

METER AND REGULATOR LOT LEASE

WS-1

The undersigned LESSOR hereby leases to LESSEE, NATIONAL FUEL GAS CORPORATION, a New York Corporation having an office at 6363 Main Street, William 14221, its successors or assigns, that parcel of land situate as follows:

An area being 60' X 10' feet as shown on Exhibit "A" attached hereto and made a part hereof.

LESSOR is the owner in fee of all that tract or parcel of land situate in the Village of East Aurora, Town of Aurora, County of Erie, State of New York, bounded or described as follows:

Northerly by lands of: Grantor
Easterly by lands of: Village of East Aurora, Olean Road.
Southerly by lands of: South Street
Westerly by lands of: Grantor

Reference Only: Deed Liber 7873 Page 217 Lot 23 Twp. 9 Rng. 6 Tax Map Number 179.09-1-12

LESSOR hereby grants to LESSEE, the right to erect, operate and maintain a meter, dehydrator, compressor, and/or regulator station, a relief valve, poles, telemetric systems its appurtenances and equipment, together with a right-of-way to lay, maintain, operate, alter, relocate, remove and change the size of pipelines, its valves, fittings and accessories for the transportation of gas to and from said meter and station, along with right of ingress and egress to and from same. LESSOR agrees not to permit, construct or locate any above or below ground structures which would interfere with or obstruct the LESSEE'S exercise of the rights contained herein. The terms and provisions of this lease shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

This Lease shall remain in effect unless terminated by LESSEE.

LESSEE agrees to pay LESSOR \$ 200.00 annually in advance by mailing a check to LESSOR's address. Such payments shall increase by three percent (3%) on the fifth (5th) anniversary of this lease and every five (5) years thereafter. LESSOR and LESSEE mutually agree that LESSEE has no obligation, upon termination of this Lease, to remove any property owned by LESSEE. However, upon termination of this Lease LESSEE may enter said premises for the purpose of removing all property owned by LESSEE.

Executed this _____ day of _____, 2014.

LESSOR:
TOWN OF AURORA

LESSEE:
NATIONAL FUEL GAS DISTRIBUTION
CORPORATION

Lee E. Hartz
Attorney-in-Fact

300 Gleed Avenue
East Aurora, NY 14052

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23



423.84
194

EXHIBIT 'A'

