

AGENDA
Village Board of East Aurora
September 20, 2022 Regular Meeting at 7 p.m. (Tuesday)

1. CALL MEETING TO ORDER

- A. Pledge of Allegiance
- B. Roll Call
- C. Approval of Minutes of Village Board Meeting for September 6, 2022
- D. Approval of Payment of Abstract for 9/20/22 for Voucher Nos. 62654 to 62711 for a total of \$71,817.28

2. SPEAKERS & COMMUNICATIONS (I)

3. PUBLIC HEARINGS

- A. Consider an Application from Molly McDermott, 293 Sycamore Street, to Keep Three or More Dogs
- B. Consider a Local Law Amending Village Code to Establish a Code Enforcement Program, pursuant to new State regulations
- C. Consider a Local Law Amending Village Code Section 285-30.3 – a prohibition of erecting a fence within a shared driveway
- D. Consider a Local Law Amending Village Code Section 285-52.2(a) – Special Use Permit Application Requirements

4. OFFICIAL CONSIDERATIONS

- A. Approve an Application from Molly McDermott, 293 Sycamore Street, to Keep Three or More Dogs
- B. Determination under the State Environmental Quality Review Act (SEQRA) for a Local Law Amending the Village Code to Establish a Code Enforcement Program, pursuant to new State regulations
- C. Approve a Local Law Amending Village Code to Establish a Code Enforcement Program, pursuant to new State regulations
- D. Determination under SEQRA for a Local Law Amending the Village Code Section 285-30.3 – a prohibition of erecting a fence within a shared driveway
- E. Approve a Local Law Amending Village Code Section 285-30.3 – a prohibition of erecting a fence within a shared driveway
- F. Determination under SEQRA for a Local Law Amending the Village Code Section 285-52.2(a) – Special Use Permit Application Requirements
- G. Approve a Local Law Amending Village Code Section 285-52.2(a) – Special Use Permit Application Requirements
- H. Approve a Temporary Use Permit for the East Aurora Village Runners Turk-EA Trot on November 24th
- I. Schedule a Public Hearing on October 17th to consider projects the Village proposes for the use of Community Development Block Grant (CDBG) funding
- J. Schedule a Public Hearing on October 17th to consider revoking a Special Use Permit issued to the East Aurora Village Co-Op
- K. Schedule a Public Hearing on October 17th to consider the Site Plan Application for API Delevan at 270 Quaker Road for a 1,500 Gallon Storage Tank
- L. Schedule a Public Hearing on October 17th to consider Amending the Village Zoning Code to include regulations for cannabis and establish zoning districts where cannabis businesses may operate
- M. Refer to the Planning Commission on October 11th the Special Use Permit Application from William Marusza for 71 Pine/70 Church for the Muse Jar retail business
- N. Refer to the Historic Preservation Commission on Oct. 12th an application for a Demolition Permit for 757 Ellis Drive
- O. Authorize the Mayor to Sign the Memorandum of Understanding with the PBA Union, amending language in the contract for the Part-Time School Resource Officer position
- P. Authorize the Mayor to Sign the Agreement with School District for the Part-Time School Resource Officer position
- Q. Appoint Darren Longboat as the part-time School Resource Officer with a salary of \$33,000, with a start date after the contract between the Village and the School District for these services has been approved by both parties and the Village and PBA have agreed to a MOU to amend language in the Union Contract for this position

5. NEW BUSINESS

6. SPEAKERS & COMMUNICATIONS (II)

7. DEPARTMENT HEAD REPORT

8. ADJOURNMENT

**VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
September 6, 2022 –7:00 PM**

Present:

Trustee Cameron
Trustee Flynn
Trustee Viger
Trustee Scheer
Trustee Kimmel-Hurt
Mayor Mercurio

Absent:

Trustee Lazickas

Also Present:

Shane Krieger, Chief of Police
Matthew Hoeh-DPW Superintendent
Maureen Jerackas, Clerk Treasurer
Cathie Thomas, Village Administrator
Elizabeth Cassidy, Code Enforcement Officer
Chris Trapp, Village Attorney
Mary Ann Arnold, Village Deputy Clerk-Treasurer
21 Members of the public
East Aurora Advertiser

A Motion by Trustee Kimmel-Hurt to approve the Village Board minutes for August 16, 2022 with correction, seconded by Trustee Flynn and carried by unanimous approval.

Trustee Cameron, moved to approve the Payment of Abstract for 9/6/22 for Voucher Nos.62605 to 62652 for a total of \$174,554.88, seconded by Trustee Scheer, and carried by unanimous approval.

SPEAKERS & COMMUNICATIONS (I)

- Nancy Smith, 195 Sycamore – thank you to Board members for their service to the Village. Concerns regarding plans for Hamlin Park. The SEQR states there is a site plan, but she did not see it; it also includes asks if the plans will have negative affect on natural resources, it is checked no. Trees in Hamlin need to be protected. Would like the Hamlin Park plan reviewed and possibly updated to residents' current concerns and needs. There are a lot of people that would like to be involved in this process.
- Jim Nowak, 175 Sycamore – thank you for service as Board members. He has been resident for 35 years. Concerned with process and plan for Hamlin Park. Canvass the Village residents and be sure it is consistent with the plans.

- Ellen Neumaier, 284 Mill Road – served on Tree Board for 20 years. Village was once a forest; residents agree trees are needed and want mature trees saved. Read statement from Ellen Moomaw of 423 Oakwood: quoted 2015 EA Advertiser regarding saving the local park and the trees that lie within it.
- Jim Clark, 358 S. Grove St – quoted “The Lorax”, emphasizing the importance of protecting the trees. Take another look at plans for basketball courts, options where no trees will be impacted.
- Amanda Kozerovskis, 221 Sycamore – resident here for 40 years, the park is in a residential area, she can hear swearing from football fields, there are trucks at Park at night playing loud music. Can there be signage placed with regulations on park hours? Look at re-paving current court to save trees.
- Eoin Suilleabhain, 503 Griggs Place – thank you for improvements to the park, like the walking path. New resident of the Village, 3 years and has enjoyed the charm the Village holds. Don’t rush to change Hamlin Park, it is important to protect, preserve and promote the charming aspects of Village. Board should utilize the help of all the residents who are interested in assisting.
- Nancy Smith read letter from Nathan Buckley, grew up on Sycamore Street, now lives 438 Massachusetts Avenue in Buffalo – now a certified arborist, reviewed condition of Sugar Maple near basketball court is in good shape, the top of tree should be reduced, and cared for. These mature trees need to be preserved and new trees planted for future.
- Sue Bodkin, 285 Gleed – echoes others’ opinions of appreciation Board’s service. There is “pee tree” in park people use to avoid use of bathrooms. The priority should be the bathrooms in the park.
- Stephen Greco, 750 Oakwood – appreciate the Board listening to residents and their service to the Village. The basketball court needs repair or replacement, the location is not ideal, and it is the only public court in the Village. There is a case to beautify the Park, however there is definite need to provide a safe basketball court for the children of the Village.
- Jesse Griffis, 1955 Boise – was a Tree Board member, the preservation of mature trees in Hamlin is very important. Think carefully before removing any trees, especially the mature trees.
- Susan Russell, 159 Sycamore – property backs up to playground in Hamlin, there is on-going issue of overflowing garbage bins in park. Recycling bins would seem to help and also recycling is good for environment. Bathroom repair and perhaps another facility should be a priority.
- Benjamin Greco, 750 Oakwood – 7th grader and basketball player. The court needs upgrade and more baskets for the kids of East Aurora.

NEW BUSINESS

- Hamlin Park – discussion ensued regarding the Hamlin Park Masterplan, cost benefits of needs at park as well as residents’ concerns and need to stay within budget. Options for basketball courts and bathrooms including possible additional courts and facilities, were reviewed. Utilizing DPW to perform needed work has saved money, for example the walking path. General consensus reached to move forward with improving both the

basketball court and bathroom. Tentative plans include, DPW will renovate bathroom, making them ADA compliant, resurface floors, etc. at cost of approximately \$15,000.00. Possibly moving basketball court, with 6 nets, to area near tennis courts, removing the current court and planting trees to create more green space. Moving the court would alleviate the concern of current location near playground. It would also give better access to police to monitor the activity and language at the courts, due to parking lot location. Reviewing cost and timing of moving courts to new location and removing old courts work being done by the DPW. Continue to care for Sugar Maple, Beech and other trees. Revisit the Hamlin Park Masterplan to look at need for updates to align with residents' needs and concerns while maintaining budgetary needs. Continue to monitor the noise level of tennis/pickleball court areas. Explore the possibilities of additional bathroom facilities. A committee, Parks and Open Spaces, will be formed to act as liaison for the Village Board and residents.

PUBLIC HEARINGS

- (continued) to Consider a Local Law to Amend Village Code Section 249-28 – No Parking.
 - Chief Krieger stated aligns the code with current signage.

Motion by Kimmel-Hurt to close public hearing at 8:16 pm, seconded by Trustee Viger and carried with unanimous approval.

OFFICIAL CONSIDERATIONS

- A Motion by Trustee Scheer, to approve a Local Law amending Village Code Section 249-28 – No Parking, seconded by Trustee Cameron and unanimously approved.
- A Motion by Trustee Kimmel-Hurt, to approve a Special Use Permit to Establish an Accessory Dwelling Unit at 59 Center Street, seconded by Trustee Viger, and unanimously approved.
 - Mike Anderson, Abstract Architecture – revised elevation and materials, will need to cut 11 trees for AD Unit, will save majority of trees. Proposed planting 11 new trees to provide privacy, will be working with Tree Board. The owner is willing to work with the Village to meet needs.
- A Motion by Trustee Cameron, to approve a Temporary Use Permit for EA2EVL Fondo Charity bike ride-John Cimperman on October 1, 2022, with restriction that amplification will be used from 9:00 am to 10:00 am only, seconded by Trustee Viger, and unanimously approved
- A Motion by Trustee Kimmel-Hurt, to authorize the Mayor to sign the Union Contract Agreement with the PBA for the term June 1, 2022 through May 31, 2027, seconded by Trustee Viger, and unanimously approved.

SPEAKERS & COMMUNICATIONS (II)

- Nancy Smith, 195 Sycamore – thank you listening, requested ability to contact DPW during removal of old court.
- Eoin Suilleabhain, 503 Griggs Place – please don't rush Hamlin Park decisions. Look at plan to reset or update, work with committee and take a look at the big picture before any action is taken.

DEPARTMENT HEAD AND TRUSTEE REPORTS

- Police Chief – burglary at self-storage facility outside of Village. School is back in session. The SRO returned from a week of training. Working with EA School regarding part-time SRO officer, costs to be borne by EA School. Retired detective is potential candidate.
- DPW Superintendent – the DPW cleans bathrooms, restocks supplies and empties garbage bins at the Park every morning including weekends and holidays.
- CEO – Kwik Fill (United Refining) is required to install 3 monitoring wells on the McDonald's property. Work will include drilling and will be done on September 20, 21 and 22, 2022 between the hours of 11:00 pm and 5:30 am. Notices have been mailed to residents within 500 feet of the property and it will be posted on website.
- Clerk-Treasurer – Code Red update has been sent out. Will be attending NYCOM conference next week. Board members are encouraged to attend conference in the future.
- Village Administrator – met with Chief Krieger, Fire Chief Leblanc and 2 representatives from AMR to discuss response times, protocols and improving communication. Monthly meetings will be held. The SRO contract will be received from EA School. The PBA contract will need to be amended to cover the part-time SRO officer. A draft for additional wording to the Village code and zoning for cannabis regulations will need to be done.
- Trustee Cameron – nothing to report
- Trustee Kimmel-Hurt – nothing to report
- Trustee Flynn – nothing to report
- Trustee Viger – thank you to residents for their input for Hamlin Park plans.
- Trustee Scheer – a mission statement has been drafted for the Parks and Open Spaces Committee and sent to the Clerk Treasurer for review. Thank you to the DPW for hanging the veterans' banners along Main Street. They are appreciated by veterans and residents.
- Mayor Mercurio – thanked DPW and EA School for veterans' banners help. Nothing else to report

ADJOURNMENT

A Motion was made by Trustee Kimmel-Hurt to adjourn the meeting at 8:51 pm. Seconded by Trustee Viger and unanimously carried.

Respectfully submitted,

Mary Ann Arnold
Deputy Clerk-Treasurer



Village of East Aurora
9/19/2022

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	62686	ALPS ELEVATOR INSPECTION SERVICES	08/23/2022	45648-45649	\$200.00	annual inspection of Police Station and Fire Dept bldg	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	annual inspection of Police Station and Fire Dept bldg		A.5.1490.0420	PUBLIC WORKS ADMINISTRATION - MAINTENANCE & REPAIRS		\$200.00			
Total vouchers for ALPS ELEVATOR INSPECTION SERVICES: 1					\$200.00						
BANK OF HOLLAND GEN CHECK - 00100	62679	AMERICAN WATER WORKS	09/01/2022	7002042784	\$248.00	annual water assc dues	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	annual water assc dues		F.5.8340.0440	TRANSMISSION AND DISTRIBUTION - TRAINING, TRAVEL & DUES		\$248.00			
Total vouchers for AMERICAN WATER WORKS: 1					\$248.00						
BANK OF HOLLAND GEN CHECK - 00100	62696	APCO INTERNATIONAL	09/19/2022	00077902	\$3,284.00	Dispatch Guide cards	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Fire Guidecard Racks/Binders**		A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES		\$888.00	2023000124	08/17/2022	
		2	Guidecard Customization		A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES		\$1,508.00	2023000124	08/17/2022	
		3	Law Enforcement Guidecard Racks/Binders**		A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES		\$888.00	2023000124	08/17/2022	
Total vouchers for APCO INTERNATIONAL: 1					\$3,284.00						
BANK OF HOLLAND GEN CHECK - 00100	62672	Bobcat of Buffalo	08/08/2022	04-169050	\$68.88	skid steer s64 air filters	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$68.88	2023000099	08/05/2022	
Total vouchers for Bobcat of Buffalo: 1					\$68.88						
BANK OF HOLLAND	62685	BUFFALO & ORCHARD PARK	08/29/2022	1004-22	\$1,920.00	Aug 2022	2023	4	09/19/2022		



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GEN CHECK - 00100											
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	topsoil		A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS		\$1,920.00	2023000085	07/29/2022	
Total vouchers for BUFFALO & ORCHARD PARK: 1					\$1,920.00						
BANK OF HOLLAND GEN CHECK - 00100	62684	BUFFALO NEWS	09/03/2022	1697476	\$323.49	drinking water advert in pennysaver	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	drinking water advert in pennysaver		F.5.8340.0470	TRANSMISSION AND DISTRIBUTION - SUPPLIES & MATERIALS		\$323.49			
Total vouchers for BUFFALO NEWS: 1					\$323.49						
BANK OF HOLLAND GEN CHECK - 00100	62666	CARQUEST AUTO PARTS	08/31/2022	514209-516346	\$344.51	Aug 2022	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$194.15	2023000075	07/29/2022	
		2	EAFD #9		A.5.3410.0460	FIRE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$16.37	2023000075		
		3	EAPD #22		A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$133.99	2023000075		
Total vouchers for CARQUEST AUTO PARTS: 1					\$344.51						
BANK OF HOLLAND GEN CHECK - 00100	62708	CARTWRIGHT III, STEPHEN	09/19/2022	8/28/22-9/2/22	\$77.80	Reimbursement for meals for SNYPJOA 8/28/22-9/2/22	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Dinner 8/30/22		A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES		\$47.96			
		2	Dinner 8/31/22		A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES		\$29.84			
Total vouchers for CARTWRIGHT III, STEPHEN: 1					\$77.80						
BANK OF	62662	Charter Communications	09/01/2022	142017501090	\$149.48	ACCT 142017501; 571 MAIN	2023	4	09/19/2022		



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Village of East Aurora
9/19/2022

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	Medical Supplies			A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	\$67.26			
		2	Medical Supplies			A.5.3420.0420	POLICE & FIRE DISPATCH - MAINTENANCE/SERVICE CONTRACTS	\$67.26			
Total vouchers for CINTAS CORPORATION: 2						\$1,066.21					
BANK OF HOLLAND GEN CHECK - 00100	62693	CLEAN MD COMMERCIAL CLEANING INC.	09/10/2022	13463	\$586.51	EAFD monthly cleaning for 8/10-9/9/2022	2023	4	09/19/2022		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	EAFD monthly cleaning for 8/10-9/9/2022			A.5.3410.0470	FIRE DEPARTMENT - JANITORIAL SUPPLIES	\$586.51			
Total vouchers for CLEAN MD COMMERCIAL CLEANING INC.: 1						\$586.51					
BANK OF HOLLAND GEN CHECK - 00100	62682	CORR DISTRIBUTORS, INC.	08/23/2022	076952	\$354.22	Fire Department supplies	2023	4	09/19/2022		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	Fire Department supplies			A.5.3410.0470	FIRE DEPARTMENT - JANITORIAL SUPPLIES	\$354.22			
Total vouchers for CORR DISTRIBUTORS, INC.: 1						\$354.22					
BANK OF HOLLAND GEN CHECK - 00100	62698	COUNTY LINE STONE	08/15/2022	145565/146012	\$3,473.69	blacktop for pot hole repairs	2023	4	09/19/2022		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1				A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS	\$0.00	2023000093	07/29/2022	
		2				A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS	\$3,473.69	2023000093		
BANK OF HOLLAND GEN CHECK - 00100	62699	COUNTY LINE STONE	08/15/2022	146014/145566 /146013	\$26,432.96	1500 ton #1 crush for HP tennis courts	2023	4	09/19/2022		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1				A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS	\$26,432.96	2023000070	07/28/2022	



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
Total vouchers for COUNTY LINE STONE: 2					\$29,906.65						
BANK OF HOLLAND GEN CHECK - 00100	62695	CROWNE PLAZA	09/19/2022	333627	\$799.00	Lodging & Food for the SNYPJOA Annual Training - PO Cartwright	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	5 nights of lodging, 5 Breakfasts, 5 lunches, 2 Dinners and Parking 8/28/22-9/2/22		A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES		\$799.00	2023000038	06/23/2022	
Total vouchers for CROWNE PLAZA: 1					\$799.00						
BANK OF HOLLAND GEN CHECK - 00100	62673	DELACY FORD	08/11/2022	428293/428293 - 1/FOCS251848	\$839.50	Aug 2022	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.3410.0460	FIRE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$0.00	2023000090	07/29/2022	
		2			A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$739.50	2023000090		
		3	co-pay for #27		A.5.3120.0465	POLICE DEPARTMENT - ACCIDENT REPAIRS, INS		\$100.00	2023000090	07/29/2022	
Total vouchers for DELACY FORD: 1					\$839.50						
BANK OF HOLLAND GEN CHECK - 00100	62681	E J PRESCOTT, INC.	08/18/2022	6056544/60421 40/6063286/60 64471	\$7,035.24	Aug 2022	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			F.5.8340.0470	TRANSMISSION AND DISTRIBUTION - SUPPLIES & MATERIALS		\$7,035.24	2023000078	07/29/2022	
Total vouchers for E J PRESCOTT, INC.: 1					\$7,035.24						
BANK OF HOLLAND GEN CHECK - 00100	62668	EAST AURORA AUTO PARTS	08/17/2022	615037-617810	\$541.87	Aug 2022	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$514.11	2023000092	07/29/2022	
		2	EAFD #9		A.5.3410.0460	FIRE DEPARTMENT - VEHICLE		\$27.76	2023000092		



