repairs, improvements, or maintenance work of any kind on the Property at Permittee's expense. The State may, at any time, periodically inspect the Property to determine whether same is in good repair and maintenance, structurally sound, and that no unsafe, hazardous, unsanitary, or defective conditions exist.
16. Permittee hereby agrees to admit State representatives and prospective purchasers or permittees to examine the Property during reasonable business hours. The Permittee also agrees to allow the parties responsible for the maintenance and safety of any existing power lines, telephone lines, poles, water, gas and sewer lines or drainage culverts, to enter upon the permit area at any time.

17. Permittee shall not
- a. place advertising or sponsorship signs on the Property without the express written consent of the State.
 - b. place or store, or allow others to place or store, any flammable, explosive, hazardous, toxic or corrosive materials, debris of any description, garbage or any materials commonly referred to as "junk" within the Property, except fuel kept in the fuel tanks of legally parked vehicles allowed under the terms of this Permit.
 - c. erect, construct or install any lights, signs, fences or other fixtures on the Property without the written approval of the State.
 - d. allow the installation or construction of any power lines, telephone lines, poles, water, gas and sewer lines or drainage culverts.
 - e. store junked, wrecked, damaged or abandoned vehicles on the Property unless such vehicles are kept more than 1000 feet of the right-of-way or be visible from the main traveled way of the Interstate or Federal Aid Primary System, in compliance with Section 136 of the United States Code as amended by Title II of the Highway Beautification Act. All vehicles falling within the abandoned category as defined by Section 1224 of the Vehicle and Traffic Law of the State of New York shall be considered as such, and action shall be taken in accordance with the Law to ameliorate this nuisance.
 - f. create, conduct, or expand any permittee business activity on the Property inconsistent with the terms of this 30 day revocable permit, nor shall the Permittee rely on the use of Property for such purpose.

Failure to comply with this paragraph may result in a ten (10) days' written notice of cancellation of the Permit in accordance with Paragraph 7 of this Permit. The Permittee is responsible for the removal of these materials and/or all expenses incurred in their removal.

18. Permittee is responsible for keeping and maintaining the Property in a safe and clean condition, preventing damage to the Property and for the regular and prompt removal of garbage, rubbish, litter, snow and ice. Permittee agrees and understand that no trees, shrubs, landscaping, or other naturally occurring flora may be removed or disturbed in any fashion without prior approval of the State.
For occupants remaining at the site temporarily after an acquisition of property by the State pursuant to the EDPL, all arrangements of services for, removal of garbage, rubbish, litter, snow and ice will be made by the Permittee at the Permittee's expense, unless hereafter specified. The State shall have no responsibility to provide any services not specifically set forth in writing herein.
19. Permittee is responsible to maintain the occupancy in compliance with any and all applicable local, State, and Federal laws, ordinances, codes, rules and regulations affecting the use of the Property. Permittee shall not conduct or allow any use or activity on the Property inconsistent with law and shall not conduct or allow any use or activity on the Property which may require a permit or other approval by a government agency without having lawfully obtained such permit or approval.
20. The State shall have no responsibility whatever for the loss or destruction of any improvements made by the Permittee or for personal property stored or being used on the Property.
21. It is understood and agreed by and between the parties that the Permittee will not be entitled to any relocation benefits provided under State and Federal law.
22. Permittee agrees and understands that the State is under no obligation to sell the Property to the Permittee and that no commitment, express or implied, is made by the State to give the Permittee any right of purchase.
23. In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Permittee will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, or marital status. Neither shall the Permittee discriminate in the use of the Property or any access thereto if such Property are used as a public accommodation or in connection with a public service.
24. The Permittee for his/her self, and/or the Permittee's personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that in the event the use and occupancy on the said Property described in Item 1 of this Permit for a purpose for which a New York State Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the Permittee shall use and occupy the Property such that (1) no person on the ground of race, color, or national origin, sex, age, and disability/handicap, shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said Property, (2) that, no person on the grounds of race, color, or national origin, sex, age, and disability/handicap, shall be excluded from participation in, denied the benefits or, or otherwise be subjected to discrimination, (3) that the Permittee shall use the Property in compliance with all other requirements imposed by or pursuant to title 49, Code of Federal Regulations, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation -- Effectuation of Title VI of the Civil

Rights Act of 1964; and to Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures; and further as said Regulations may be amended.