Town Village City of East Aurora
County of Erie State of New York

Being party of SBL # 176.09-1-12

Lot 23, Township 9 Range 6
Of the Holland Land Company Survey

TOWN OF AURORA

1.9 A(C)

13

4.3 A

3.8 A(C)

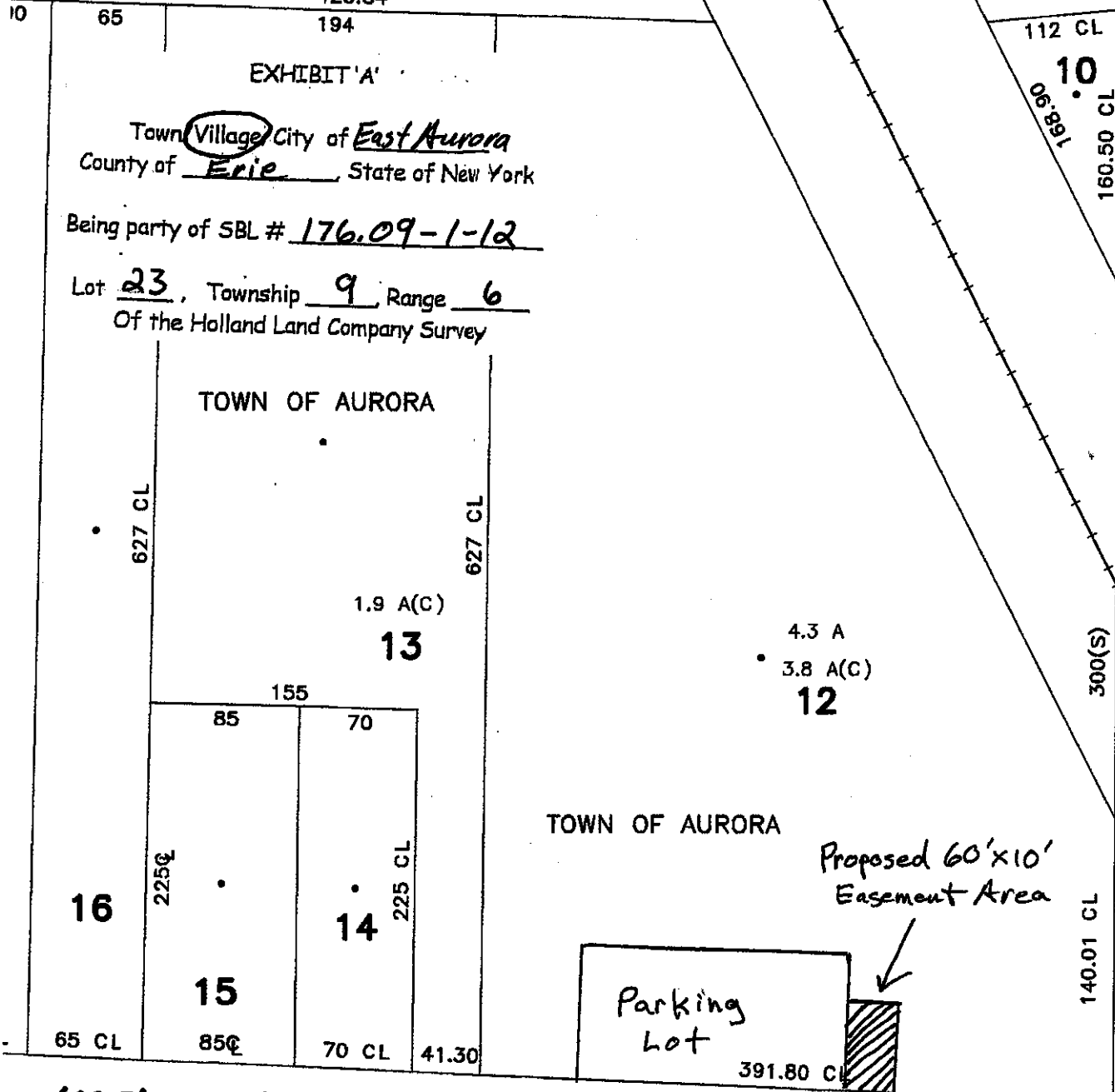
12

TOWN OF AURORA

Proposed 60'x10' Easement Area

Parking Lot

391.80 CL

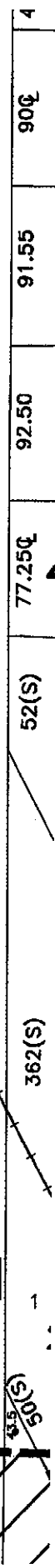
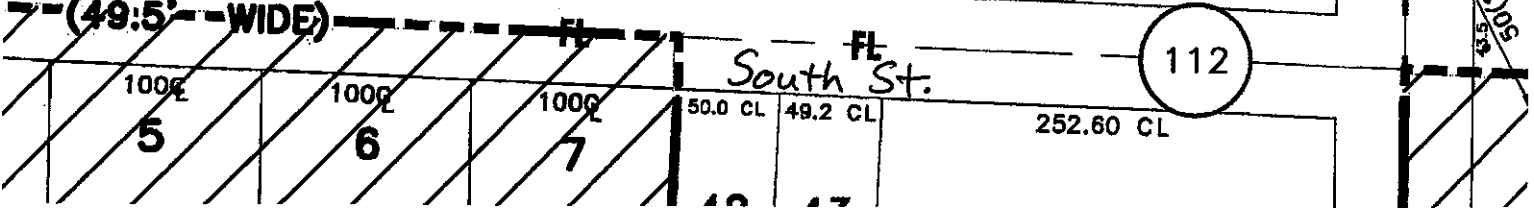


FL-FOLEAN-ST

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South St.