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
MAINTENANCE & PARTS											
Total vouchers for EAST AURORA AUTO PARTS: 1					\$541.87						
BANK OF HOLLAND GEN CHECK - 00100	62670	EIGHTY FOUR LUMBER	08/22/2022	688860/689870	\$86.80	Aug 2022	2023	4	09/19/2022		
			Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date		
			1	POLICE STN REMODEL	A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS	\$17.52	2023000082	07/29/2022		
			2	DI REPAIRS	A.5.8140.0420	STORM SEWERS - MAINT & REPAIRS	\$69.28	2023000082			
Total vouchers for EIGHTY FOUR LUMBER: 1					\$86.80						
BANK OF HOLLAND GEN CHECK - 00100	62711	ERIE COUNTY COMPTROLLER	09/15/2022	1800068808	\$3,936.51	ELECTRIC SUPPLIER CHARGES for August, 2022	2023	4	09/19/2022		
			Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date		
			1	571 MAIN ST VILLAGE HALL ACCT 7933856	A.5.1620.0431	BUILDINGS - ELECTRIC	\$898.23				
			2	575 OAKWOOD AVE (OLD FIRE DEPT) ACCT 237062	A.5.3410.0431	FIRE DEPARTMENT - ELECTRIC	\$0.00				
			3	581 OAKWOOD AVE DPW STORAGE ACCT 5123021	A.5.1640.0431	CENTRAL GARAGE - ELECTRIC	\$0.00				
			4	ELM ST SIGNAL ACCT 3514288	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$3.08				
			5	ELMWOOD & CHESTNUT HILL BOOSTER PUMP STATION ACCT 3590155 (BILLS EVERY OTHER MONTH)	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$594.02				
			6	GIRARD AVE ACCT 893560	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$13.84				
			7	PINE ST DPW Offices and Garage; ACCT 256115	A.5.1640.0431	CENTRAL GARAGE - ELECTRIC	\$8.26				
			8	PINE ST WATER PLANT; ACCT 288597	F.5.1620.0431	BUILDINGS - ELECTRIC	\$6.88				
			9	ST LIGHTING ACCT 4086039	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$590.71				
			10	ST LIGHTING R2 ACCT 719336	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$397.95				
			11	33 CENTER ST (NEW FIRE HALL) ACCT N01000060689999	A.5.3410.0431	FIRE DEPARTMENT - ELECTRIC	\$1,423.54				
Total vouchers for ERIE COUNTY COMPTROLLER: 1					\$3,936.51						
BANK OF HOLLAND GEN	62671	FLEISCHMANN SERV. CORP.	09/08/2022	11061	\$644.79	LIFT REPAIRS	2023	4	09/19/2022		



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
CHECK - 00100											
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	LIFT REPAIRS		A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$644.79			
Total vouchers for FLEISCHMANN SERV. CORP.: 1					\$644.79						
BANK OF HOLLAND GEN CHECK - 00100	62676	GENERAL WELDING &	08/17/2022	250807	\$390.00	Tire assembly for leaf machines	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$390.00	2023000123	08/17/2022	
Total vouchers for GENERAL WELDING &: 1					\$390.00						
BANK OF HOLLAND GEN CHECK - 00100	62660	GRECO TRAPP PLLC	08/31/2022	August Svcs.	\$28.13	Statement #24977	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Statement #24977		A.5.1420.0411	VILLAGE ATTORNEY - OTHER LEGAL COUNSEL		\$28.13			
Total vouchers for GRECO TRAPP PLLC: 1					\$28.13						
BANK OF HOLLAND GEN CHECK - 00100	62669	LOWE'S	09/01/2022	19046645/2361 617	\$436.79	Aug 2022	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	DPW FENCE		A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$334.26	2023000079	07/29/2022	
		2	CROSSWALK SIGNS		A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS		\$74.06	2023000079		
		3			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$28.47	2023000079		
Total vouchers for LOWE'S: 1					\$436.79						
BANK OF HOLLAND GEN CHECK - 00100	62701	Manny's Ace Hardware	08/31/2022	574-695	\$819.89	Aug 2022	2023	4	09/19/2022		



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	police station remodel			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS	\$548.34	2023000081	07/29/2022	
		2	shop supplies			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS	\$172.63	2023000081		
		3	powercenter for chiefs vehicle			A.5.3410.0460	FIRE DEPARTMENT - VEHICLE MAINTENANCE & PARTS	\$44.99	2023000081		
		4	bee spray, park repairs			A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS	\$53.93	2023000081		
Total vouchers for Manny's Ace Hardware: 1					\$819.89						
BANK OF HOLLAND GEN CHECK - 00100	62706	MUNICIPAL EMERGENCY SERVICES INC.	08/31/2022	1758613	\$62.70	tail coat patches	2023	4	09/19/2022		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	tail coat patches			A.5.3410.0420	FIRE DEPARTMENT - DEPARTMENT SUPPLIES	\$62.70			
Total vouchers for MUNICIPAL EMERGENCY SERVICES INC.: 1					\$62.70						
BANK OF HOLLAND GEN CHECK - 00100	62709	Noble Cause Training and Development, LLC	09/19/2022	9-13-22	\$195.00	Training for LT Bastine	2023	4	09/19/2022		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	Transformational Leadership Seminar: September 22, 2022. LT Bastine			A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES	\$195.00			
Total vouchers for Noble Cause Training and Development, LLC: 1					\$195.00						
BANK OF HOLLAND GEN CHECK - 00100	62656	NOVA HEALTHCARE ADMINISTRATORS, INC.	09/19/2022	NOVA-032373	\$162.00	Monthly Administrative Fee of \$4.50 per Enrollee - 36 Enrollees; September 2022	2023	4	09/19/2022		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	Water Fund Active - 2 Enrollees; September 2022			F.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$9.00			
		2	General Fund Retiree - 10 Enrollees; September 2022			A.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIREEES	\$45.00			
		3	Water Fund Retiree - 1 Enrollee; September 2022			F.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIREEES	\$4.50			
		4	General Fund Active - 23 Enrollees; September 2022			A.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$103.50			



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
	1	strut base mounts			A.5.3410.0460	FIRE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$737.40	2023000125		
Total vouchers for PERFORMANCE ADVANTAGE CO: 1					\$737.40						
BANK OF HOLLAND GEN CHECK - 00100	62654	Pierce, Robert J	09/06/2022	September 2022 Svcs.	\$958.33	Legal Services for September, 2022	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Legal Services for September, 2022		A.5.1420.0410	VILLAGE ATTORNEY - CONTRACT SERVICES		\$958.33			
Total vouchers for Pierce, Robert J: 1					\$958.33						
BANK OF HOLLAND GEN CHECK - 00100	62680	PUMP DOCTOR	08/17/2022	18343	\$875.00	Yearly Cathodic Testing	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Yearly Cathodic Testing		A.5.1640.0450	CENTRAL GARAGE - GASOLINE, OIL & GREASE		\$875.00			
Total vouchers for PUMP DOCTOR: 1					\$875.00						
BANK OF HOLLAND GEN CHECK - 00100	62657	Quadient Prepay	09/07/2022	September Prepay	\$2,000.00	Prepay postage for VEA.	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Prepay postage for VEA.		A.5.1670.0470	CENTRAL PRINTING & MAILING - POSTAGE		\$2,000.00			
Total vouchers for Quadient Prepay: 1					\$2,000.00						
BANK OF HOLLAND GEN CHECK - 00100	62683	Quaker Millwork & Lumber Inc.	08/03/2022	155678	\$356.40	trim for police station	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$356.40	2023000095	08/01/2022	
Total vouchers for Quaker Millwork & Lumber Inc.: 1					\$356.40						
BANK OF HOLLAND	62690	REBOY SUPPLY INC.	08/31/2022	95262-95466	\$1,048.59	Aug 2022	2023	4	09/19/2022		



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
00100											
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$0.00	2023000086	07/29/2022	
		2	STAIN		A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$39.78	2023000086		
Total vouchers for SHERWIN-WILLIAMS CO.: 1					\$39.78						
BANK OF HOLLAND GEN CHECK - 00100	62674	SITEONE LANDSCAPE	08/23/2022	122680809	\$279.06	20-20-20 fertilizer	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS		\$279.06	2023000129	08/23/2022	
Total vouchers for SITEONE LANDSCAPE: 1					\$279.06						
BANK OF HOLLAND GEN CHECK - 00100	62675	Southside Trailer Service Inc.	09/07/2022	356939	\$23.68	hydraulic lines	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$23.68	2023000132	09/07/2022	
Total vouchers for Southside Trailer Service Inc. : 1					\$23.68						
BANK OF HOLLAND GEN CHECK - 00100	62677	TRI-COUNTY SUPPLY, INC.	08/16/2022	215527	\$199.90	tree trimming supplies- helmets and oil	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	tree trimming supplies- helmets and oil		A.5.8560.0470	SHADE TREES - DEPARTMENTAL SUPPLIES		\$199.90			
Total vouchers for TRI-COUNTY SUPPLY, INC.: 1					\$199.90						
BANK OF HOLLAND GEN CHECK - 00100	62700	TRI-COUNTY TOOL RENTAL & SALES	08/30/2022	25345-25620	\$719.60	Aug 2022	2023	4	09/19/2022		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE		\$297.12	2023000074	07/29/2022	



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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
						& REPAIRS					
		2	supplies to burn weeds on main st	A.5.5110.0420		STREET MAINTENANCE - ROAD MATERIALS		\$219.90	2023000074		
		3	park maintenance supplies	A.5.7140.0420		PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS		\$144.11	2023000074		
		4	pruning shears/saw/blade	A.5.8560.0470		SHADE TREES - DEPARTMENTAL SUPPLIES		\$42.98	2023000074		
		5	vehicle parts	A.5.3410.0460		FIRE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$15.49	2023000074		
Total vouchers for TRI-COUNTY TOOL RENTAL & SALES: 1					\$719.60						
BANK OF HOLLAND GEN CHECK - 00100	62659	Vaspian	09/02/2022	111512	\$540.20	Phone service and TruFax for September, 2022	2023	4	09/19/2022		
		Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date			
		1	Phone service and TruFax for VEA	A.5.1325.0434	VILLAGE ADMINISTRATOR - TELEPHONE	\$87.50					
		2	Phone service and TruFax for EAPD	A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$287.50					
		3	Phone service and TruFax for EAFD	A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE	\$165.20					
Total vouchers for Vaspian: 1					\$540.20						
BANK OF HOLLAND GEN CHECK - 00100	62661	VERIZON WIRELESS	09/03/2022	9914945955	\$204.43	CELLULAR PHONES PROVIDED AS PER NYS OGS (STATE CONTRACT; 8/4-9/3	2023	4	09/19/2022		
		Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date			
		1	716-359-0911 DETECTIVE	A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$40.36					
		2	716-913-1761 POLICE SUPERVISOR (LIETENANTS)	A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$40.36					
		3	716-998-3734 MAYOR	A.5.1210.0434	MAYOR - TELEPHONE	\$0.00					
		4	716-383-1957 POLICE CHIEF SHANE KRIEGER	A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$40.36					
		5	716-256-0983 FIRE CHIEF MOBILE WIFI	A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE	\$37.99					
		6	CREDIT	A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE	\$0.00					
		7	Village Administrator; 289-0134	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS	\$45.36					
Total vouchers for VERIZON WIRELESS: 1					\$204.43						
BANK OF	62664	Verizon-Local Svc.	09/06/2022	Local Svcs.	\$358.82	Verizon Local Service: 9/7-	2023	4	09/19/2022		

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Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date			
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date				
		1	VEA Office Supplies			A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$59.36						
Total vouchers for W.B. MASON CO., INC.: 2					\$119.31									
BANK OF HOLLAND GEN CHECK - 00100	62710	Wilson, Sean	09/19/2022	9-15-22	\$28.75	Travel Reimbursement PO Wilson	2023	4	09/19/2022					
			Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date					
			1	Mileage for travel to 25 Delaware, Grand Jury Meeting. No car available	A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES	\$24.75							
			2	Parking for Grand jury meeting	A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES	\$4.00							
	Total vouchers for Wilson, Sean: 1					\$28.75								
BANK OF HOLLAND GEN CHECK - 00100	62687	WNYNETWORKS	09/11/2022	4143	\$1,140.00	IT Services for August, 2022	2023	4	09/19/2022					
			Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date					
			1	IT Services for August, 2022 VEA	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS	\$522.50							
			2	IT Services for August, 2022 for EAPD	A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	\$617.50							
	Total vouchers for WNYNETWORKS: 1					\$1,140.00								



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Unposted Batch Totals

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

Posted Batch Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A	GENERAL FUND	\$0.00	\$64,190.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$64,190.17
F	WATER FUND	\$0.00	\$7,627.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,627.11
Posted Batch Grand Totals		\$0.00	\$71,817.28	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$71,817.28

Report Grand Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A	GENERAL FUND	\$0.00	\$64,190.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$64,190.17
F	WATER FUND	\$0.00	\$7,627.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,627.11
Grand Totals		\$0.00	\$71,817.28	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$71,817.28



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***** Certificate of Financial Officer *****

I hereby certify that the attached Voucher Listing is complete and accurate to the best of my knowledge, and payment is hereby approved.

Signed: _____

Date: _____

Application Fee \$25.00 _____ (Total fees of \$100.00 are payable at time of application to the
Permit Fee \$25.00 _____ Village of East Aurora, 585 Oakwood Ave, East Aurora, NY 14052
Public Hearing Necessary/Mailing Fee for mailers \$50.00 _____

VILLAGE OF EAST AURORA, NEW YORK

APPLICATION FOR PERMIT TO KEEP OR MAINTAIN THREE OR MORE DOGS IN ONE DWELLING UNIT (pursuant to provisions of Section 104-3 B of the Code of the Village of East Aurora)

APPLICANT: Molly McDermott _____ 716-949-1115 _____
(Name) (Phone Number)

293 Sycamore Street _____
(Address) (Work/Cell Phone)

OWNER OF PROPERTY: Molly McDermott _____
(Name)
293 sycamore street _____
(Address)
East Aurora NY 14052 _____
(City, State) (Zip)

DOGS TO BE KEPT ON PREMISES: (Fill in all information for each dog)

<u>BREED</u>	<u>SEX</u>	<u>AGE</u>	<u>NAME</u>	<u>CURRENT LICENSE #</u>
English Bulldog	Female	12 wk	Unsure- Gemma?	Will provide when get
Dachshund	Male	16 yr.	Bruno	On file
Mixed lab	Male	5 yr.	Jackson	On file

DESCRIPTION OF FACILITIES FOR KEEPING THE DOGS:

Inside the dwelling: _____

Will mainly be indoors or in backyard- fully fenced yard _____

Outside the dwelling: _____
Short walks on leash _____

REASON FOR REQUESTING PERMIT:

To increase from 2 to 3 dogs. Plan to train third dog as a therapy dog for work and volunteering _____

It is understood that if this permit is granted, it will only apply to the dogs listed above and will automatically expire when only two of them remain in the dwelling unit.

Applicant agrees to allow the duly appointed Dog Warden of the Village of East Aurora to inspect the facilities provided for these dogs as a part of processing this application.

Applicant hereby certifies that he or she is the head of the household where the dogs will be kept and that the information contained in this application is true and correct.

8/2 _____ 2022
(Date)

(Applicant's Signature)

NOTE: This application must be filed with the Village Administrator, Village Hall, 585 Oakwood Ave, East Aurora, New York 14052

*§104-3 B of the Village Code: No person or persons shall keep or maintain three or more dogs in any one dwelling unit, as defined in Chapter 285 of the Code of the Village of East Aurora, or in any one building, as defined in Chapter 285 of the said Code, within the limits of the Village of East Aurora without a permit from the Board of Trustees. Such permit may be granted if it shall appear to the Board of Trustees, after investigation, that the keeping of the dogs in question will not be objectionable or offensive by reason of noise, smell or other cause. Such a permit shall be revocable at any time by the Board of Trustees. **No resident of any two-family dwelling, multiple dwelling, townhouse or apartment house shall keep more than one dog in or on such premises.**

Local Law # _____ of 20_____.

Be it enacted by the Board of the Village of East Aurora, in the County of Erie, as follows:

SECTION 1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Village. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law.

Except as otherwise provided in the Uniform Code, the Energy Code other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

SECTION 2. DEFINITIONS

In this local law, the following terms shall have the meanings shown in this section:

“Assembly Area” shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

“Assistant Code Enforcement Officer: shall mean an Assistant Code Enforcement Officer appointed pursuant to subdivision (d) of section 3 of this local law.

“Building Permit” shall mean a building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term “Building Permit” shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this local law.

“Certificate of Compliance” shall mean a document issued by the Village stating that work was done in compliance with approved construction documents and the Codes.

“Certificate of Occupancy” shall mean a document issued by the Village certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the

Village, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

“Code Enforcement Officer” shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

“Code Enforcement Personnel” shall include the Code Enforcement Officer, all Assistant Code Enforcement Officers, and all Inspectors.

“Codes” shall mean the Uniform Code and Energy Code.

“Energy Code” shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

“FCNYS” shall mean the 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

“Fire Safety and Property Maintenance Inspection” shall mean an inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

“Hazardous Production Materials” shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

“Inspector” shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

“Mobile Food Preparation Vehicles” shall mean vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

"Operating Permit" shall mean a permit issued pursuant to section 10 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this local law.

"Order to Remedy" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 17 of this local law.

"Permit Holder" shall mean the Person to whom a Building Permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"PMCNYS" shall mean the 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

"RCNYS" shall mean the 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

"Repair" shall mean the reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

"Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.

"Sugarhouse" shall mean a building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

"Temporary Certificate of Occupancy" shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

"Village" shall mean the Village of East Aurora.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The Office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;

(3) to conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision (a) of section 17 (Violations) of this local law;

(7) to maintain records;

(8) to collect fees as set by the Board of the Village of East Aurora;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with this Village's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the

Energy Code, and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by the Village Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by the Village Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more Assistant Code Enforcement Officers may be appointed the Village Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Assistant Code Enforcement Officer shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Assistant Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(e) One or more Inspectors may be appointed the Village Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(f) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Board of the Village of East Aurora.