25. That in the event of breach of any of the above nondiscrimination covenants, the State shall have the right to terminate this Permit and to re-enter and repossess said land and the facilities thereon, and hold the same as if said Permit had never been made or issued, except that any Permit fees due and owing shall survive the termination of this Permit.
26. Permittee agrees that, in addition to any protection afforded to State under any available insurance, State shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations; whether undertaken by Permittee's own forces or by contractor or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State and their agents from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of any claim, including but not limited to claims for personal injuries, property damage or wrongful death and/or environmental claims, in any way associated with the Permittee's activities or operations, no matter how caused.
27. If any of the provisions of this Permit are held invalid, such invalidity shall not affect or impair other provisions herein which can be given effect without the invalid provisions, and to this end the provisions of this Permit are severable.
28. This Permit shall not be effective unless accepted and approved in writing by the State.
29. The Permittee understands and agrees that a Highway Work Permit must be obtained from the State Department of Transportation prior to any construction, reconstruction, repair, or significant maintenance on the Property.
30. Damages.
Time is of the Essence for the termination date of this Permit and is an essential part of the Permit. The public is subject to detriment and inconvenience if the full use of the State's property cannot be made available because Permittee fails to vacate. The parties acknowledge that, in addition to all other rights, claims or causes of action against the Permittee Damages will be assessed in an amount per day including but not limited to the following (a) the U&O fee set forth in paragraph 4 above, (b) the expenses incurred by the State in undertaking all steps necessary to make the Property available, (c) the estimated loss of revenue to the State during the time the Property is not available for the uses to which the State intends, (d) cost to restore the property for use by the State, (e) the cost to remove any installations placed on the Property by the Permittee, (f) the cost of temporary traffic and safety measures taken to protect the traveling public, (g) unjust enrichment to the Permittee for continued use of the Property after termination of the Permit, (h) all interest, fees, penalties and costs incurred by the State.

This paragraph shall survive the termination of the permit and will remain in effect for so long as the Permittee remains on the Property.

Additional Clauses:

N/A

Certification

I hereby certify that I will not build any permanent or semi-permanent structure on the State owned property that is subject of this permit, that cannot promptly be removed upon 30 days' notice upon termination by the State; that I understand usage of state property may be short term and that I have contemplated all costs and impact of this permit and will fully comply with the requirements herein.

Permittee certifies that the conduct, growth, success or continuity of any permittee business activity is not dependent on the use of State Property, nor shall the permittee rely on the use of Property for such purpose. Permittee certifies that any business activity is consistent with the terms of a 30 day revocable permit."

In consideration of the granting of the Permit, each of the undersigned accepts all of the above terms, conditions and provisions.

Permittee Name: TOWN OF AURORA

BY:

Signature

Signature

Type or Print Name

Type or Print Name

TITLE: _____

TITLE: _____

Signature

Signature

Type or Print Name

Type or Print Name

TITLE: _____

TITLE: _____

RECOMMENDED:

Regional Real Estate Officer

Date

ACCEPTED and APPROVED: Commissioner of Transportation for the People of the State of New York

BY:

Director, Office of Right of Way

Date

SUPERVISOR
James J. Bach
(716) 652-7590
jbach@townofaurora.com



SE

townclerk@townofaurora.com

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 8, 2023

Re: Allgaier Construction – Senior Center Door Project

Please consider approval of payment no. 5, in the amount of \$1,485.00 for materials and services rendered thru December 2023 and payment no. 6 (final retainage) to Allgaier Construction Corp. for the Senior Center door replacement project. Funds will be disbursed from A6772.201.

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702 (Instructions on reverse side)

TO OWNER:
 Town of Aurora
 575 Oakwood Ave.
 East Aurora, NY 14052

FROM CONTRACTOR:
 Allgaier Construction Corp.
 10080 County Road
 Clarence Center, New York 14032

PROJECT: Town of Aurora
 Exterior Door & Frame Replacement
 Senior Center

VIA ARCHITECT:
 Fontanese Folts Aubrecht Ernst Architects
 6395 West Quaker Street
 Orchard Park, NY 14127

APPLICATION NO: G-5
PERIOD TO: 15-Dec-23

PROJECT NO: 22.17

CONTRACT DATE: 27-Oct-22

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR

CONTRACTOR FOR: General Construction

CONTRACTOR'S APPLICATION FOR PAYMENT

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

1. ORIGINAL CONTRACT SUM \$ 88,000.00
2. Net change by Change Orders \$ -
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 88,000.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 88,000.00

5. RETAINAGE:
 - a. 10% of Completed Work \$ 8,800.00
 (Column D + E on G703)
 - b. of Stored Material \$
- Total Retainage (Lines 5a + 5b or

6. TOTAL EARNED LESS RETAINAGE
 (Line 4 less Line 5 Total) \$ 8,800.00
 \$ 79,200.00

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
 (Line 6 from prior Certificate) \$ 77,715.00
8. CURRENT PAYMENT DUE \$ 1,485.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE
 (Line 3 less Line 6) \$ 8,800.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month	-	
TOTALS	-	-
NET CHANGES by Change Order	-	-

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

CONTRACTOR: ALLGAIER CONSTRUCTION CORP.