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review
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Mill Road Scenic Overlook - Scenic Byway Sign

Draft

2/11/15

Known to locals for generations simply as “The View,” this 180-degree vista and iconic part of the Town of Aurora’s agricultural heritage has given the community the perfect place to catch a glimpse of a sunset or gaze westward over unbroken meadow and forest. Until 2014 there was never a safe way for visitors to stop and enjoy this landscape.

In a cooperative effort involving private landowners, the Town of Aurora, the Western New York Land Conservancy, the Friends of Mill Road, local businesses, charitable foundations and hundreds of individual donors, the 60-acre Mill Road Scenic Overlook became a reality in September of 2014. The results are the roadside pull-off and 180-degree panorama you are enjoying today.

History

The Closs family began farming this land in 1828, when the Town of Aurora was in its infancy and Buffalo was only beginning to evolve from a village into a city. Over nearly two centuries, generations of Closses have been steadfast stewards of this land, whether they were engaged in dairy farming, crop production or haying. The photographs of Clinton Closs running a combine in 1946 will bring back memories for many Aurorans.

When the Closs family’s days of farming were nearing an end, Clinton and Barbara Closs expressed the desire for their land to remain a glorious and scenic meadow, a place that would be a home to wildlife and an asset for the community. They knew that generations of Western New Yorkers had enjoyed the spectacular view across the valley, breathtaking in all four seasons with wildflowers in springtime, bright green meadows in summer, the colorful foliage of fall and snow-draped evergreens of winter.

Following a three-year fundraising campaign led by The Friends of Mill Road, the Town of Aurora purchased the 60 acres in 2013. This property is now protected in perpetuity by a conservation easement held by the Western New York Land Conservancy, a regional land trust that protects agricultural, natural and scenic lands across Western New York.

The Mill Road Scenic Overlook is the second project completed under the Town of Aurora’s 2010 Open Space Plan, and stands as a testament to the collaborative spirit of the Town’s citizens and public officials and speaks to Aurora’s desire to retain its green space and its rural character.

Ecology of the Overlook

Ecological communities found on the property include a sedge meadow, vernal pool, maple-beech mesic forest and hemlock northern hardwood forest. A wide variety of wildflowers, grasses, sedges, and trees provide important habitat for wildlife, some of which are decreasing in population and threatened. Examples of flora and fauna you might see here are: red-tailed hawk, turkey, eastern bluebird, bobolink, eastern meadowlark, red fox, monarch butterfly and common milkweed.

Photos will include: eastern bluebird, monarch butterfly, red fox and bobolink

**RESOLUTION
APPROVING OPEN DEVELOPMENT AREA PLAN
1346-1350 EAST MAIN STREET SBL#xxxxxxxxx
TOWN OF AURORA, NEW YORK**

WHEREAS, Chapter 79 of the Code of The Town of Aurora establishes standards for landowners who wish to develop or subdivide land that lacks required public road frontage for standard lot development (known as "open development area"); and

WHEREAS, the Applicant, Robert Harris, has filed a double-lot Open Development Area application for 1346-1350 East Main Street (SBL# xxxxxxxxxxxx), located along the north side of East Main Street (aka: Route 20A; aka: Big Tree Road) located between Route 400 and Reiter Road, which lacks required public road frontage; and

WHEREAS, the Zoning Board of Appeals of the Town of Aurora granted a width variance of twenty-five feet to allow the ingress/egress to be twenty-five feet wide rather than required fifty feet; and

WHEREAS, the Zoning Board of Appeals granted this variance with the condition that the entire length of the driveway meet the twenty (20) foot width requirement of hard surface and having a turn-around in compliance with NYS Fire Codes; and