SECTION 4. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person, firm or corporation shall commence anywork for which a Building Permit is required without first having obtained a Building Permit from the Village.

(b) Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) construction of temporary sets and scenery associated with motionpicture, television, and theater uses;

(2) installation of window awnings supported by an exterior wall of a one- ortwo-family dwelling or multiple single-family dwellings (townhouses);

(3) installation of partitions or movable cases less than 5'-9" in height;

(4) painting, wallpapering, tiling, carpeting, or other similar finish work;

(5) installation of listed portable electrical, plumbing, heating, ventilation orcooling equipment or appliances;

(6) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's originalspecifications;
or

(7) repairs, provided that the work does not have an impact on fire and life safety, such as (i) any part of the structural system; (ii) the required meansof egress; or (iii) the fire protection system or the removal from service of any part of the fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

- (1) a description of the location, nature, extent, scope, and cost of the proposed work;
- (2) the tax map number and the street address of any affected building or structure;
- (3) the occupancy classification of any affected building or structure;
- (4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
- (5) at least 2 sets of construction documents (drawings and/or specifications) which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State

Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

(b) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(c) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(d) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(e) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(f) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building Permits shall expire 12 months after the date of issuance. A pool permit shall expire after 3 months from the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(g) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(h) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

SECTION 5. CONSTRUCTION INSPECTIONS.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;

- (4) framing;
 - (5) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
 - (6) fire resistant construction;
 - (7) fire resistant penetrations;
 - (8) solid fuel burning heating appliances, chimneys, flues, or gas vents;
 - (9) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
 - (10) installation, connection, and assembly of factory manufactured buildings and manufactured homes; and
 - (11) a final inspection after all work authorized by the Building Permit has been completed.
- (c) Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.
- (d) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all

applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(e) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified, return receipt mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified, return receipt mail; provided, however, that failure to

serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 17 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE

(a) Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

(b) Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the

expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

(1) a written statement of structural observations and/or a final report of special inspections,

(2) flood hazard certifications,

(3) a written statement of the results of tests performed to show compliance with the Energy Code, and

(4) where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

(c) Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name (if any), address and tax map number of the property;

(4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the occupant load of the assembly areas in the structure, if any;

(8) any special conditions imposed in connection with the issuance of the Building Permit; and

(9) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

(d) Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed 6 months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing firefighting services for a property within this Village shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

SECTION 9. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT AND CONDITIONS OF IMMINENT DANGER

Unsafe buildings, structures, and equipment and conditions of imminent danger in this Village shall be identified and addressed in accordance with the procedures established by Local Law Number 3 of 2012 as now in effect or as hereafter amended from time to time.

SECTION 10. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

(1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;

(2) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:

(i) Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;

(ii) Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;

(iii) Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;

(iv) Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;

(v) Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;

(vi) Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;

(vii) Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;

(viii) Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;

(ix) Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;

(x) Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;

(xi) Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces;

(xii) Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and

(xiii) Section 319, "Mobile Food Preparation Vehicles." Operating a mobile food preparation vehicle in accordance with the permitting requirements established by Local Law Number 4 of 2020, as now in effect or as hereafter amended from time to time.

(3) energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.

(4) buildings containing one or more assembly areas;

(5) outdoor events where the planned attendance exceeds 1,000 persons;

(6) facilities that store, handle or use hazardous production materials;

(7) parking garages as defined in subdivision (a) of section 13 of this local law;

(8) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Board of this Village; and

(9) other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the Board of this Village.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Exemptions. Operating permits shall not be required for processes or activities, or the buildings, structures, or facilities listed in paragraphs (1) through (7) of subdivision (a) of this section, provided that the use is expressly authorized by a certificate of occupancy or certificate of compliance, fire safety and property maintenance inspections are performed in accordance with section 11 (Fire Safety and Property Maintenance Inspections) of this local law, and condition assessments are performed in compliance with section 13 (Condition Assessments of Parking Garages) of this local law, as applicable.]

(d) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit. Such inspections shall be performed either in-person or remotely. Remote inspections in lieu of in-person inspections may be performed when, at the discretion of the Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer, the remote inspection can be performed to the same level and

quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or Inspector authorized by the Code Enforcement Officer that the premises conform with the applicable requirements of the Uniform Code and the code enforcement program. Should a remote inspection not afford the Village sufficient information to make a determination, an in-person inspection shall be performed. After inspection, the premises shall be noted as satisfactory and the operating permit shall be issued, or the operating permit holder shall be notified as to the manner in which the premises fail to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.

(e) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.

(f) Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:

- (1) 180 days for tents, special event structures, and other membrane structures;
- (2) 60 days for alternative activities at a sugarhouse;
- (3) 3 years for the activities, structures, and operations determined per paragraph (9) of subdivision (a) of this section, and
- (4) 1 year for all other activities, structures, and operations identified in subdivision (a) of this section.

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

(g) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does

not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(h) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) at least once every 12 months for buildings which contain an assembly area;

(2) at least once every 12 months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and

(3) at least once every 36* months for multiple dwellings and all nonresidential occupancies.

(b) Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

(c) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building,

structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:

- (1) the request of the owner of the property to be inspected or an authorized agent of such owner;
- (2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or
- (3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(d) OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

(1) Notwithstanding any other provision of this section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement 1203.2(e);

(2) the Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;

(3) such inspections are performed no less frequently than once a year;

(4) a true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and

(5) upon receipt of each such report, the Code Enforcement Officer takes the appropriate action prescribed by section 17 (Violations) of this local law.]
Officer or by an Inspector, provided that:

(6) the Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section

(e) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

SECTION 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code.

The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 17 (Violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. CONDITION ASSESSMENTS OF PARKING GARAGES.

(a) Definitions. For the purposes of this section:

(1) the term "condition assessment" means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building

component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;

(2) the term “deterioration” means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

(3) the term “parking garage” means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

- (i) buildings in which the only level used for parking or storage of motor vehicles is on grade;
- (ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
- (iii) a townhouse unit with attached parking exclusively for such unit;

(4) the term “professional engineer” means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

(5) the term “responsible professional engineer” means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term “responsible professional engineer” shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.

(6) the term “unsafe condition” includes the conditions identified as “unsafe” in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and

(7) the term “unsafe structure” means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(b) Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition

assessment as described in subdivision (c) of this section, periodic condition assessments as described in subdivision (d) of this section, and such additional condition assessments as may be required under subdivision (e) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the Village, in accordance with the requirements of subdivision (f) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

(c) Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

(1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

(2) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:

- (i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;
- (ii) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and
- (iii) if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.

(3) Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to 6 months after the effective date of this local law.

(d) Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed 3 years.

(e) Additional Condition Assessments.

(1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(2) If the Village becomes aware of any new or increased deterioration which, in the judgment of the Village, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Village to be appropriate.

(f) Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Village within 30 days. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

(1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;

(2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;

(3) an evaluation and description of the unsafe conditions;

(4) an evaluation and description of the problems associated with the deterioration,

conditions that cause deterioration, and unsafe conditions;

(5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;

(6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;

(7) the responsible professional engineer's recommendation regarding preventative maintenance;

(8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and

(9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

(g) Review Condition Assessment Reports. The Village shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Village shall, by Order to Remedy or such other means of enforcement as the Village may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (f). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Village to take any other enforcement action, including but not limited to

suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

(h) The Village shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the Village with a written statement attesting to the fact that he or she has been so engaged, the Village shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Village shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

(i) This section shall not limit or impair the right or the obligation of Village:

(1) to perform such construction inspections as are required by section 5 (Construction Inspections) of this local law;

(2) to perform such periodic fire safety and property maintenance inspections as are required by section 11 (Fire Safety and Property Maintenance Inspections) of this local law; and/or

(3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the Village by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

SECTION 14. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

(a) The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this Village as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

(1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean

annual temperature;

(2) heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and

(3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

(i) the accompanying Flood Insurance Rate Map (FIRM);

(ii) Flood Boundary and Floodway Map (FBFM); and

(iii) related supporting data along with any revisions thereto.

(b) The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (a) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

SECTION 15. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

- (6) all complaints received;
 - (7) all investigations conducted;
 - (8) all condition assessment reports received;
 - (9) all fees charged and collected; and
 - (10) all other features and activities specified in or contemplated by sections 4 through 14, inclusive, of this local law.
- (b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 16. PROGRAM REVIEW AND REPORTING

- (a) The Code Enforcement Officer shall annually submit to Board of this Village a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 14 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.
- (b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Village, on a form prescribed by the Secretary of State, a report of the activities of this Village relative to administration and enforcement of the Uniform Code.
- (c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this Village is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

SECTION 17: VIOLATIONS

(a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

"The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____ [*specify date*], which is thirty (30) days after the date of this Order to Remedy."

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. All Code Enforcement Personnel are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Penalties. In addition to such other penalties as may be prescribed by State law,

(1) any Person who violates any provision of this local law or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be punishable by a fine of not more than \$250 per day of violation, or imprisonment not exceeding 15 days, or both; and

(2) any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than \$250 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Village.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Village, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Board of this Village.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be

pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 18: FEES

A fee schedule shall be established by resolution of the Board of this Village. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 19. INTERMUNICIPAL AGREEMENTS

The Board of this Village may, by resolution, authorize the Mayor of this Village to enter into an agreement, in the name of this Village, with other governments to carry out the terms of this local law, provided that such agreement does not violate any

provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 20. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 21. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

DRAFT

§ 285-30.3. Fences.

A.

Fences shall be permitted in all districts, provided the height of a fence does not exceed:

(1)

Six feet where located behind the rear wall of the dwelling or other main building; or

(2)

Four feet where located to the side or in front of the main building.

B.

In any district, no fence shall be located within 18 inches of the street right-of-way line and/or sidewalk.

C.

In any district, no fence shall permitted to be located in a driveway that is shared between two properties.

Resolution of the East Aurora Village Board of a Determination of Non-Significance pursuant to the State Environmental Quality Review Act in the matter of a Local Law Amending Village Code Section 285-52.2A Modifying the Process for Special Use Permit Applications

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to a Local Law Amending Village Code Section 285-52.2A modifying the process for Special Use Permit Applications; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora, as Lead Agency, has determined that the proposed action described in the Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The foregoing resolution was duly made by Trustee _____ and seconded by Trustee _____ and carried on September 20, 2022.

Resolution of the East Aurora Village Board of a Determination of Non-Significance pursuant to the State Environmental Quality Review Act in the matter of a Local Law Amending Village Code Section 108 – Repealing the Current Language and Enacting New Language

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to a Local Law Village Code Section 108 – repealing the current language and enacting new language; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora, as Lead Agency, has determined that the proposed action described in the Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The foregoing resolution was duly made by Trustee _____ and seconded by Trustee

_____ and carried on September 20, 2022.

RESOLUTION

September 20, 2022

AN ORDINANCE ADOPTING LOCAL LAW No. ____ of 2022:

Trustee _____, offered the following resolution and moved for its adoption:

A Local Law Amending Village Code Section 108 – Repealing the current language and adopting new language, as detailed in the attachment.

BE IT FURTHER RESOLVED, that this Resolution enacting Local Law No. ____ shall take effect immediately and Local Law No. ____ of 2022 shall take effect immediately upon filing with the Secretary of State, and shall be added to the text of the Local Laws of the Village of East Aurora thereafter.

The following resolution was seconded by Trustee _____, and duly put to a roll call vote which resulted in the following:

Trustee Lazickas	_____ (Aye or Nay)	Trustee Cameron	_____ (Aye or Nay)
Trustee Flynn	_____ (Aye or Nay)	Trustee Scheer	_____ (Aye or Nay)
Trustee Kimmel-Hurt	_____ (Aye or Nay)	Mayor Mercurio	_____ (Aye or Nay)
Trustee Viger	_____ (Aye or Nay)		

The Local Law was, therefore,

_____ Approved

_____ Not Approved

**Resolution of the East Aurora Village Board of a Determination of Non-Significance
pursuant to the State Environmental Quality Review Act in the matter of a Local Law
Amending Village Code Section 285-30.3 – Prohibiting Fences Erected In Shared Driveways**

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to a Local Law Amending Village Code Section 285-30.3 – prohibiting fences erected in shared driveways; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora, as Lead Agency, has determined that the proposed action described in the Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The foregoing resolution was duly made by Trustee _____ and seconded by Trustee

_____ and carried on September 20, 2022.

AN ORDINANCE ADOPTING LOCAL LAW No. ____ of 2022:

Trustee _____, offered the following resolution and moved for its adoption:

A Local Law Amending Village Code Section 285.30.3 – Fences prohibited in shared driveways
(items shown as stricken are deleted or shown as underlined are new)

§ 285-30.3. Fences.

A. Fences shall be permitted in all districts, provided the height of a fence does not exceed:

- (1) Six feet where located behind the rear wall of the dwelling or other main building; or
- (2) Four feet where located to the side or in front of the main building.

B. In any district, no fence shall be located within 18 inches of the street right-of-way line and/or sidewalk.

C. In any district, no fence shall permitted to be located in a driveway that is shared between two properties.

BE IT FURTHER RESOLVED, that this Resolution enacting Local Law No. ____ shall take effect immediately and Local Law No. ____ of 2022 shall take effect immediately upon filing with the Secretary of State, and shall be added to the text of the Local Laws of the Village of East Aurora thereafter.

The following resolution was seconded by Trustee _____, and duly put to a roll call vote which resulted in the following:

Trustee Lazickas	_____ (Aye or Nay)	Trustee Cameron	_____ (Aye or Nay)
Trustee Flynn	_____ (Aye or Nay)	Trustee Scheer	_____ (Aye or Nay)
Trustee Kimmel-Hurt	_____ (Aye or Nay)	Mayor Mercurio	_____ (Aye or Nay)
Trustee Viger	_____ (Aye or Nay)		

The Local Law was, therefore,

_____ Approved

_____ Not Approved

Resolution of the East Aurora Village Board of a Determination of Non-Significance pursuant to the State Environmental Quality Review Act in the matter of a Local Law Amending Village Code Section 285-52.2A Modifying the Process for Special Use Permit Applications

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to a Local Law Amending Village Code Section 285-52.2A modifying the process for Special Use Permit Applications; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora, as Lead Agency, has determined that the proposed action described in the Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The foregoing resolution was duly made by Trustee _____ and seconded by Trustee _____ and carried on September 20, 2022.

RESOLUTION

September 20, 2022

AN ORDINANCE ADOPTING LOCAL LAW No. ____ of 2022:

Trustee _____, offered the following resolution and moved for its adoption:

A Local Law Amending Village Code Section 285-52.2A – Zoning – Special Use Permit Application Process
(items shown as stricken are deleted or shown as underlined are new)

§ 285-52.2. Special use permit application requirements.

A. An applicant for a special use permit shall submit:

(1) A special use permit application form, as may be amended, including the name, address, and signature of the applicant, ~~owner of record, and developer.~~

BE IT FURTHER RESOLVED, that this Resolution enacting Local Law No. ____ shall take effect immediately and Local Law No. ____ of 2022 shall take effect immediately upon filing with the Secretary of State, and shall be added to the text of the Local Laws of the Village of East Aurora thereafter.

The following resolution was seconded by Trustee _____, and duly put to a roll call vote which resulted in the following:

Trustee Lazickas	_____ (Aye or Nay)	Trustee Cameron	_____ (Aye or Nay)
Trustee Flynn	_____ (Aye or Nay)	Trustee Scheer	_____ (Aye or Nay)
Trustee Kimmel-Hurt	_____ (Aye or Nay)	Mayor Mercurio	_____ (Aye or Nay)
Trustee Viger	_____ (Aye or Nay)		

The Local Law was, therefore,

_____ Approved

_____ Not Approved

Contingent on insurance

VILLAGE OF EAST AURORA
APPLICATION FOR TEMPORARY USE PERMIT
Not less than 60 days or more than 75 days before date of activity

\$25.00 Application Fee ☒ \$50.00 Permit Fee ☒
\$100.00 Mailer Fee (300 feet for road/public parking lot closure and/or outdoor music) ☒ Receipt # 2172-3

Date Application Filed: _____

Date of V.B. Action: _____

Approved: _____ Disapproved: _____

Conditions of approval will be listed in permit

Sect. 285-52 Participants of an area activity, such as, but not necessarily limited to, a sidewalk sale, art, antique, craft show and/or sales, farmers market, or community/civic promotion activities and similar

Please type or print legibly

Name of Organization East Aurora Runners

Is Organization a: not-for-profit Charitable/Service Business School Government

Name & Address of Individual Responsible Holly R. Lauer

Phone Number 937-974-2521 E-mail hlauer@gmail.com

Event Name TURK-EA Trot

Date(s) of Event 11-24-22 Time(s) of Event 9 am Estimated # of People 500

Please describe activity/purpose of this event Thanksgiving Day 5K Run/Walk

Location (include all areas of the event) start/finish @ Boys & Girls Club, route in village
(attach map)

Will this event be donating a portion of proceeds to one or more charities and publicizing that in promotional material? ☒ Yes ☐ No

If yes, list charities and the percentage of proceeds to be donated: Boys & Girls Club of EA

Will this event be held entirely in the Village of East Aurora? ☒ Yes ☐ No

If no, specify: _____

Will the event include more than one vendor/organization? ☐ Yes ☒ No

(if yes, attach list of vendors/participants)

Will the event involve a street or parking lot closure/usage? ☒ Yes ☐ No If yes, please note:

Road/Lot Name(s) please see route

Date(s) of Closure 11-24-22 Time(s) 9 am

Will the event include:

Parade or motorcade ☐ Yes ☒ No (Attach Map of route)

Walk or Run ☒ Yes ☐ No (Attach Map of route)

Will there be outdoor music? ☒ Yes ☐ No

Time & Location Paine St. Live ☐ DJ ☐ Multiple/Mixed ☐

Amplification ☒ Yes ☐ No *provided by Race Management solutions

Will you be providing or selling alcohol? ☐ Yes ☒ No

Will people be allowed to bring alcohol? ☐ Yes ☒ No

Will there be Security Guards? ☐ Yes ☒ No Volunteers ☐ or Private Paid Entity ☐

Please List Entity Name _____

Will **tent** or other structure be erected for event? ☐ Yes ☒ No Size _____
Date & Time to be installed _____ Date & Time to be removed _____

Will any prep work be done on/or before the event? ☒ Yes ☐ No

Please describe setup @ BGC, placing arrow signs for runners along route

Set up Date: 11-24-22 Time: 0800

Clean up Date: 11-24-22 Time: 1200

Will additional **garbage cans** be needed? ☒ Yes ☐ No How many 1 Drop Off Location BGC 24 Paine St.