By: Kirk Allgaier, President
 State of: New York County of: Erie
 Subscribed and sworn to before me this _____ day of _____
 Notary Public:
 My Commission expires: _____

ARCHITECT'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED \$ _____

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

ARCHITECT: Fontanese Folts Aubrecht Ernst Architects

By: _____ **Date:** _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

AIA DOCUMENT G703

page 2 of 2 pages

AIA Document G702, Application and Certificate for Payment, or G732, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached. Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: **G-5**
 APPLICATION DATE: **15-Dec-23**
 PERIOD TO: **15-Dec-23**
 ARCHITECT'S PROJECT NO: **22.17**

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D FROM PREVIOUS PERIOD APPLICATION (D + E)	E WORK COMPLETED THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
	<u>Town of Aurora Senior Center</u>								
1	Bonds & insurances	3,700	3,700		-	3,700	100%	-	370
2	Removals (L)	7,100	7,100		-	7,100	100%	-	710
3	Removals (M)	2,200	2,200		-	2,200	100%	-	220
4	Joint Sealants (L)	200	-	200	-	200	100%	-	20
5	Joint Sealants (M)	100	-	100	-	100	100%	-	10
6	H.M. Doors & Frames (L)	1,600	1,400	200	-	1,600	100%	-	160
7	H.M. Doors & Frames (M)	1,300	1,150	150	-	1,300	100%	-	130
8	Aluminum Doors and Glazing (L)	12,000	12,000		-	12,000	100%	-	1,200
9	Aluminum Doors and Glazing (M)	27,000	27,000		-	27,000	100%	-	2,700
10	Door Hrdw. (L)	3,000	2,900	100	-	3,000	100%	-	300
11	Door Hrdw. (M)	19,600	19,400	200	-	19,600	100%	-	1,960
12	Drywall (L)	2,000	2,000		-	2,000	100%	-	200
13	Drywall (M)	800	800		-	800	100%	-	80
14	Painting (L)	2,000	1,500	500	-	2,000	100%	-	200
15	Painting (M)	800	600	200	-	800	100%	-	80
16	Electrical (L)	4,000	4,000		-	4,000	100%	-	400
17	Electrical (M)	600	600		-	600	100%	-	60
	GRAND TOTALS	88,000	86,350	1,650		88,000	100%		8,800

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702 (Instructions on reverse side)

TO OWNER:
 Town of Aurora
 575 Oakwood Ave.
 East Aurora, NY 14052

FROM CONTRACTOR:
 Allgaier Construction Corp.
 10080 County Road
 Clarence Center, New York 14032

PROJECT: Town of Aurora
 Exterior Door & Frame Replacement
 Senior Center

VIA ARCHITECT:
 Fontanese Folts Aubrecht Ernst Architects
 6395 West Quaker Street
 Orchard Park, NY 14127

APPLICATION NO.: Final G-6
 15-Dec-23

PERIOD TO: 22.17

PROJECT NO.: 27-Oct-22

CONTRACT DATE: 27-Oct-22

Distribution to:

XX	OWNER
XX	ARCHITECT
XX	CONTRACTOR

CONTRACTOR FOR: General Construction

CONTRACTOR'S APPLICATION FOR PAYMENT

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

1. ORIGINAL CONTRACT SUM \$ 88,000.00
2. Net change by Change Orders \$ -
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 88,000.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 88,000.00

5. RETAINAGE:

- a. 0% of Completed Work (Column D + E on G703) \$ -
 - b. _____ of Stored Material (Column F on G703) \$ -
- Total Retainage (Lines 5a + 5b or

6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total) \$ 88,000.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 79,200.00
8. CURRENT PAYMENT DUE \$ 8,800.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ -

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

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

CONTRACTOR: ALLGAIER CONSTRUCTION CORP.

By: _____ Date: _____
 Kirk Allgaier, President
 New York County of: Erie
 Subscribed and sworn to before me this _____ day of _____
 Notary Public:
 My Commission expires: _____

ARCHITECT'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED \$ _____

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

ARCHITECT: Fontanese Folts Aubrecht Ernst Architects

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

AIA DOCUMENT G703

page 2 of 2 pages

AIA Document G702, Application and Certificate for Payment, or G732, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.