WHEREAS, the Aurora Planning Board reviewed this ODA application and recommended that it be approved in accordance with the decision of the Zoning Board of Appeals; and

WHEREAS, the Town Board has reviewed the SEQRA Short Environmental Assessment Form, submitted as part of the application, determining that the proposed use (single family residence) will not have a significant impact on the environment, and

WHEREAS, the Applicant has made every reasonable attempt and all necessary effort to comply with specifications of Chapter 79 of the Code of the Town of Aurora; and

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Aurora approves the Open Area Development application for 1346-1350 East Main Street (SBL# xxxxxxxxxxxx), located along the north side of East Main Street (aka: Route 20A; aka: Big Tree Road) located between Route 400 and Reiter Road, with the following conditions: (1) the driveway will be twenty feet in width of hard packed material; and 2) vehicle access will be in accordance with NYS Fire Code, appendix D.

RESOLVED, that approval by the Town Board of the Town of Aurora is expressly for 1346-1350 East Main Street (SBL#xxxxxxxxx) located between Route 400 and Reiter Road; and be it further

RESOLVED, that said Open Development Area Plan for 1346-1350 East Main Street (SBL# xxxxxxxxxxxx) is approved.

TOWN OF AURORA

300 GLEED AVENUE, EAST AURORA, NY 14052

BUILDING DEPARTMENT

(716) 652-7591

FAX (716) 652-3507

MEMO

TO: Jim Bach & Town Board Members
FROM: Don Owens, Chairman, Planning Board
DATE: February 6, 2015

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The following actions were taken at the February 4, 2015 meeting of the Planning & Conservation Board:

Richard Glover moved to recommend to the Town Board that they approve the change of ownership and one lot subdivision of land as shown on the revised map dated January 20, 2015 for 1346-1350 East Main St. This recommendation includes the Zoning Board of Appeals condition that the entire length of the driveway be widened to 20' of hard surface and a turnaround in compliance with NYS Fire Code. Seconded by William Voss.

Upon a vote being taken: ayes – six noes – none Motion Carried.

617.20
Appendix B
Short Environmental Assessment Form

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: <i>Sale of Residence w/ 2.5 ac. west of shared driveway</i>			
Project Location (describe, and attach a location map): <i>1346 East Main - To Aurora</i>			
Brief Description of Proposed Action: <i>North side Rte 20A & 365.88' back from hwy</i>			
<i>3 B.R. Residence w/ 2.5 ac. of land having a driveway to same off the present shared driveway to be sold imminently. Remaining parcels to be retained by owner.</i>			
Name of Applicant or Sponsor: <i>Robert D. Harris</i>		Telephone: <i>716-652-6055</i>	
		E-Mail: <i>bharris@bailey+harris.com</i>	
Address: <i>1350 East Main</i>			
City/PO: <i>East Aurora,</i>		State: <i>N.Y</i>	Zip Code: <i>14052</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <i>Erie City Health Dept. - well + Septic System (S.D.S.)</i>		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<i>2.97</i> acres	
b. Total acreage to be physically disturbed?		<i>± 5.90</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>5.90</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Robert D. Harris</u>	Date: <u>10.30.2014</u>	
Signature: <u>Robert D. Harris</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. 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 type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input 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 type="checkbox"/>	<input type="checkbox"/>

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



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WS-4

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

MEMO

TO: Town Board
FROM: Kathleen Moffat
RE: Health Reimbursement Account (HRA)
DATE: 02/11/15

Now that a full year with a high deductible health plan has gone by, a situation requiring your attention has come up. IRS regulations mandate that any use of HRA money is to be substantiated with an Explanation of Benefits (EOB) provided by the insurer. In other words, any time our employees utilize the Town issued debit card for medical reasons, they must forward an EOB, provided by BlueCross BlueShield, along with a claim form to our broker, Bene-Care, in order to verify whether or not the use was indeed legitimate. This substantiation is to be provided within 60 days of the swipe.