Will each vendor/organization be responsible for their own garbage? ☒ Yes ☐ No

Will a **dumpster** be used? ☐ Yes ☒ No If yes, location _____

Will there be **portable lavatories**? ☐ Yes ☒ No How Many? _____
Location(s) _____

Will there Bell Jar or Games of Chance? ☐ Yes ☒ No (if yes, separate permit required)

What is the source of **electric**, if applicable? BGC

Please list any extras eg. Light show, loud speakers, decorations, paints or dyes:

speakers @ finish line provided by race management solutions

Police Services Requested: crossing guards
(Crossing Guards may be required dependent upon event and is a decision of the Police Department)

DPW Services Requested _____

Fire/Other _____

- Attach map or sketch showing the location of the event. Such map shall include:

Location of parking facilities, indicating number of parking spaces being provided; location of toilet facilities including the location of port-a-potties; location of public entrance(s) and exit(s) to the event site; location of vendor facilities (if applicable) including booths, tents and food service facilities; explanation of steps being taken to control traffic and provide security (if applicable) and the number of security personnel that will be present.

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

☒ Requesting organization shall attach Indemnification Agreement on organization letterhead, signed by authorized applicant or officer of company and duly notarized (sample included)

"Applicant named herein is fully responsible for obtaining any & all licensing with regard to the presentation or playing of music, pursuant to music copyright laws. The Village of East Aurora assumes no liability in this regard".

☐ Police Department: Conditions/Comments _____

☐ Dept of Public Works: Conditions/Comments _____

☐ Fire Dept/Disaster Coordinator: Conditions/Comments _____

Sign Permits are to be obtained from the Town of Aurora Building Department 575 Oakwood Ave, 716.652.7591

USA Track & Field - Certificate Of Insurance

USA Track & Field <noreply@sport80.com>
Reply-To: USA Track & Field <noreply@sport80.com>
To: hrlayer@gmail.com

Tue, Sep 6, 2022 at 11:22 AM



Hi,

Please note, USATF's general liability insurance policy year runs from 11/1-11/1. Therefore, all certificates for sanctioned events occurring November 1, 2022 or later will not be created until after USATF's policy is renewed in October.

Your requested certificate has been approved and will be issued automatically once the policy has been renewed. In the interim, please use the attached letter should any third parties need information on insurance coverage for your event.

Please reach out to sanctions@usatf.org should you need anything further.


USA Track & Field

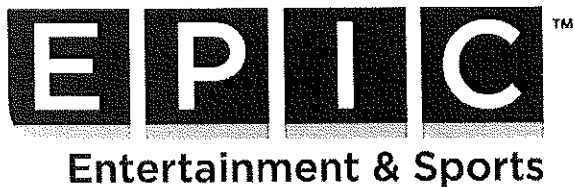
130 E. Washington Street, Suite 800, Indianapolis, IN, 46204

O: 317-261-0500

USATF Support

www.usatf.org

powered by sport:80 



2727 Paces Ferry Road Building 2,
Suite 1500 Atlanta, Georgia 30339
USA Phone: 678.324.3300
Fax: 678.324.3303
<https://sports.epicbrokers.com>

Dear USATF Sanction holders and Insurance Certificate holders:

As the National Governing Body for track and field, long-distance running and race walking in the United States, USA Track & Field (USATF) provides sanctions which approve and license the hosting of competitive track & field, long distance running and race walking events in the United States. As part of sanctioning, USATF provides Commercial General Liability insurance coverage for the protection and benefit of its active member clubs, associations, event organizers, facility owners and individual members in connection with sanctioned events.

The current USATF General Liability program is scheduled to expire on 11/1/2022. In August we will begin the process of renewing the program for another annual term effective 11/01/2022-11/1/2023. The program will seek to provide similar limits to the expiring policies as follows:

Per Occurrence Limit	\$2,000,000
General Aggregate Limit (Per Event)	\$4,000,000
Personal and Advertising Injury	\$2,000,000
Products/Completed Operations Aggregate Limit	\$2,000,000
Damage to Premises	
Rented to You (7 Days or Less)	\$2,000,000
Abuse and Molestation (Each Occurrence)	\$2,000,000*
Abuse and Molestation (Aggregate)	\$4,000,000*
Participant Legal Liability	Included
<i>*Subject to a valid background check</i>	

Excess coverage of \$10,000,000 is available for third parties who require additional coverage.

We expect to finalize the renewal by October, and will immediately begin issuing certificates for those USATF sanctioned events taking place in the month of November and beyond.

Sincerely,

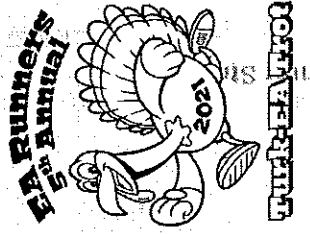
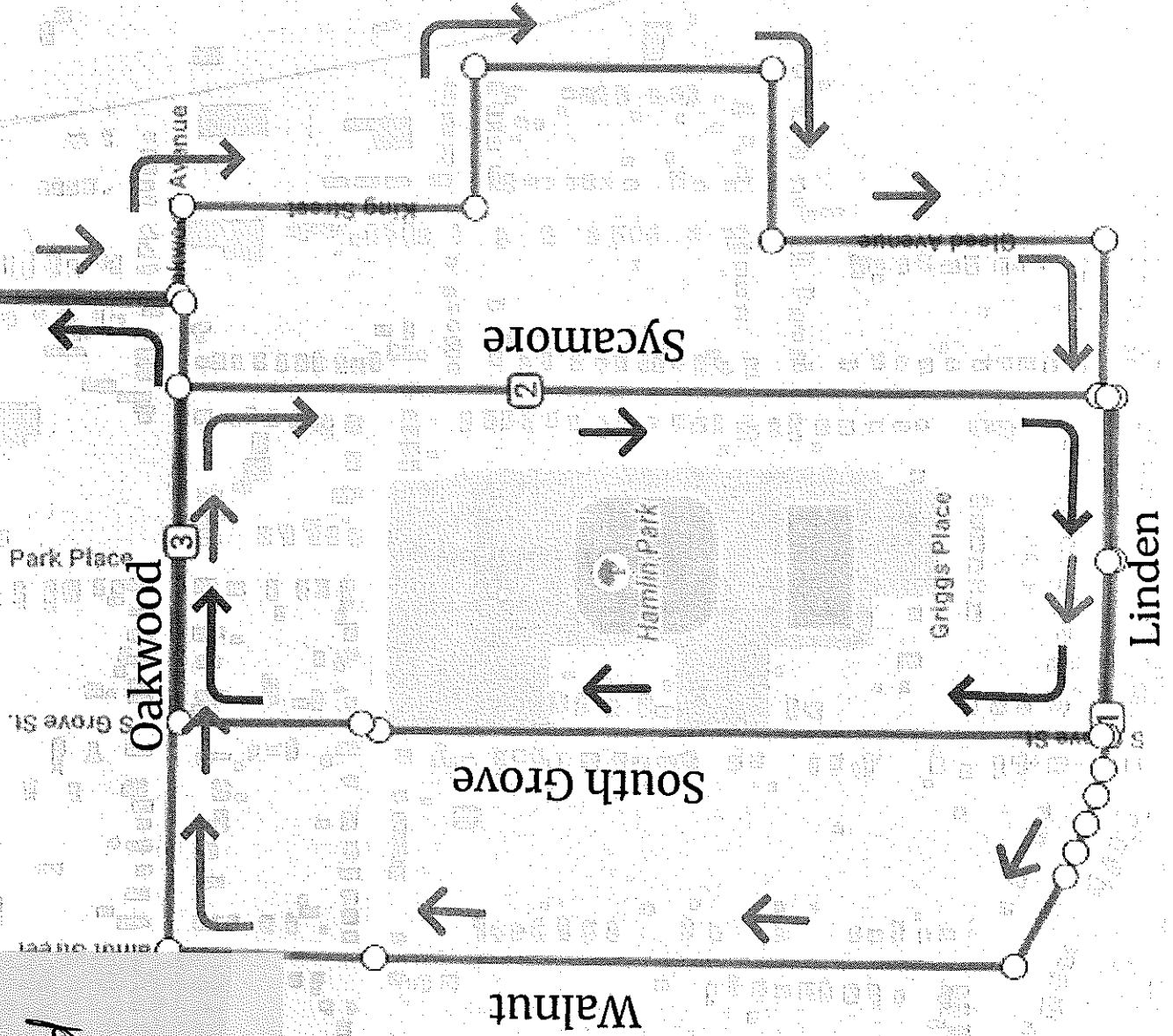
A handwritten signature in black ink, appearing to read 'Anna Sokolova', written over the printed name.

Anna Sokolova
Account Executive, EPIC Entertainment and Sports
CC: Kelly Pribbenow, Senior Account Executive

24 Paine St, East
Aurora, New
York, 14052

loop 1
loop 2

same as last
year - approved
per vt welch



**SUGGESTED RESOLUTION
AUTHORIZING RESOLUTION**

At a meeting of the _____

(Name of Municipality)

Board/Council held on _____, the Board/Council

(Date)

authorized _____,

(Name)

(Title)

to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project(s) upon approval of ECCDBG:

1. _____

2. _____

3. _____

Town/City/ Village/ Clerk

Notary

Please attach a copy of Public Hearing Notice

SAMPLE
NOTICE OF PUBLIC HEARING

Notice to the Citizens of the
(City) (Town) (Village) of _____

A Public Hearing will be held on _____ (date) _____ at _____ (time) _____ in
_____ (location, room) _____ regarding the use of Federal Community
Development funds on the (City) (Town) (Village) of _____

The (City) (Town) (Village) of _____
is eligible for a Federal Community Development Grant under Title I of the Housing and
Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express
community development and housing needs and to discuss possible projects which
would benefit low- and moderate-income persons in the (City) (Town) (Village) of _____

Citizens are urged to attend this meeting to make known their views and/or written
proposals on the (City) (Town) (Village) of _____'s
selection of potential projects to be submitted for possible funding by the Federal
Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and
expenditures and a discussion of eligible activities. The meeting room is wheelchair
accessible. Those needing special arrangements should call the (City) (Town) (Village)
at _____ (phone #) _____ by (five (5) days before Public Hearing date) _____.

original

TOWN OF AURORA

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

MEMO

TO: Mayor Mercurio and Village Board Members

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: August 10, 2022

The Building Department has received a Site Plan Application for API Delevan at 270 Quaker Rd to install a 1500-gallon liquid Nitrogen tank for their operations. This tank will replace the smaller tanks stored within their building. The EAFD Chief has been notified of the project.

Village Code section 285-51.5 requires the Village Board to refer the Site Plan application to the Planning Commission for their review and recommendation. The Village Board shall then schedule a public hearing prior to the SEQR determination and decision.

Village Code section 285-50.4C requires the Village to submit the application to Erie County Department of Environment and Planning for their review and comment due to proximity to a State highway (Quaker Rd/20A) and to a Municipal Boundary.

This is an Unlisted action for purposes of SEQR.

Thank you
Liz Cassidy



VILLAGE OF EAST AURORA
571 Main Street, East Aurora, New York 14052
716-652-6000
In conjunction with
Town of Aurora Building Department
300 Glead Ave, East Aurora, NY 14052
716-652-7591

Building Dept:	
Date Received	8/2/22
Complete App	8/10/22
Village Clerk:	
Date Received	8/10/22
Amount \$	125
Receipt #	Cash

SITE PLAN APPLICATION

PROPOSED PROJECT Install 1,500 gallon LN2 TANK SBL# 175.06-1-6.1
LOCATION API Delevan, 270 Quaker Rd ZONING DISTRICT GM

The applicant agrees to reimburse the Village for any additional fees required for consultant's review of submitted technical data, including but not limited to, traffic studies, drainage, lighting, water and sewer plans.

APPLICANT NAME API Delevan General Manager Matthew Rigerman
ADDRESS 270 Quaker Rd East Aurora NY 14052
TELEPHONE 716-652-6172 FAX 716-652-4814 E-MAIL matthew.rigerman@delevan.com
SIGNATURE Matthew Rigerman

OWNER NAME General Manager: Matthew Rigerman
ADDRESS 270 Quaker Rd East Aurora NY 14052
TELEPHONE 716-805-8117 FAX 716-652-4814 E-MAIL matthew.rigerman@delevan.com
SIGNATURE Matthew Rigerman

ENGINEER/ARCHITECT/LANDSCAPE ARCHITECT

NAME _____ FIRM _____
ADDRESS _____
TELEPHONE _____ FAX _____ E-MAIL _____
SIGNATURE _____ AFFIX STAMP

THIS APPLICATION MUST INCLUDE THE FOLLOWING:

- Twenty (20) Sets – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-51.3
- One (1) complete file of submittal package in PDF format via email (under 10MB) to maureen.jerackas@east-aurora.ny.us. Larger files may be submitted on a USB drive or CD Rom.
- Application fee \$25.00 and Public Hearing fee \$100.00 – Total \$125 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date _____ Minor Project written request to waive PC mtg Y/N/NA: VB Decision Y/N

REQUIRED MEETINGS/REFERRALS:

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Historic Preservation	_____	_____
ZBA	_____	_____
EC Div of Planning	_____	_____
NYS DOT	_____	_____
Town Notification	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:

___ Type 1 ___ Type 2 ☒ Unlisted

VILLAGE BOARD ACTION:

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.

July 25, 2022

Ms. Elizabeth Cassidy
Code Enforcement Officer / Building Inspector
Aurora Town Hall
575 Oakwood Avenue
East Aurora, NY 14052

Dear Ms. Cassidy:


API Delevan has been an established business operating at 270 Quaker Road within the Village of East Aurora for 75 years, tracing our lineage to Delevan Electronics, Inc. which was founded in 1947. Our present business in East Aurora employs 130 highly skilled employees in the manufacture of electronics components to serve the Aerospace & Defense, Medical and Industrial markets.

Our site is seeking approval for the placement of a bulk 1,500-gallon liquid nitrogen tank to support our operations. It is our goal to have this tank installed prior to November 2022.

The bulk 1,500-gallon tank installation project is being managed by Linde, Inc., a world leader in the provider of liquid and gases for industrial / production applications. Similar tanks have been installed in other area manufacturing business, such as businesses found in Elma, NY. Linde, Inc. has supplied drawings for the cement pad, piping / connections from the tank to API Delevan equipment, as well as fencing / guarding. A site plan and drawings are being submitted with the permit outlining all the details for this project.

The purpose of this tank is to provide a safer work environment for our employees. Presently, our employees use portable liquid nitrogen tanks to support our manufacturing processes. These tanks are 5.5ft in height with a weight of 30lbs empty, 200lbs full. We use three portable tanks per day, requiring our employees to move / connect / disconnect tanks every 8-12 hours. The movement of the tanks presents an opportunity for our employees to be injured through the physical movement of the tanks as well as the connection / disconnection process. By eliminating the portable tanks with a bulk 1,500-gallon tank, we will remove the potential safety risks to our employees as the bulk tank will have secure connections to our equipment, eliminating the need to move tanks and to connect / disconnect the tanks.

We thank the Village of East Aurora for reviewing our permit for the installation of the bulk tank. Should any additional documents be required in support of approval for our permit, please contact myself and or Frank Ragau, our Materials Manager at 716-805-8122, ragau@delevan.com.

Sincerely, 

Matthew Rigerman

General Manager | API Delevan
270 Quaker Road
East Aurora, NY 14052

☎: 716.805.8117 | 📠: 716.601.9956

✉: matthew.rigerman@delevan.com

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			
API Delevan General Manager: Matthew Rigerman			
Name of Action or Project: Install 1,500 gallon LN2 TANK			
Project Location (describe, and attach a location map): In Stall TANK on West side of existing facility onto cement pad with security fence, bumpers. TANK to be plumbed into facility for use in mfg. process.			
Brief Description of Proposed Action: • PARKING lot material to be removed • Cement Pad to be poured • TANK installed onto pad • TANK to be plumbed into facility for connections needed in mfg. process • Security fence, bumpers to be installed around tank installation			
Name of Applicant or Sponsor: Matthew Rigerman		Telephone: 716.805.8117 E-Mail: matthew.rigerman@delevan.com	
Address: 270 Quaker Rd			
City/PO: East Aurora		State: NY	Zip Code: 14052
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		15.4 acres	
b. Total acreage to be physically disturbed?		0.1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		15.4 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 checked="" type="checkbox"/> Industrial <input checked="" 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			


5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) 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 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? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban <input checked="" type="checkbox"/> <i>Commercial/Industrial</i>			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			

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>Matthew Rgerman</u> Date: <u>8/01/2022</u> Signature: <u>Matthew Rgerman</u>		