APPLICATION NO: Final G-6

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION DATE: 15-Dec-23

ARCHITECT'S PROJECT NO: 22.17

PERIOD TO: 15-Dec-23

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D FROM PREVIOUS PERIOD APPLICATION (D + E)		E WORK COMPLETED THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			G % (G/C)						
	<u>Town of Aurora Senior Center</u>								
1	Bonds & Insurances	3,700	3,700				3,700	-	-
2	Removals (L)	7,100	7,100				7,100	-	-
3	Removals (M)	2,200	2,200				2,200	-	-
4	Joint Sealants (L)	200	200				200	-	-
5	Joint Sealants (M)	100	100				100	-	-
6	H.M. Doors & Frames (L)	1,600	1,600				1,600	-	-
7	H.M. Doors & Frames (M)	1,300	1,300				1,300	-	-
8	Aluminum Doors and Glazing (L)	12,000	12,000				12,000	-	-
9	Aluminum Doors and Glazing (M)	27,000	27,000				27,000	-	-
10	Door Hrdw. (L)	3,000	3,000				3,000	-	-
11	Door Hrdw. (M)	19,600	19,600				19,600	-	-
12	Drywall (L)	2,000	2,000				2,000	-	-
13	Drywall (M)	800	800				800	-	-
14	Painting (L)	2,000	2,000				2,000	-	-
15	Painting (M)	800	800				800	-	-
16	Electrical (L)	4,000	4,000				4,000	-	-
17	Electrical (M)	600	600				600	-	-
	GRAND TOTALS	88,000	88,000				88,000		

SUPERVISOR
James J. Bach
(716) 652-7590
jbach@townofaurora.com



5F

[towncler](#)

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

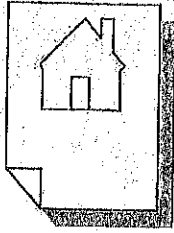
To: Aurora Town Board

From: Martha Librock, Town Clerk

Date: December 7, 2023

Re: Ingelfinger Custom Contractor – Library Shed Project

Please consider approval of payment to Ingelfinger Custom Contractor in the amount of \$27,300.00 for materials and labor to construct the storage shed at the Aurora Town Library, 550 Main Street. Funds will be disbursed from A1620.422.



Invoice

Ingelfinger Custom Contractor

Exceptional Quality - Affordable Price

DATE: 12/5/2023

1479 Mill Rd
East Aurora NY 14052
Ph #716 440-9290

TO Town of Aurora

SHIP/JOB Town of Aurora 550 Main St
LOC Library Shed
TO

SALESPERSON	JOB	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
JOE		n/a	N/A			8/7/23

QTY	DESCRIPTION	UNIT PRICE	DISCOUNT	LINE TOTAL
	<p>Invoice - Completed This is a bid to erect a 10.x24 storage shed at 550 main st east aurora</p> <p>All scope of work to be done as specified in the drawings</p> <p>Note; a 24x32 window was added to the scope of work</p> <p>Electrical quote</p> <p>Install conduit from AC condensing unit underground to shed install 3lights as per scope of work and switch and one wall-pac to be supplied lby the town</p>			23850.00
	<p>Please make check payable to : Ingelfinger Custom Contractor 1479 Mill Rd East Aurora NY 14052</p>			3450.00
TOTAL				\$27,300.00
TAX				-
TOTAL				\$27,300.00



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

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

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

MEMO

TO: Aurora Town Board
FROM: Kathleen Moffat
RE: Budget Amendment: Town Hall Sign
DATE: 12/11/23

Approval is respectfully requested to amend the budget to pay for the purchase and installation of the Aurora Municipal Center sign that was approved at the 11/27/23 Town Board meeting. The amendment is as follows:

- Decrease A 1990 Contingent Account by \$2,900
- Increase A 1620.422 Buildings & Grounds by \$2,900

5H

PO Box 191
East Aurora, NY 14052
December 6, 2023

Martha Librock, Town Clerk
Town of Aurora
575 Oakwood Avenue
East Aurora, NY 14052

Dear Martha,

Please accept this letter as official two week notice of my resignation as Town of Aurora Assistant Disaster Coordinator effective close of business on December 20. I've enjoyed serving in this position and learned much from Mark Hartley and Randy Taylor.

I'm grateful to the Town Board for appointing me to the position and thank them for the opportunity to serve our community in that role.

Respectfully,



Timothy Stroth
tjstroth@gmail.com
(716) 652-4776

RECEIVED
DEC -7 2023
(M. Madam)
TOWN OF AURORA
TOWN CLERKS OFFICE