Bene-Care sends email reminders 3x during this process: at the time of swipe, 30 days after swipe, and 45 days after swipe. (If no email address is provided, the notices are mailed to the employee's home.) At the 60 day deadline, the unsubstantiated claim is considered illegitimate and the money is put in a "payment due to your employer" status. It is now the responsibility of the Town to recoup this money, or ensure the applicable employees send in the required forms.

Currently, I have sent out letters with the specific information to applicable employees. Some have responded by either 1) submitting the correct paperwork or 2) providing a check to the Town for the amount due. Others have not responded at all. I am in the process of mailing second notices, but would like the Board to consider creating a policy/procedure to address noncompliance. We have the option to block the debit card from future use at the 60 day mark. Employees would still have access to the benefits, but would be required to pay for services up front and then seek reimbursement from the Town. Once the employee fulfills his obligation, the debit card would then be unblocked.

If the Board agrees to this procedure, I would send notices to the appropriate employees informing them of the policy and provide them with a 30 day window to comply.

VILLAGE OF EAST AURORA

VILLAGE HALL • 571 MAIN STREET
EAST AURORA, NEW YORK 14052
(716) 652-6000 FAX (716) 652-1290
www.east-aurora.ny.us

WS-5



February 9, 2015

Dear Special Event Sponsor:

On behalf of the East Aurora Village Board, I am writing in regard to a change in user fees for the Village of East Aurora Temporary Use Permit.*

Pursuant to Village Code §285-52, a Temporary Use Permit is required:

Participants of an area activity, such as, but not necessarily limited to, a sidewalk sale, art, antique, craft show and/or sales, farmers' markets or community civic promotion activities, Christmas or seasonal sales, upon approval by resolution of the Village Board, authorizing the issuance of such temporary use permit.

At their meeting on February 2, 2015, the Village Board voted to impose a \$100 mailer notification fee on those events that involve outdoor music and/or road/village parking lot closure. If this applies to your upcoming event, this fee shall be included with the \$25 application fee and \$50 permit fee. The Village will then mail notification to all residents with 300 feet of your event.

Although your organization may not be affected by the mailer fee, I have attached a copy of the revised Temporary Use Permit Application which is applicable to all future special events. The time frame to file your application remains the same, however, if you have any questions or wish to discuss your application any time prior to submission, feel free to contact me at 716.652.6000, x 218

Sincerely,

Joyce M. Jezewski, CMC
Village Clerk Treasurer

*Haulin Park permits are separate

Application Fee \$25.00	_____
Permit Fee \$50.00	_____

Temporary Use Permit

Submit applications to:
 Village of East Aurora
 571 Main Street
 East Aurora, NY 14052
 Telephone (716) 652-6000, ext. 3 Fax: (716) 652-1290

Not Less Than 60 Days or More Than 75 Days Before Date of Activity

1. Name of Organization: Town of Aurora
2. Individual Responsible for this request: _____
3. Address: 300 Glead Ave
E. Aurora, N.Y. 14052
4. Telephone number: 652-8866
5. Fax: 652-5446
6. Email Address: ESchiltz@townofaurora.com
7. Date(s) of event Thursday, July 9 - Aug 27
8. Hours of use including set up/take down: Start 4:00 am/pm End 9:00 am/pm
9. Description of the event or use:
Backyard Bash concert series

10. Specific area(s) requested, map attached

- | | |
|---|--|
| <input type="checkbox"/> Kiwanis BBQ shelter
<input type="checkbox"/> Tennis Courts shelter
<input type="checkbox"/> Rotary Band shell
<input type="checkbox"/> Soccer field/football field
<input type="checkbox"/> Baseball diamond | <input type="checkbox"/> Volleyball courts
<input type="checkbox"/> Tennis courts
<input type="checkbox"/> Aurora Players Pavilion
<input type="checkbox"/> Outdoor Playground
<input checked="" type="checkbox"/> Other: <u>parking lot behind Vidler's</u> |
|---|--|