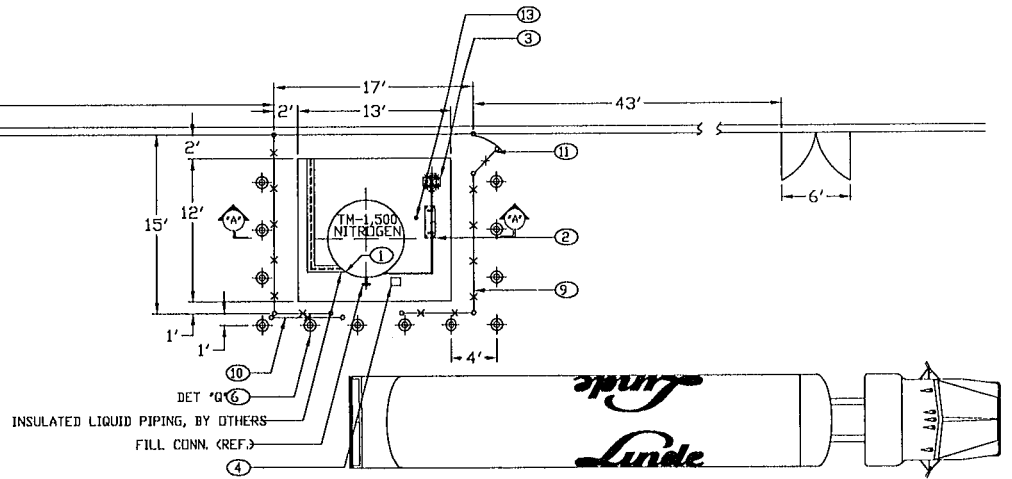
- 2). REFERENCE THE 'BILL OF MATERIAL' ON THIS SHEET.
THE SITE WORK, IE CIVIL, ELECTRICAL, PERMITTING etc,
IS THE RESPONSIBILITY AND OWNED BY THE 'CUSTOMER' AS
SHOWN. THE PRODUCT SUPPLY SYSTEM, IE TANK, VAPORIZERS
& INTERCONNECTING PIPING, IS THE RESPONSIBILITY AND IS
OWNED BY 'PRAXAIR INC.'
- 3). ALL ACCESS ROADWAYS ARE THE RESPONSIBILITY OF THE
CUSTOMER AND ARE TO BE CAPABLE OF SUPPORTING 80,000
lbs. AASHTO HS-20 LOADING.
- 4). THIS FOUNDATION SYSTEM IS DESIGNED ASSUMING THE
FOLLOWING CONDITIONS:
2000 p.s.f. SOIL BEARING CAPACITY
110 MPH WIND LOAD EXPOSURE 'C'
SEISMIC ZONE 2 ESSENTIAL SERVICE $S_s=16.6$ $S_I=4.5$
NORMAL WATER TABLE CONDITIONS
IN ACCORDANCE WITH AASHTO LATEST EDITION
- FOR CONDITIONS OUTSIDE THESE CRITERIA IT IS THE CUSTOMER'S
RESPONSIBILITY TO PROVIDE SUITABLE FOUNDATION DESIGNS THAT
MUST BE APPROVED BY 'PRAXAIR INC.' BEFORE CONSTRUCTION.
- 5). CONTRACTOR TO REMOVE TOPSOIL UNTIL A SUITABLE BASE
IS ESTABLISHED FOR GRAVEL UNDERLAYMENT IF CONDITIONS
CANNOT BE MET AT DRAINING DEPTHS.
- 6). CONTRACTOR TO USE AIR ENTRAINED 4"-5" SLUMP CONCRETE,
ASTM #C-150 TYPE I, FC=4500psi @ 28 DAYS OR
ASTM #C-150 TYPE III, FC=4500psi @ 7 DAYS.
- 7). ROUND EDGES OF PADS WITH SIDEWALK EDGING TOOL.
- 8). TOP OF PADS TO BE BROOM FINISHED AND LEVEL. ALL
FIN. ELEVATIONS TO BE REFERENCED FROM CHOSEN
BENCHMARK.
- 9). SKIRTING OF PAD TO BE BELOW FROST LINE PER LOCAL
BUILDING CODES.
- 10). BUMPER POSTS TO BE FILLED WITH CONCRETE, IN
MULTIPLE POST INSTALLATIONS, ALL POST TOPS ARE TO
BE IN A LINE.
- 11). BUMPER POSTS TO BE PAINTED: BLAST=SSP6
PRIME=2.5mil RED OXIDE
PAINT=5.0mil SAFETY YELLOW
V/3 STRIPS OF REFLECTIVE
TAPE AT TOP OF POST.
- 11-A). INDIVIDUAL PADS IE: TANK, VAPORIZER etc, TO BE SEPARATED
WITH A SAWCUT 1/3 OF 'dt' DEEP (WHERE 'dt' IS THE TOTAL
DEPTH OF THE SLAB).
- 11-B). INDIVIDUAL PADS IE: TANK, TRANSFER etc, TO BE SEPARATED
WITH AN ISOLATION JOINT. USE WOOD OR FIBERGLASS WITH WAX
(W/AN EPOXY BOND BREAKER). EXCEPT ON TOP FACED TOP OF PLY-
WOOD TO BE 1" FROM TOP OF CONCRETE. THIS SURFACE TO BE
SEALED W/ 'CS-2727' FLEXIBLE EPOXY JOINT SEALER OR EQUIV.
- 12). ALL OUTDOOR RECEPTACLES AT SITE TO BE PROTECTED
WITH GROUND FAULT INTERRUPTERS.
- 13). ALL ELECTRICAL COMPONENTS NOT INSTALLED WITHIN A BUILD-
ING MUST BE IN WEATHERTIGHT ENCLOSURES.


[illegible]

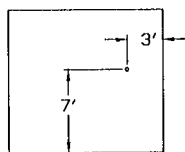
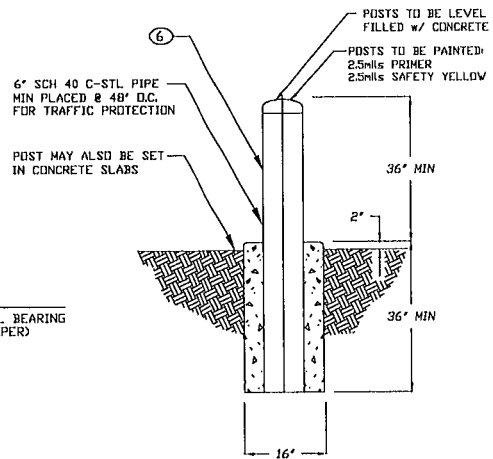
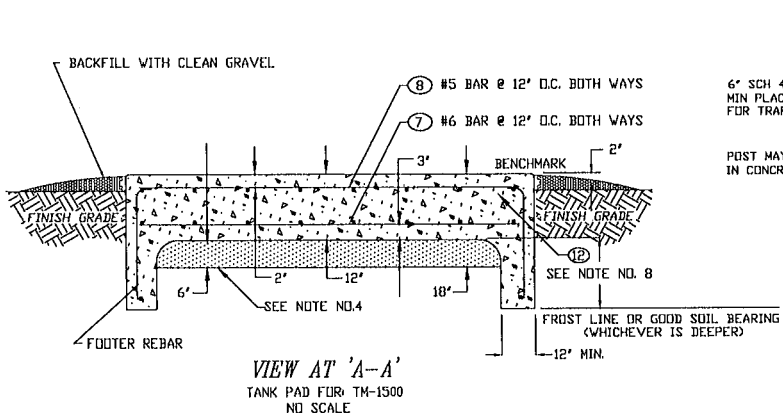
ITEM #	EQUIPMENT NAME	REMARKS	DIMENSIONS			WEIGHT (lbs.)	
			Length	Width	Height	Empty	Full-N2
1	TM-1500 VERTICAL TANK (N2)	on new Foundation	X	6'-6"	15'-9"	10,300	N/A
2	THERMAX TF 804 PB VAPORIZER	on new Foundation	1'-6"	1'-7"	10'-10"	120	X

BILL OF MATERIALS	 QUAKER WHITE SERVICE EQUIPMENT - INDEPENDENCE, OHIO PART NO. API DELEVAN QUANTITY 270 EAST QUAKER ROAD EAST AURORA, NY 14052	ORDER BY JWP	QUANTITY EWG	PRICE 2404654
		WAREHOUSE EWG	ORDER BY EWG	QUANTITY 1
		ORDER BY NTS	QUANTITY 12/14/21	PRICE -
		ORDER BY PLT	QUANTITY 1	PRICE B

EXISTING
BUILDING

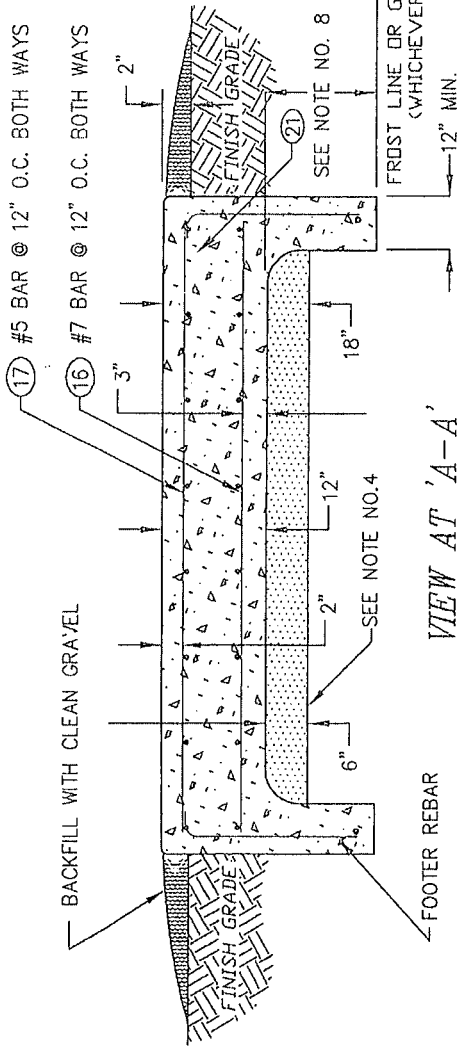


OVERALL SITE PLAN			OWNER BY		PROJECT NUMBER	
	SMALL LOTS SERVICE CENTER - REDEVELOPMENT, 1940		JWP	EWG	2404654	
	API DELEVAN		EWG	EWG	2	3
			FILE	DATE	ALLOCATION	
			NTS	12/14/21	---	
	270 EAST QUAKER ROAD EAST AURORA, NY 14052		FILE NAME		JOB	
					B	



CUSTOMER TIE-IN VALVES/CONDUIT LOCATION
NO SCALE

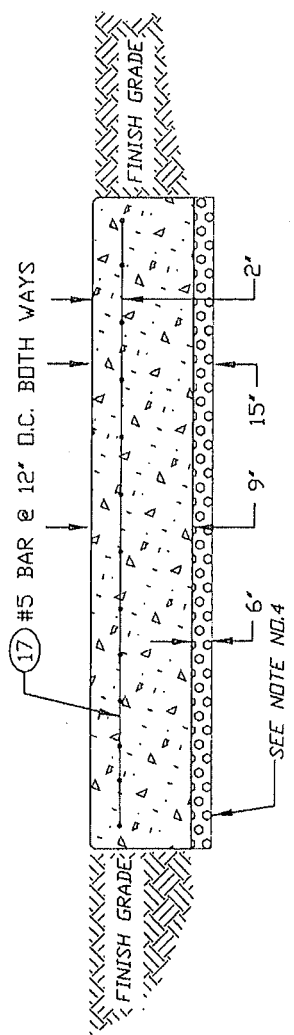
CONCRETE DETAILS	GREAT LAKES SEWAGE TREATMENT - TORONTO, ONT		DATE OF JWP	DATE OF DWG	PROJECT NUMBER
	API DELEVAN		DATE OF EWO	DATE OF EWO	2404654
	270 EAST QUAKER ROAD EAST AURORA, NY 14052		DATE NYS	DATE 12/14/21	3
			DATE NYC	DATE 12/14/21	3



VIEW AT "A-A"

TANK PAD FOR: TM-1,500

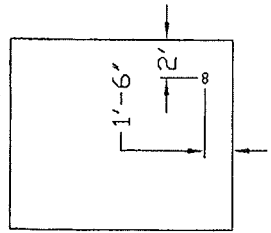
NO SCALE



VIEW AT "B-B"

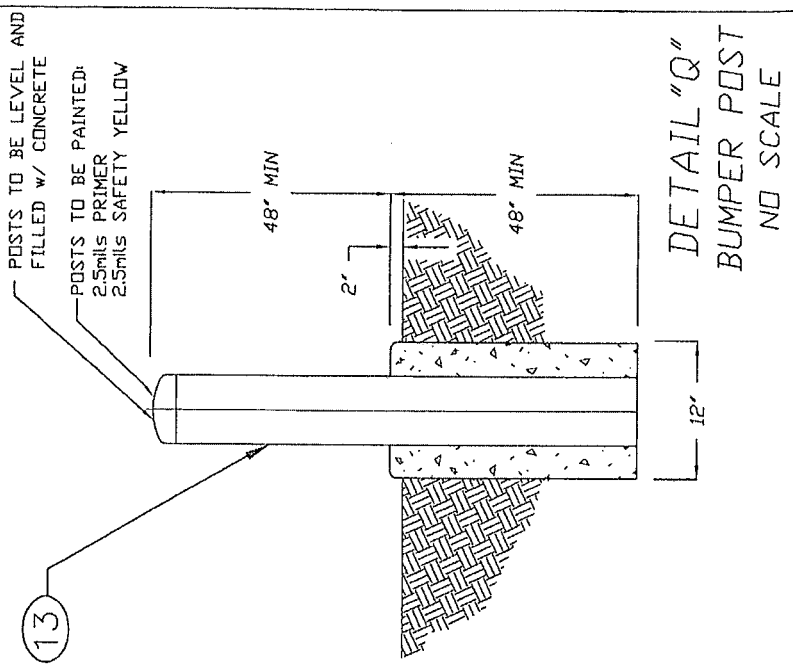
TRANSFER PAD

NO SCALE



STUD-UP LOCATIONS

SCALE: 1"=10'



FOR ESTIMATION PURPOSES ONLY

NOT FOR CONSTRUCTION

PRAXAIR		PRAXAIR NO. GENERIC	
Making Your Project More Productive		FILE: NOT FOR CONSTRUCTION	
CUSTOMER SERVICE		DRAWN BY: JLH	DATE: 04/01/13
PROJECT: TM-1,500 DR TM-900		CHECK BY: RTK	SCALE: 1"=10FT
LOCATION: GENERIC		APPROVED BY: JTT	SHEET 3 OF 3
		REV. A	DATE: 04/23/13

PROJECT DESIGN CRITERIA

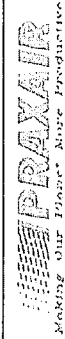
- 1). REFERENCE THE "BILL OF MATERIAL" ON THIS SHEET. THE SITE WORK, ie CIVIL, ELECTRICAL, PERMITTING etc, IS THE RESPONSIBILITY AND OWNED BY THE "CUSTOMER" AS SHOWN. THE PRODUCT SUPPLY SYSTEM, ie TANK, VAPORIZERS & INTERCONNECTING PIPING, IS THE RESPONSIBILITY AND IS OWNED BY PRAXAIR INC.
- 2). ALL ACCESS ROADWAYS ARE THE RESPONSIBILITY OF THE CUSTOMER AND ARE TO BE CAPABLE OF SUPPORTING 80,000 lbs. AASHTO HS-20 LOADING.
- 3). THIS FOUNDATION SYSTEM IS DESIGNED ASSUMING THE FOLLOWING CONDITIONS:
2000 psf SOIL BEARING CAPACITY
90 MPH WIND LOAD EXPOSURE 'C'
SEISMIC VALUES: Ss<150 SI<60
IN ACCORDANCE WITH A.C.I.318 LATEST EDITION
- FOR CONDITIONS OUTSIDE THESE CRITERIA IT IS THE CUSTOMER'S RESPONSIBILITY TO PROVIDE SUITABLE FOUNDATION DESIGNS THAT MUST BE APPROVED BY "PRAXAIR INC." BEFORE CONSTRUCTION.
- 4). CONTRACTOR TO REMOVE TOPSOIL UNTIL A SUITABLE BASE IS ESTABLISHED FOR GRAVEL UNDERLAYMENT IF CONDITIONS CANNOT BE MET AT DRAWING DEPTHS.
- 5). CONTRACTOR TO USE AIR ENTRAINED 4"-5"SLUMP CONCRETE; ASTM #C-150 TYPE I, FC=3000psi @ 28 DAYS. OR ASTM #C-150 TYPE III, FC=3000psi @ 7 DAYS.
- 6). ROUND EDGES OF PADS WITH SIDEWALK EDGING TOOL.
- 7). TOP OF PADS TO BE BROOM FINISHED AND LEVEL. ALL PAD ELEVATIONS TO BE REFERENCED FROM CHOSEN BENCHMARK.
- 8). SKIRTING OF PAD TO BE BELOW FROST LINE PER LOCAL BUILDING CODES.
- 9). BUMPER POSTS TO BE FILLED WITH CONCRETE. IN MULTIPLE POST INSTALLATIONS, ALL POST TOPS ARE TO BE IN A LINE.
- 10). BUMPER POSTS TO BE PAINTED; BLAST=SSPC-SP6 PRIME=2.5mil RED OXIDE PAINT=2.5mil SAFETY YELLOW W/3 STRIPS OF REFLECTIVE TAPE AT TOP OF POST.
- 11). INDIVIDUAL PADS ie: TANK, TRANSFER etc, TO BE SEPARATED WITH AN ISOLATION JOINT. USE PLYWOOD TREATED WITH WAX (OR EQUIV. BOND-BREAKER), EXCEPT ON TOP FACE. TOP OF PLYWOOD TO BE 1" FROM TOP OF CONCRETE; THIS SURFACE TO BE SEALED w/"CS-2727" FLEXIBLE EPOXY JOINT SEALER (OR EQUIV.).
- 12). ALL OUTDOOR RECEPTACLES AT SITE TO BE PROTECTED WITH GROUND FAULT INTERRUPTERS.
- 13). ALL ELECTRICAL COMPONENTS NOT INSTALLED WITHIN A BUILDING MUST BE IN WEATHERTIGHT ENCLOSURES.
- 14). VOICE GRADE PHONE LINE MUST BE DEDICATED FOR CUSTOMERS WITH AUTOMATIC PRODUCT ORDERING.

BILL of MATERIAL

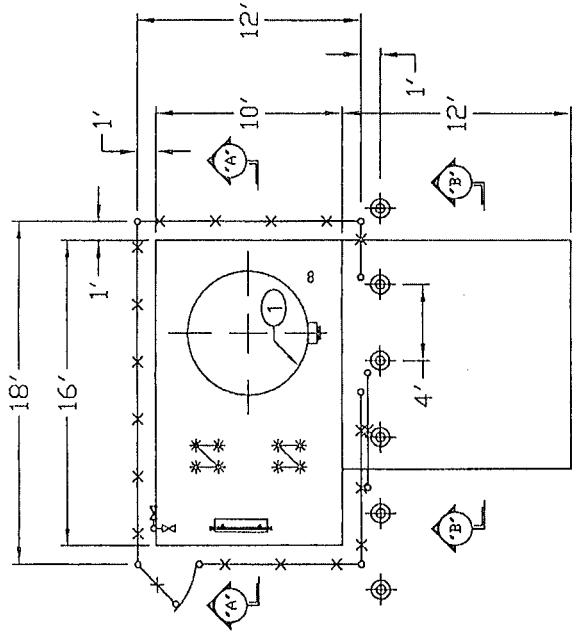
ITEM	QTY	U/M	DESCRIPTION	SUPPLIER
1	1	EA	VESSEL CRYOGENIC STORAGE, TM-1,500 OR TM-900	PRAXAIR
2	2	EA	VAPORIZER, ATMOSPHERIC PRODUCT, SG-20	PRAXAIR
3	1	EA	MANIFOLD, 1" KAYE-MAC	PRAXAIR
4	0	EA	VAPORIZER, ATMOSPHERIC PRESSURE BLDNG	PRAXAIR
5	0	EA	MODULE, LIQUID DEWAR FILL	PRAXAIR
6	0	EA	MODULE, CRITICAL FLOW, w/ -100F TO +100F THERMOMETER	PRAXAIR
7	0	EA	MODULE, FILTER, 1" PS	PRAXAIR
8	0	EA	MIXER, THERMCO	PRAXAIR
9	1	EA	MODULE, "TRACKER", REMOTE TELEMETRY UNIT, WIRED	PRAXAIR
10	0	EA	MODULE, REMOTE FILL	PRAXAIR
11	0	EA	MODULE, EXTENDED FILL w/ STAND	PRAXAIR
12	AS REQ'D		BOLT, MECHANICAL WEDGE/STUD, HILTI OR OTHERS	PRAXAIR
13	AS REQ'D		PIPE, 6" SCH 40 x 96" lg, C-STL	CUSTOMER
14	AS REQ'D		BAR, NO. 6, ASTM TYPE A-615, GRADE 60	CUSTOMER
15	AS REQ'D		BAR, NO. 3, ASTM TYPE A-615, GRADE 60	CUSTOMER
16	AS REQ'D		BAR, NO. 7, ASTM TYPE A-615, GRADE 60	CUSTOMER
17	AS REQ'D		BAR, NO. 5, ASTM TYPE A-615, GRADE 60	CUSTOMER
18	AS REQ'D		FENCE, GALVANIZED CHAIN LINK 2" MESH, 9 GA. X 72" HIGH	CUSTOMER
19	1	EA	GATE, SLIDING, 72" WIDE MIN, CHAIN LINK, 9 GA. X 72" HIGH	CUSTOMER
20	1	EA	GATE, SWING, 36" WIDE MIN, CHAIN LINK, 9 GA. X 72" HIGH	CUSTOMER
21	AS REQ'D		CONCRETE, SEE NOTE # 5	CUSTOMER
22	AS REQ'D		120V / 15A GFI SERVICE (UNDERGROUND CONDUIT)	CUSTOMER
23	AS REQ'D		VOICE GRADE PHONE LINE (UNDERGROUND CONDUIT), NOTE #14	CUSTOMER

TM-1,500 TANK - DIAMETER 6.50', HEIGHT 15.75'
WEIGHT EMPTY 10,500#
WEIGHT FULL WITH LIQUID OXYGEN 24,900#
WEIGHT FULL WITH LIQUID NITROGEN 20,700#
WEIGHT FULL WITH LIQUID ARGON 28,100#
THERMAX SG20 VAPORIZER - LENGTH 1.83', WIDTH 1.83', HEIGHT 10.67'
WEIGHT EMPTY 135#, WEIGHT FULL WITH ICE 1,275#

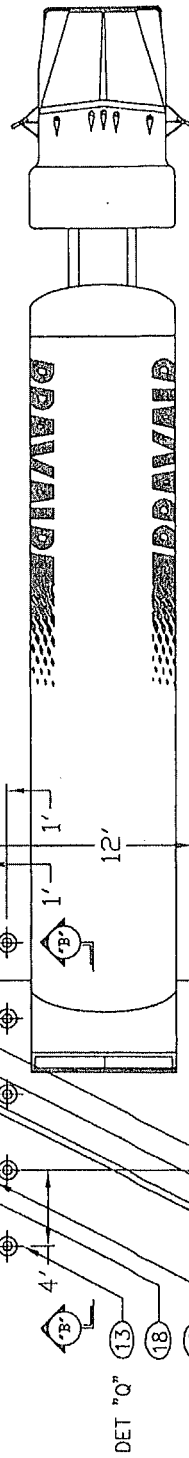
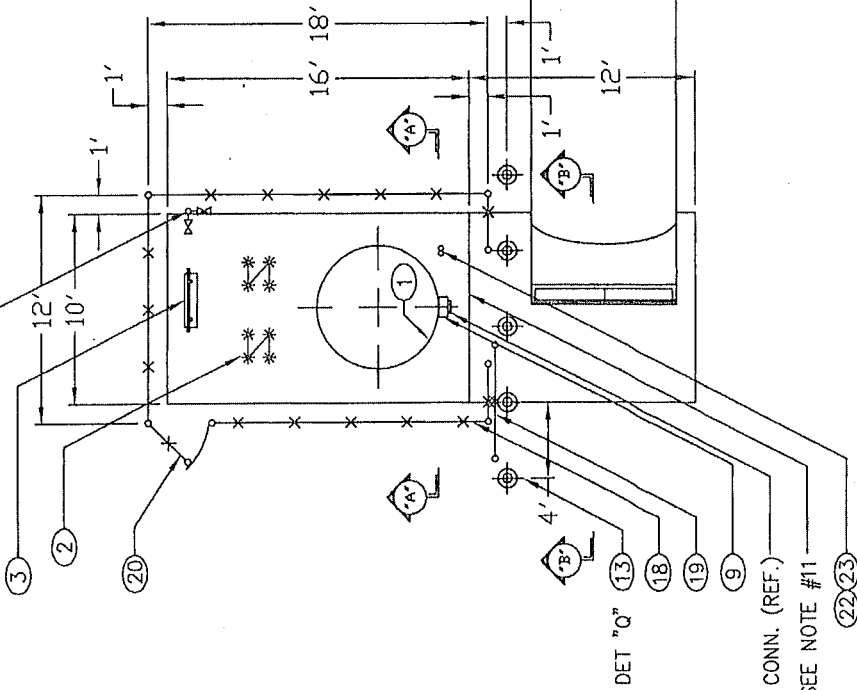
FOR ESTIMATION PURPOSES ONLY
NOT FOR CONSTRUCTION



PRAXAIR NO. GENERIC	FILE: NOT FOR CONSTRUCTION
CUSTOMER SERVICE	DRAWN BY: JLH DATE: 04/01/13
PROJECT: TM-1,500 OR TM-900	CHECK BY: RTK SCALE: 1"=10FT
LOCATION: GENERIC	APPROVED BY: JTT SHEET 1 OF 3
	REV. A DATE: 04/23/13



CUSTOMER TIE-IN
(TEE w/ 2 VALVES)
(CUSTOMER SUPPLIED)



DET "Q" (REF.)
FILL CONN. (REF.)
SEE NOTE #11

FOR ESTIMATION PURPOSES ONLY
NOT FOR CONSTRUCTION

PRAXAIR <i>Making Our World More Productive</i> CUSTOMER SERVICE		PRAXAIR NO. GENERIC	
PROJECT: TM-1,500 DR TM-900		FILE: NOT FOR CONSTRUCTION	
LOCATION: GENERIC		DRAWN BY: JLH	DATE: 04/01/13
		CHECK BY: RTK	SCALE: 1"=10' T
		APPROVED BY: JTT	SHEET 2 OF 3
		REV. A	DATE: 04/23/13

Liquid oxygen, liquid nitrogen and liquid argon are cryogenic liquids. Their boiling temperatures are:

Liquid Oxygen	-297.3 °F (-183 °C)
Liquid Nitrogen	-320.4 °F (-195.8 °C)
Liquid Argon	-302.6 °F (-185.9 °C)

Sublimation Point

Liquid CO₂	-109.3 °F (-78.5 °C)
------------------------------	----------------------

To minimize heat transfer and sustain very low temperatures, the storage vessel must be specially designed. Storage vessels for liquid oxygen, liquid nitrogen and liquid argon are commercially available in various capacities from 350 to 13,000 U.S. gallons (1,325 to 49,210 liters) water capacity. The storage vessels may be either vertical, spherical, or horizontal depending on the site and consumption requirements.

Cryogenic liquids storage vessels have three basic components:

1. Inner Pressure Vessel –

A vessel usually made of stainless steel or other materials that have favorable strength characteristics when exposed to cryogenic temperatures.

2. Outer Vessel – A vessel made of carbon steel or stainless steel. Under normal operating conditions, this vessel retains the insulation around the inner pressure vessel, and can also maintain a vacuum around the inner vessel. Typically, the outer vessel is not exposed to cryogenic temperatures.

3. Insulation – The space between the inner and outer vessel, containing several inches of insulating material maintained in a vacuum. The vacuum and insulating material help to reduce heat transfer and thereby reduce the boil-off of the liquid oxygen, liquid nitrogen or liquid argon stored within the vessel.

The inner vessel of the storage tank is typically designed to sustain a maximum allowable working pressure of 250 psig (1724 kPa). Vessels may be fabricated for higher or lower working pressures and special applications. The service pressure of the vessel is adjustable.

Caution: Storage Facility Maintenance. Only authorized and trained personnel should maintain and operate the liquid oxygen, liquid nitrogen or liquid argon storage facility and its components. Safety concerns should be reported immediately.

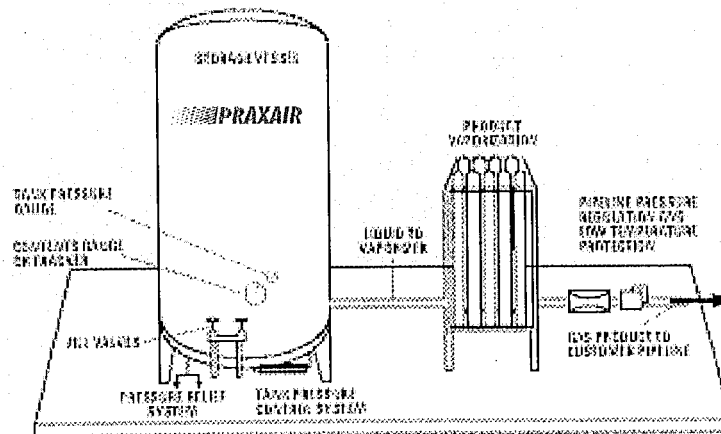
General Safety Rules for Liquid Oxygen, Liquid Nitrogen and Liquid Argon

The following are general safe handling rules for liquid oxygen, liquid nitrogen and liquid argon:

- Do not store liquid oxygen, liquid nitrogen or liquid argon in confined spaces or poorly ventilated areas.
- Ensure that cryogenic liquids are handled only by persons instructed in the properties of the material and in the proper procedures for handling it.
- Ensure that all piping in which cryogenic liquids could be trapped between two valves and receptacles is equipped with pressure relief valves that are piped to properly designed vents.
- Do not smoke or create sparks near liquid oxygen equipment and tanks. Do not approach liquid oxygen tanks with an open flame.

Note 1: Please refer to Section 11 – Technical Data for more information on Gas Properties.

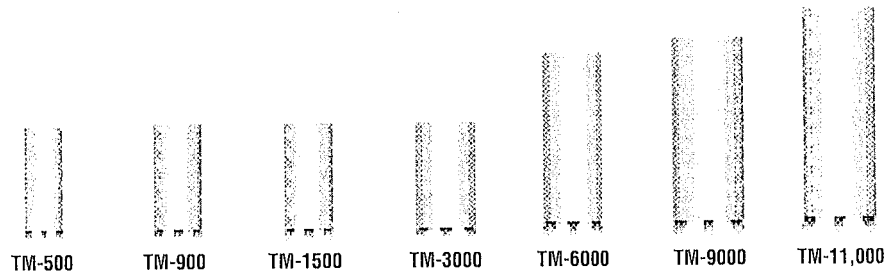
Typical Cryogenic Liquid Customer Station



(Oxygen installations require a spill pad)

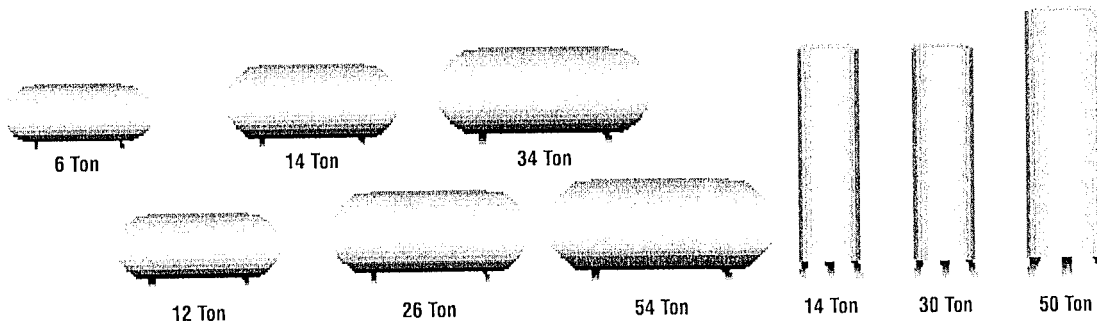
Cryogenic Storage Tank Specifications – Oxygen, Nitrogen and Argon

Characteristics	TM-500	TM-900	TM-1500	HTM-3000	TM-6000	TM-9000	HTM-11,000
Gross Volume (gal)	568	956	1,611	3,117	6,022	9,180	11,290
Net Capacity (gal)	530	904	1,517	3,000	5,889	8,900	11,040
Oxygen (cft)	61,000	104,000	174,600	345,200	677,700	1,024,400	1,266,100
Nitrogen (cft)	49,300	84,100	141,200	279,200	548,100	826,700	1,024,200
Argon (cft)	59,600	101,600	170,654	337,200	662,000	1,001,300	1,237,500
Maximum Working Pressure	250	250	250	250	250	250	250
Liquid Container (psig)							
Weight (lb)							
Tank Empty	5,400	9,700	10,300	15,500	27,800	37,000	47,000
Filled Oxygen	10,500	18,400	24,800	44,100	84,000	121,800	152,000
Filled Nitrogen	9,100	15,800	20,600	35,800	67,600	97,000	121,000
Filled Argon	11,700	20,300	28,000	50,400	96,300	140,500	175,000
Configuration	Vertical	Vertical	Vertical	Vertical	Vertical	Vertical	Vertical
Dimensions							
Diameter (in)	60	78	78	96	96	114	122
Height (ft-in)	15-6	15-9	15-9	16-0	25-9	27-10	31-7



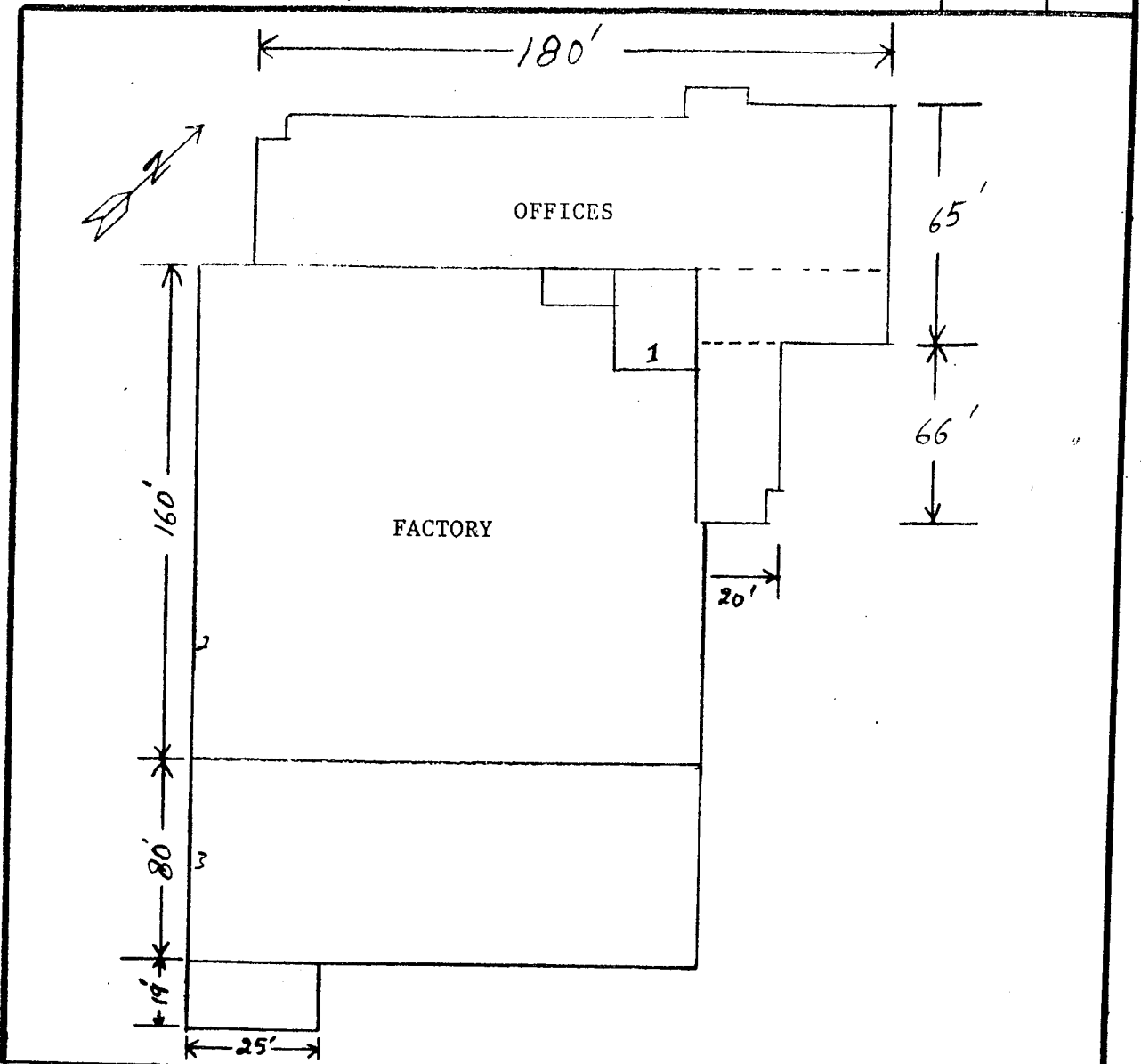
Cryogenic Storage Tank Specifications - Carbon Dioxide


Characteristics	6 Ton	12 Ton	14 Ton	26 Ton	34 Ton	54 Ton	14 Ton	30 Ton	50 Ton
Net Volume (tons)	6	12	14	26	34	54	14	30	50
Maximum working pressure (psig)	350	350	350	350	350	350	350	350	350
Weight									
Empty	12,000	18,000	10,400	25,000	27,500	43,000	15,500	30,000	40,000
Filled	24,000	42,000	38,400	52,000	95,500	151,000	43,500	90,000	140,000
Dimensions									
Diameter (in)	64	68	88	90	94	94	96	96	114
Height (ft-in)	15-0	22-0	15-3	31-0	32-0	48-5	20-4	25-3	39-6



TOWN HIGHWAY DEPT.
TO NORTH

REVISIONS				
SYM.	ECO	DESCRIPTION	DATE	BY



PART NUMBER		PART NAME		MATERIAL		
		REMOVE ALL BURRS AND BREAK SHARP EDGES - .005 MAX.		Delevan  AMERICAN PRECISION INDUSTRIES INC. EAST AURORA, N. Y. 14052 API-EAST AURORA PROPERTY		
DRAWN BY		<i>J. Hage</i>	01/22/87			
CHECK			/ /			
ENG'R'G.			/ /			
QUAL.			/ /			
MANUF.			/ /			
NEXT ASSY.						
SCALE: ~		CODE IDENT: 99800		B	DWG. NO.	
				WGT.	SHEET 1 OF 1 REV. /	

ST AURORA ROAD

YORK

STATE

ROUTE

972' ± REC.

174.20

172.90

91.34'

MC MON.
75 WEST

S 69°17'06" W 198.0' ±

S 68°47'32" W 142.1' ±

475.90

123.06

PARCEL No. 0.86

MAP No. 122 PARCEL No. 137

323.25

177°58'45"

BLACKTOP
PARKING AREA

16.270

174.63

175 ±

EXIST. I.P.