11. Estimated attendance: 250
 12. Will food or drinks be served? no If yes, describe: _____

13. Will there be sound amplification or music or a band(s)? yes If yes, describe: _____

14. Other services requested (describe): _____
 Police _____
 Department of Public Works (DPW) put up barricades / garbage barrels
 Fire Department _____
 Materials _____

(Provide drawings describing location, size and text of all proposed signs for this event to the Town of Aurora Building Department, 5 South Grove St. Approved signs may be erected 30 days prior to the event and must be removed immediately after same.)

I make this application and agree to abide by the **Guidelines for Use of Hamlin Park.**



Signature of Applicant

2/9/15

Date

Official Use Only Below this Line-----

Event: _____

Attachments submitted:

Indemnification Agreement

Certificate of Insurance

____ Map with area(s) requested to be used indicated

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

Action by Village Board:

If referred to Friends of Hamlin Park Advisory Board, date of VB referral: _____

Application recommended or not recommended by HPAB. (Attach written referral submitted to application.)

The Village Board, upon review of the application took the following action, with or without conditions (as applicable) and noted below:

Date: _____ **Approved** _____
Village Clerk Signature

Denied: _____
Village Clerk Signature

Conditions:

____ Police Department approval

____ DPW approval

____ Fire Department approval

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

____ Requesting organization shall sign an **Indemnification Agreement**, on organization letterhead, signed by authorized applicant or officer of company and duly notarized.

____ Other _____

Indemnification Agreement

To the fullest extent permitted by law, I/We shall indemnify and hold harmless the Village of East 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 _____ day of _____, 20__

Notary Public

Qualified in Erie County, New York
My commission expires: _____

Town of Aurora Parks and Recreation Special Events

Backyard Bash Concert Series 2014 Budget

Revenue		Account
6 Concert sponsors @ \$300	\$ 1,800.00	
1 kids concert - Limelite	\$ -	
Vendor Table set up 6 @ \$25 each	\$ 125.00	
Total Revenue	\$ 1,925.00	A2073
Expenses		
6 Bands @ \$300 each	\$ 1,800.00	A7560.411.1
1 Kids concert - no charge	\$ -	
Porta John - handicapped	\$ 250.00	A7560.411.2
Staff - Peggy & committee	\$ -	
Stage town owned and set up	\$ -	
EA Advertiser - electirc, advertising	\$ -	
Total Expenses	\$ 2,050.00	

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TOWN OF AURORA

300 GLEED AVENUE, EAST AURORA, NY 14052

BUILDING DEPARTMENT

(716) 652-7591

FAX (716) 652-3507

MEMO

TO: Supervisor Bach and Town Board

FROM: Patrick Blizniak, Superintendent of Buildings

DATE: February 5, 2015

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Effective January 1, 2015, residential construction that utilizes trusses, pre-engineered wood, and/or timber must now be disclosed at the time of application on a written form. In order for a Certificate of Occupancy to be issued, a sticker indicating the above construction materials and their location (floor, roof or both) must be placed on the electric meter box. All open residential construction permits (issued before 1/1/15, but not closed out) must also comply with this regulation. Attached is the bulletin detailing the requirements, a rendering of the sticker, and the disclosure form. This information also will be passed on to the East Aurora Fire Department and the County Fire Coordinator.

The cost to purchase each sticker is \$13.95 (plus shipping) and a fee of \$20 will be added to the total permit fee for applications that include this type of construction. The purchase of the stickers will come out of the Building Department office expense budget line and the initial order will be 45-50 stickers.

I respectfully request the Town Board amend the attached Building Permit Fee Schedule to include the \$20 Truss/Pre-Engineered Wood/Timber Construction fee. We will also have Building Department permit system amended to include this fee so that we can track it on reports.