515.40 REC
BLACKTOP PARKING AREA

144.77

33.87

6.05

10.55

18.21

3.12 33.17

4.95

14.97

44.55

165.63

MASONRY BUILDING

142.81

26.54

12.15

66.17

17.37

EXIST. I.P.

EXIST. I.P.

31.25

12.00

PARKING

EAST AURORA

AMERICAN PRECISION

91.34

Section 1. Purpose

Legislative intent. In order to promote the health, safety and general welfare of the residents of the Village of East Aurora, including property values, community character, quality of life, business climate and the prevention of crime, this article is intended to restrict cannabis uses to being located in certain zoning districts as more fully set forth herein. Further, that all cannabis uses proposed to operate within the Village shall be required to obtain a Special Use Permit, regardless of the zoning classification, to ensure the strict compliance with these regulations.

Section 2. Restrictions

Restrictions. Cannabis uses, including retail dispensaries, cultivators, nurseries, processing facilities, distributors and distribution centers, adult-use cooperatives, adult-use microbusinesses, and delivery services and operations shall be permitted subject to the following restrictions.

A. No such cannabis uses shall be located within five hundred (500) feet of another existing cannabis facility set forth above.

B. No such cannabis use shall be located within five hundred (500) feet of locations where children are known to gather, including, but not limited to, public parks, movie theaters, sport venues and ice cream shops.

C. No such cannabis use shall be located within five hundred (500) feet of a school building or property and/or within two hundred (200) feet of a church or other similar place of worship.

Section 3. Security

Any cannabis use set forth above, regardless of its location, shall take all necessary security measures at any facility permitted by a Special Use Permit. Unless otherwise required as a condition of the Special Use Permit, the following requirements must be met.

A. All facilities where a cannabis use shall be established shall provide for fencing around the perimeter of the property at the height and type established by the Planning Commission, subject to final approval of the Village Board, taking into account any residential properties that might abut the property to be so used.

B. All facilities where a cannabis use shall be established shall install a fully operational camera system sufficient to be used at night and covering all areas on the property to be so used.

Commented [CT1]: Not sure that the VB will want this, as far as how this will look.

C. In any facility where a cannabis use is established where the general public and/or customers are invited shall provide for continual armed security guard presence while such facility is open to the public. Any such security presence shall be certified by the local, state, or federal government and shall provide such information as may be required by any local police agency from time to time.

D. In any facility where a cannabis use is established where the general public and/or customers are invited shall provide for secure locations where cash is to be kept on the premises.

E. In the event of deliveries from the cannabis use facility, provisions shall be made for adequate security consistent with these regulations which must be provided in advance to any local, state and/or federal police agency.

Section 4. Signage

A. Only one sign advertising the business shall be permitted on the building and same shall not exceed ___ percent of the size of the wall upon which the sign is located. No freestanding signs shall be permitted.

B. Any illuminated sign shall not be flashing, rotating, or otherwise have any movement whatsoever as to not distract highway traffic or disturb any adjoining ~~residential~~ properties.

C. Motor vehicles, vans, trucks, trailers, and/or similar items shall not be parked on the property which advertise the business in any way beyond the name of the business in lettering not to exceed twelve (12) inches per letter. Such vehicles shall not be left on the premises except in a fully enclosed garage during any period of time that the cannabis use facility is not open to the public.

D. Any murals or other painting options shall be set forth in the application for a Special Use Permit and are subject to the further reasonable requirements of the Planning Commission and Village Board. No paintings or murals that might distract drivers on any public highway or that could reasonably be interpreted as advertising to minors shall be permitted.

Section 5. General Regulations

A. Odor at the facility where a cannabis use shall be established shall be maintained to limit odors onto adjoining properties to the greatest extent possible.

B. Sufficient parking shall be provided on premises for any customers and employees such that no on-street parking shall be required or permitted.

C. Mobile sales shall be strictly prohibited. Nothing herein shall prevent licensed delivery vehicles with sufficient security features from making deliveries. All delivery operations shall be listed and described as part of the Special Use Permit application.

D. No onsite use, consumption, sampling, ingestion, injection, or similar functions shall be permitted at any time.

Section 6. Definitions

CANNABIS USE FACILITY – any location, property, building, structure, accessory structure, or facility where cannabis, cannabis products, and/or related materials are located, sold, manufactured, used, smoked, ingested, processed, grown, cultivated, bartered, used, delivered, transported, advertised, or stored including retail dispensaries, cultivators, nurseries, processing facilities, distributors and distribution centers, adult-use cooperatives, adult-use microbusinesses, and delivery services and operations.

RETAIL DISPENSARY – “Retailer” means any person who sells at retail any cannabis product, to cannabis consumers. A State-issued retail dispensary license authorizes the acquisition, possession, sale and delivery of cannabis from the licensed premises of the retail dispensary by such licensee to cannabis consumers.

CULTIVATOR – “Cultivation” means the growing, cloning, harvesting, drying, curing, grading, and trimming of cannabis plants. A State-issued cultivator’s license authorizes the acquisition, possession, distribution, cultivation and sale of cannabis from the licensed premises of the adult-use cultivator to a licensed processor.

NURSERY – “Nursery” means a licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis by licensed adult use cannabis cultivators, microbusinesses, cooperatives and registered organizations. A State-issued nursery license authorizes the production, sale and distribution of clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis by licensed adult-use cultivators, cooperatives, microbusinesses, or registered organizations.

PROCESSOR – “Processor” means a licensee that extracts concentrated cannabis and/or compounds, blends, extracts, infuses, or otherwise manufactures concentrated cannabis or cannabis products. A State-issued processor’s license authorizes the acquisition, possession, processing, and sale of cannabis from the licensed premises of adult-use cultivators to licensed distributors.

DISTRIBUTOR – “Distributor” means any person who sells at wholesale any cannabis product for which a license is required. A State-issued distributor’s license authorizes the acquisition, possession, distribution and sale of cannabis from the licensed premises of a licensed adult-use processor, adult-use cooperative, microbusiness, or registered organization authorized to sell adult-use cannabis, to duly licensed retail dispensaries, on-site consumption sites and adult-use delivery licensees.

DELIVERY – A State-issued delivery license authorizes the delivery of cannabis and cannabis products by licensees, independent of another adult-use cannabis license, to cannabis consumers. Delivery licenses may not have a total of more than twenty-five individuals, or the equivalent thereof, providing full-time paid delivery services to cannabis consumers per week under one license.

COOPERATIVE – A State-issued cooperative license authorizes the acquisition, possession, cultivation, processing and sale from the licensed premises of the adult-use cooperative by such licensee to duly licensed distributors, on-site consumption sites, registered organization and/or retail dispensaries; but not directly to cannabis consumers.

MICROBUSINESS – “Microbusiness” means a licensee that may act as a cannabis producer for the cultivation of cannabis, a cannabis processor, a cannabis distributor, and a cannabis retailer. A microbusiness license authorizes the limited cultivation, processing, distribution, delivery, and sale of their own adult-use cannabis and cannabis products.

CONSUMPTION – any building, structure, location, property, business, or entity that is licensed by the State for the purposes of consuming, smoking, ingesting, injecting, or otherwise using cannabis, any cannabis product, and/or any cannabis related product.

Commented [CT2]: Do we want this in here, since it is not allowed at this time?

TOWN OF AURORA

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

MEMO

TO: Mayor Mercurio and Village Board Members

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: September 14, 2022

The Building Department has received a Special Use Permit application for MUSEjar at 71 Pine St (mailing address) by William Marusza, owner of 70 Church St. The SUP is required due to the size of the building. Village Code section 285-57.3 requires the application be referred to the Planning Commission for their recommendation. After which a public hearing is required prior to a decision by the Village Board.

Village Code section 285-57.4 requires the application be referred to the Erie County Planning Department for review due to the proximity to a County highway (Pine St).

This is an Unlisted action for purposes of SEQR.

If you have any questions, please contact me at 652-7591.
Liz Cassidy

VILLAGE OF EAST AURORA

585 Oakwood Ave, East Aurora, New York 14052
716-652-6000

In conjunction with
Town of Aurora Building Department
575 Oakwood Ave, East Aurora, NY 14052
716-652-7591

Building Dept.	
Date Received	9/13/22
Complete App	9/13/22
Village Clerk	
Date Filed	
Amount \$	
Receipt #	

SPECIAL USE PERMIT APPLICATION

PROPOSED PROJECT MUSE SHOP AT 71 PINE ST. SBL#: 165.17-2-14.11
LOCATION 70 CHURCH STREET, EAST AURORA ZONING DISTRICT LCR

The applicant agrees to reimburse the Village for any additional fees required for review by consultants hired by the Village.

APPLICANT NAME WILLIAM MAUREUSIA
ADDRESS 7832 QUEENSBORO RD, ORCHARD PARK, NY 14127
TELEPHONE 716 432-5025 FAX - E-MAIL MAUREUSIA@GMAIL.COM
SIGNATURE William F. Maureusia

OWNER NAME SAME AS ABOVE
ADDRESS _____
TELEPHONE _____ FAX _____ E-MAIL _____
SIGNATURE _____

DEVELOPER NAME SAME AS ABOVE
ADDRESS _____
TELEPHONE _____ FAX _____ E-MAIL _____
SIGNATURE _____

Request is for: Restaurant, Indoor Dining and/or Restaurant, Outdoor Dining
Gas Station Car Wash ☒ Other
Outdoor music or other noise impact; if yes please include a quick summation of request:
ART STUDIO

Days and hours of operation (indoor) WED - FRI 11am - 6 pm, SAT & SUN 10am - 4pm
Days and hours of operation (outdoor) N/A

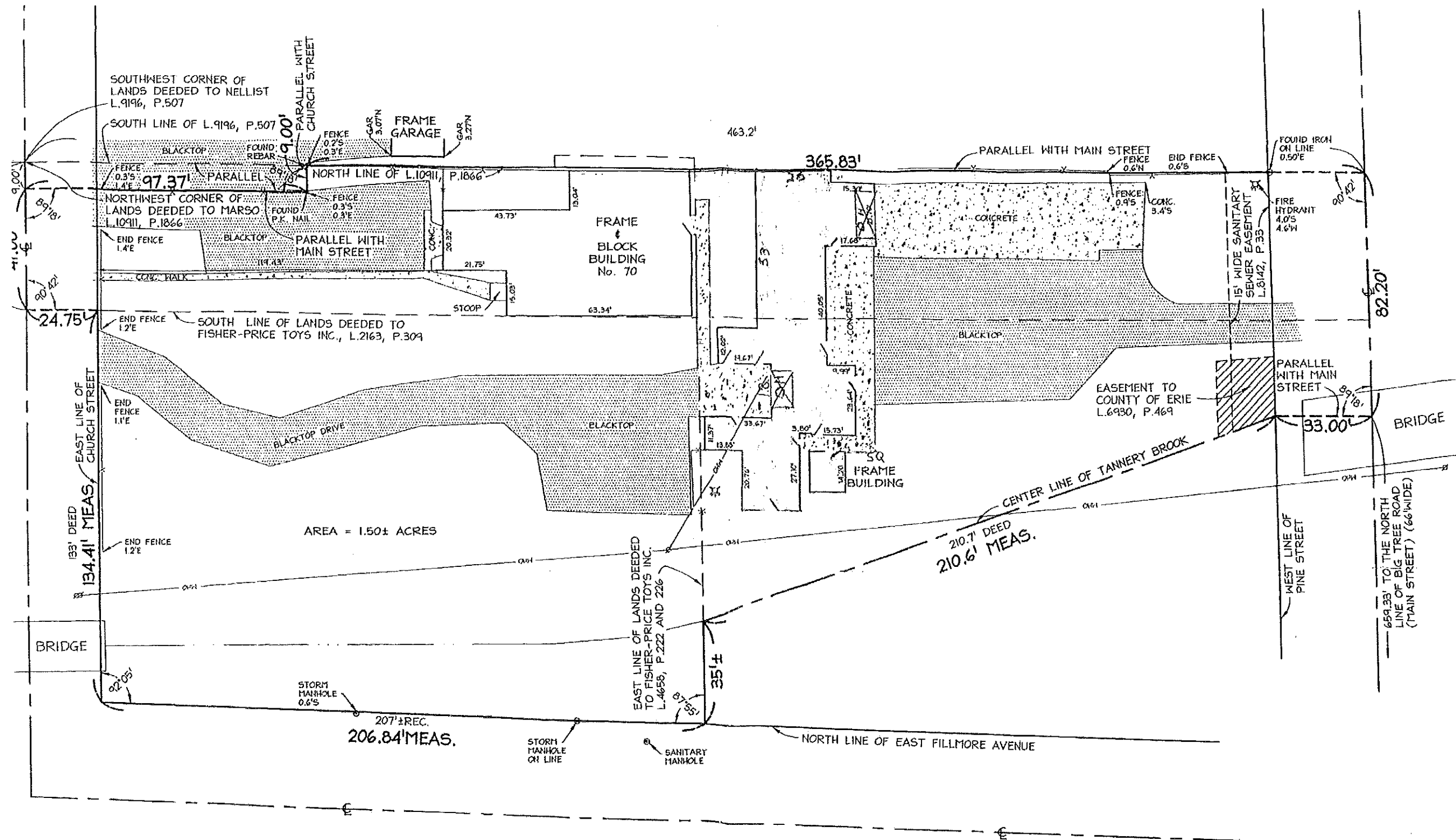
Will alcoholic beverages be served? Yes ☒ No

Will there be outdoor music? Yes ☒ No If yes, what type of music: _____
Days and times of music _____

Are premises handicap accessible? ☒ Yes No If not, premises must be made ADA compliant
If yes, contact building department at 716-652-7591
Will there be any renovations ☒ Yes No

THIS APPLICATION MUST INCLUDE THE FOLLOWING:

- One Cover Letter to Village Board, Supporting Documents and SEQR as required in §285-52.2
- One complete file of submittal package in PDF format via email (under 10MB) to maureen.jcrackas@east-aurora.ny.us. Larger files may be submitted on a USB drive or CD-ROM
- Application fee \$25.00, Permit fee \$25.00 and Public Hearing fee \$100.00 - Total \$150 at time of application



FILLMORE (66' WIDE) AVENUE



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			
Muse Jar at 71 Pine Street			
Name of Action or Project: 70 Church St, East Aurora, NY 14052			
Project Location (describe, and attach a location map): art studio			
Brief Description of Proposed Action: Relocate local art studio into existing vacant commercial space			
Name of Applicant or Sponsor: William F. Marusza		Telephone: 716-432-5025	
		E-Mail:	
Address: 7832 Quaker Rd			
City/PO: Orchard Park		State: NY	Zip Code: 14170
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Village of East Aurora Town of Aurora building permit			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.75 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.5 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 checked="" 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			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

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 <input checked="checked" type="checkbox"/>	YES <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 <input checked="checked" type="checkbox"/>	YES <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 <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: William F. Marusza Date: 9/12/22</p> <p>Signature: <u>William F. Marusza</u></p>		

PRINT FORM

TOWN OF AURORA

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

MEMO

TO: Mayor Mercurio and Village Trustees

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: September 14, 2022

The Building Department has received an application for demolition of the single-family residence at 757 Ellis Pl as Jina Gentry of Buffalo Modular Homes as/agent/for Carrie & Russ Walko, owners. Village Code section 112-2 requires any demolition application for a building over 500 sq ft and 50 years old be referred to the Historic Preservation Commission for review and recommendation on the demolition, prior to a Village Board decision.

The property owner does intend to rebuild on the parcel and is aware of the site plan approval process; however, the details have not been finalized.

If you have any questions, please contact me at 652-7591.

Liz Cassidy

BUILDING DEPARTMENT
Town of Aurora/Village of East Aurora
575 Oakwood Avenue, East Aurora, NY
Phone (716) 652-7591

Permit # _____
Reissued _____
Date _____

APPLICATION FOR DEMOLITION

Property Owner Name Carrie & Russ Walko Phone # 949-632-0016
Property Address 757 Ellis Dr, East Aurora, NY 14052
SBL # _____ Zoning District R-1
Applicant (if not Owner) Buffalo Modular Homes Phone # (716) 574-9766
6. Brief description of building to be demolished: Single family residential
(bungalow, cabin, cottage, ranch)
7. Use: ☒ Residential _____ Commercial _____
8. Size of demolished building 28 ft wide 18 ft long _____ ft high 576 Total sq ft
4. Zone _____
5. Name of Contractor Buffalo Modular Homes
Address of Contractor 4185 Transit Rd, Wmsr, NY 14221 Phone # (716) 574-9766
6. Contractors GL/WC/Disability Insurance Certificates with Town & Village as Certificate holder Yes/No
7. Disconnect Required: ☒ WATER ☒ SEWER ☒ ELECTRIC ☒ GAS
8. Water use needed for dust control: Yes/No

Village of East Aurora Requirements:

Is the building over 50 years old? Yes/No *If Yes, please attach Historic Preservation Committee addendum
Is the building over 500 sq feet? Yes/No *If Yes, please attach Historic Preservation Committee addendum
Is Development Plan Required? Yes/No *If Yes: date approved: _____ Conditions: Yes/No
(*If Yes, please attach)

IMPORTANT

- Site Plan or Survey showing lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property **must be submitted with this application**. Indicate distance to nearest building on adjoining lot.
- A written report from a licensed exterminator regarding extermination **must be submitted with application** if applicable.
- Written verification that all utilities (ie. gas, electric, water, and sewer) have been properly shut off and disconnected, **must be submitted with application**.
- No work may commence until an asbestos survey is completed and filed with the commissioner of NYS Dept of Labor in accordance with the Industrial code 56 and the rules and regulations of the Dept of Labor (submit copy to this Dept)
- Debris, including any in-ground storage tanks, must be systematically removed from the site and not allowed to pile up or cause any obstruction.
- Demolition shall be carried out during daylight hours only on normal workdays.
- No explosives can be used in connection with demolition of buildings or structures unless a special permit is first obtained by Village Board of Trustees (village).
- All cellars and basements of demolished buildings or structures shall be filled in and made safe and causing the surface of the location to be on level with the surrounding premises.

(continued on back...)

APPLICATION IS HEREBY MADE to the Code Enforcement Officer for the issuance of a Building Permit pursuant to the NEW YORK UNIFORM FIRE PREVENTION AND BUILDING CODE for the construction of buildings, additions and alterations, as herein described. The applicant agrees to comply with all applicable codes, laws, and regulations. The undersigned hereby certifies that all of the information contained in this application is correct and true.

Owner Name Buffalo Modular Homes (agent)
(Contractor and Corp/LLC must complete affidavit on next page to sign as owner's agent)

Telephone (716) 292-9358 E-mail jina@buffalomodularhomes.com

Jing Gentry for Buffalo Modular
SIGNATURE OF OWNER

DATE _____

Town or Village

Permit Fee \$ 50.00

Bldg Dept

Reviewed by _____

Appr on _____

ZBA

Reason _____

Approved/Denied on _____

Case # _____

..... Signature of Code Enforcement Officer

Receipt is hereby acknowledged of the sum of \$...... equal to the fees schedule established by the Town Board of the Town of Aurora NY..... TC/ DTC Date: _____ Receipt _____

TO SIGN AS AGENT FOR PROPERTY OWNER:

IN ACCORDANCE WITH THE TOWN OF AURORA BUILDING CODE ORDINANCE (SECTION 65-8 B.2)

I, Jina Gentry

STATE THE PROPOSED WORK IS AUTHORIZED BY THE PROPERTY OWNER AND I AM AUTHORIZED TO MAKE SUCH APPLICATION FOR A BUILDING PERMIT.

Jina Gentry
(Signature of Applicant)

STATE OF New York
COUNTY OF Erie
TOWN Williamsville

Sworn to before me this 2nd day of SEPTEMBER 2022
Matthew Westerholt
(Signature of Notary)

MATTHEW WESTERHOLT
Notary Public - State of New York
No. 01WE6324718
Qualified in Erie County
My Commission Exp. 05/11/2023
Notary Seal

IF PROPERTY OWNER IS A CORPORATION, COMPLETE:

STATE OF NEW YORK
COUNTY OF ERIE

ss

_____ being duly sworn deposes and says that he is the applicant
(Name of individual signing application)

above named. He is the _____ of said owner or owners, and
(Corporate Officer, etc.)

is duly authorized to perform or have performed the said work and to make and file this application; that all statements contained in this application are true to the best of his knowledge and belief, and that the work will be performed in the manner set forth in the application and in the plans and specifications filed therewith.

(Signature of Applicant)

Sworn to before me this _____ day of _____ 20____

(Signature of Notary)

Notary Seal

August 30, 2022

Dear the East Aurora Historic Preservation Commission,

My name is Russ Walko. My wife Carrie and I are the proud new owners of 757 Ellis Dr. I was born in Buffalo NY, raised in Cheektowaga, and graduated from the University of Buffalo with a film and television degree. After college I moved to Los Angeles to pursue a career in the entertainment industry. In LA, I launched a successful career as a puppeteer, and own the most reputable puppet building workshop in Hollywood. My greatest success was finding the love of my life, Carrie, who I brought home in 2010 to propose to at Niagara Falls. Together we are raising three wonderful children, Lollie age 10, Flip age 8, and Dot age 6. But as it turns out, the concrete jungle of Los Angeles isn't the ideal environment we pictured for their childhood.

My brother, Jay and his family live in Marilla, so on many visits we have gathered in East Aurora for many dinners, drinks, and desserts. We have been patrons to so many amazing small businesses. My sister, Kristen, lives in Lancaster and never misses the farmers market on the weekends. We spend so much of our family vacations in East Aurora, it's already started to feel like home. During the winter of 2020, my parents both fell severely ill with coronavirus. We are incredibly grateful that they both made full recoveries and are enjoying their retirement in Cheektowaga. That grave scare and the seriousness of their health made us realize that we should be home, in Western, New York a lot more often. As a growing family of 5, however, staying with them in their home is quite a loud intrusion.

Last fall, I was working on a TV show with the Jim Henson Company when I received an email during my lunch break promoting the listing of 757 Ellis for sale. Carrie adores East Aurora so much, she periodically searches for home sales in the area as she daydreams about a potential life there. I forwarded that email to her and said, "we should buy this place." My wife is a woman of action. She scheduled a video walk through, made an offer, and within 1 week we were in escrow!

We visited my family again this past Christmas and finalized our purchase. On New Year's Eve, we took our children ice skating for the first time at the Classic Rink, and they have asked to go back over 100 times. As we walked around the picturesque town, multiple couples walking dogs passed by and greeted us with "Happy New Year" well wishing. My kids told me they felt like they were in a story, and I agree the charms of East Aurora almost seem too good to be true.

My family visited again this summer to clean up and get to work on the property we bought 'As-Is.' Our children helped to pull weeds, and clear trash. With the \$1 they each earned for their hard work, they proudly bought candy from Vidler's and thoroughly enjoyed the sidewalk sale. We were once again overcome by the welcoming community that we can't wait to be a part of. The kids are counting the days to go back and see a movie at the Aurora Theater.

The week after our visit, my father had an emergency pacemaker installed. This moment was another wakeup call motivating us to get a habitable building erected as soon as possible. The existing house on 757 Ellis, is currently in severe disrepair with an uneven foundation. By allowing us to start from scratch, we can build a safe and energy efficient home where our family can reside comfortably for years to come.

We have fallen head-over-heels in love with the history, charm, and aesthetic that is unique to East Aurora. We have been working with a local modular home manufacturer, Buffalo Modular Homes, to ensure that the design and aesthetic of the home we erect is authentic to the region and adds value to the local community. We are also looking forward to furnishing our new home with local craftsman furniture and art from the Roycroft Artist Community. Perhaps we might even decorate with a vintage Fisher Price Kermit the Frog puppet, which has such an impact on my life.

Thank you for taking the time to consider this opportunity for me and my family. East Aurora is such a wonderful town that has a powerful and positive affect on anyone who visits. I look forward to being a part of an amazing community and the influence that East Aurora will have on my family.

Sincerely,

Russ Walko

August 30, 2022

To Whom it May Concern,

We, Russ Walko and Carrie Walko, the owners of the property at 757 Ellis Dr, East Aurora, NY, grant permission to Buffalo Modular Homes, to represent our interests related to the permitting, demolition, and construction of any existing and future dwellings for this property. If there are any outstanding questions or concerns related to the involvement or practice of Buffalo Modular regarding this matter, you may contact the homeowners with the information provided below. Thank you.

Sincerely,

A stylized, handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

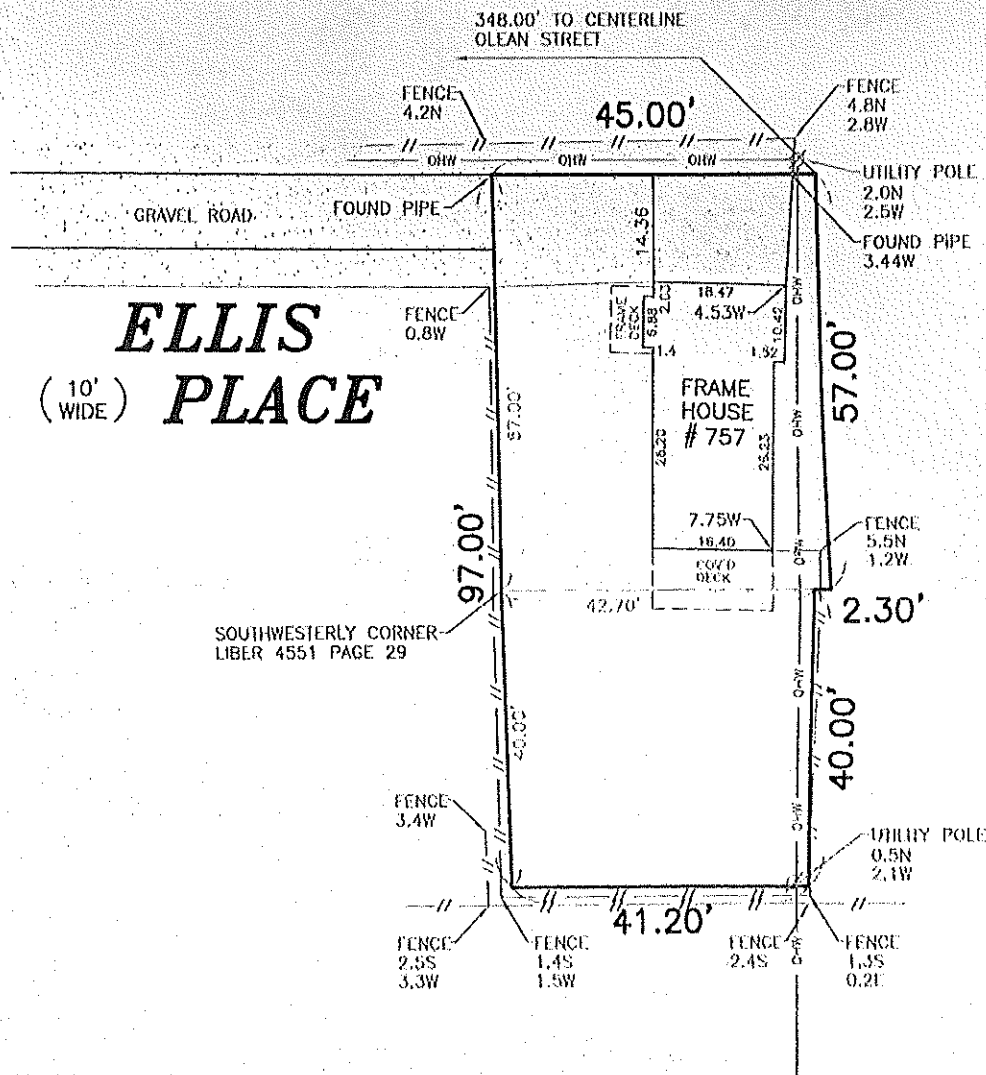
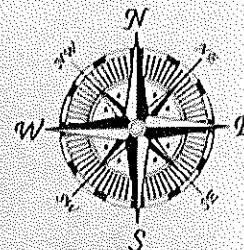
Russ Walko
310-613-6033
walkofamily@yahoo.com

A handwritten signature in black ink, featuring a large, cursive 'C' followed by a series of loops and a long horizontal stroke.

Carrie Walko
949-632-0016
carrie.walko@disney.com

Feet - Inches
 0.09 - 1 inch
 0.17 - 2"
 0.25 - 3"
 0.33 - 4"
 0.42 - 5"
 0.50 - 6"
 0.58 - 7"
 0.67 - 8"
 0.75 - 9"
 0.83 - 10"
 0.92 - 11"
 1.00 - 12"

NOTE: 1) THIS SURVEY IS NULL AND VOID WITH AN AFFIDAVIT OF NO CHANGE
 2) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH



SP

LOCATION: TOWN & VILLAGE OF EAST AURORA	MAP COVER:	JOB NO.:
COUNTY OF ERIE, STATE OF NEW YORK	SUBLOT(S):	21-8625
PART OF LOT 15, TOWNSHIP 9, RANGE 6	DATE: NOVEMBER 3, 2021	SCALE: 1" = 20'
OF THE HOLLAND LAND COMPANY'S SURVEY	REVISIONS:	DRAWN BY:
		J. HARTWELL
		CHECKED BY:
		S. CARVER
STEVE A. CARVER PLS. LAND SURVEY SERVICES 1089 KINKEAD AVE. STE 104, N. TONAWANDA NY 14120 TEL 716-525-1250 FAX 716-525-1275 EMAIL STEVE@CARVERSURVEY.COM		
Unauthorized alteration or addition to any survey, drawing, design, specification, plan or report is a violation of Section 2208, Provision 2 of the New York State Education Law. Only copies from the original of this survey map marked with an original of the land owner's embossed seal and signature shall be considered to be valid true copies.		
Copyright Steve A. Carver PLS. All rights reserved. No portion of this drawing may be reproduced, stored or transmitted by any means without prior written permission of the surveyor. This survey is a report of the findings in the field and is not a guarantee of title. This survey is null and void with an affidavit of no change.		

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: <i>The Walke project</i>			
Project Location (describe, and attach a location map): <i>757 Ellis Dr, East Aurora, NY 14052</i>			
Brief Description of Proposed Action: <i>Demolition of a single story house & rebuild of a single family residence</i>			
Name of Applicant or Sponsor: <i>Buffalo Modular Homes</i>		Telephone: <i>(716) 292-9358</i>	
Address: <i>4185 Transit Rd</i>		E-Mail: <i>jing@buffalomodularhomes.com</i>	
City/PO: <i>Williamsville</i>		State: <i>NY</i>	Zip Code: <i>14221</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO <input type="checkbox"/>
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.			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO <input type="checkbox"/>
If Yes, list agency(s) name and permit or approval:			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<i>0.1002</i> acres	
b. Total acreage to be physically disturbed?		<i>0.1002</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0.1002</i> 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			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: <u>N/A</u>		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Buffalo Modular Homes</u> Date: <u>9/2/2022</u>		
Signature: <u>[Signature]</u> Title: <u>Contractor</u>		

ADDENDUM TO APPLICATION FOR DEMOLITION

VILLAGE OF EAST AURORA

EAST AURORA HISTORIC PRESERVATION COMMISSION

Village Code §112-2(A) requires that, if a property owner wishes to demolish a building or structure that is fifty or more years in age, the demolition application must be referred to the East Aurora Historic Preservation Commission (HPC) to ascertain whether the property may have some historic significance of which the Village Board should be aware in reviewing the demolition application. The purpose of this addendum is to elicit basic information germane to the HPC's input. It is the practice of the HPC to place any demolition application that is referred to it for this purpose upon the HPC's meeting agenda for discussion. The applicant will be notified of the meeting, at which the applicant's attendance is encouraged but not mandatory. In order to furnish informed input to the Village Board, **in its discretion the HPC may require additional information or diligence beyond that set forth in this addendum.**

The following reference sources may be of assistance in completing this addendum: (i) Aurora Town Historian (www.townofaurora.com/departments/historian); (ii) your abstract of title; (iii) property file in Village Clerk's office; (iv) real property tax records (www2.erie.gov/ecrpts); (v) Erie County Clerk's Office.

You are encouraged to consult with the Aurora Town/Village Historian to investigate the historical use and historical significance of the property, both of which are required in this application. Doing so may shorten the HPC's review of your application.

NOTE: This addendum is not intended to be used if the property in question is a local landmark or is within a historic district as designated under Village Code Chapter 156. If a property is so designated, then the property owner must submit to the HPC an Application for Certificate of Appropriateness. This form and instructions are available on the Village website.

Property Address: 757 Ellis Dr, East Aurora, NY 14052

Property Owner/Applicant Name: Carrie & Russ Walke/ Buffalo Modular Homes

Property Owner Contact Information (address, telephone and email):

Buffalo Modular Homes 4185 Transit Rd, Williamsville, NY 14221

(716) 292-9358, jina@buffalomodularhomes.com

Carrie & Russ Walke (949) 632-0016 walkefamily@yahoo.co

Provide information as follows to the best of your knowledge. This addendum should be accompanied by a photograph of the property.

Year of Construction: See attachments

If architect designed, name of architect: see attachments

Names of original and subsequent owners, and dates of ownership if known:

see attachments

What is the historic use of the property?

see attachments

To the best of your knowledge, is there any historic significance associated with the property?

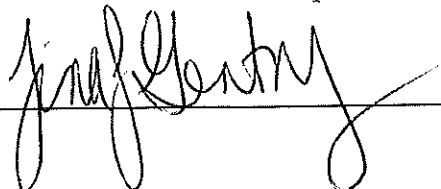
____ Yes / ____ No

If yes, please explain: See attachments

Did you consult with the Aurora Town/Village Historian about the property's historical use and historical significance?

X Yes / ____ No

Applicant hereby certifies that, to the best of applicant's knowledge, information and belief, the information set forth above is accurate and complete.

Applicant's Signature:  Date: 9/2/2022



Jina Gentry <jina@buffalomodularhomes.com>

757 Ellis Place

1 message

Robert Goller <rg@townofaurora.com>

Thu, Sep 1, 2022 at 10:51 AM

To: "jina@buffalomodularhomes.com" <jina@buffalomodularhomes.com>

Cc: Jennifer Calkins <jcalkins@townofaurora.com>

Good morning; Jina:

It is rare to have a great deal of historic information about very early houses, however, we are in luck with Ellis Drive.

The cottages were once owned by the Ellis family (hence the name of the street); they lived in the house up front on Olean Road.

We believe the houses on this street were moved from other locations. The maps seem to confirm this. According to the tax records, 757 Ellis Drive was built in 1877, but it appears to have been moved sometime between 1904 and 1909. The structure doesn't appear on the 1904 insurance map, and it does appear on the 1909 map (owned by J. Ellis). The three additional cottages (and the private street) appear on the 1912 map.

(Please note that the numbering system in the village changed in 1926, so 28 Olean Street shows up as 111 Olean Street on maps before that. 757 Ellis Place shows up as 7 Ellis Place before that.)

Also attached is an old photograph of the "Ellis Place cottages," which I hope you will find useful. (We rarely have photographs of individual houses from this early of a time period, so this is quite rare!). I believe 757 Ellis Drive can be seen behind the cottages in this photograph.

Ellis Place was originally a private road (likely a driveway for the Ellis family and their cottages).

Also attached are some background information and photographs of the Ellis family, which owned that entire lot, as well as some newspaper articles from a digital search of the East Aurora Advertiser for "Ellis Place." One of the classified ads indicates that Mrs. Ellis was renting out the cottages, and various people and businesses seem to have rented out the individual cottages over the years. Some of clippings are not related to 757 specifically, but I hope it helps provide an idea of what the neighborhood was like over the years.

This is probably more information than you were looking for, but since I found it, I am sending it along.

I am copying this email to the Town Building Department to include with the file for the permit application.

Please do not hesitate to let me know if I can answer any additional questions or provide any additional information.

Sincere Regards,

Robert

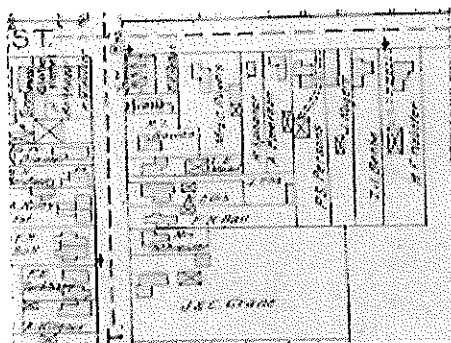
Aurora Town Historian
East Aurora Village Historian

Robert Lowell Goller

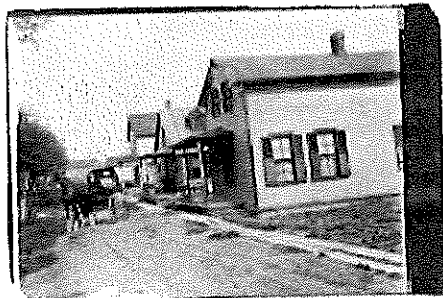
The Aurora Municipal Center
575 Oakwood Avenue
East Aurora, Erie County, New York 14052
716.652.7944



11 attachments



1909 map-Ellis Place.jpg
5360K

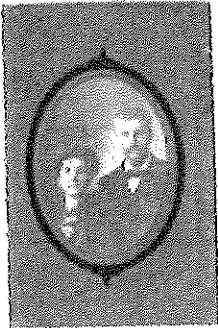


Ellis Place Cottages-Horse and Buggy-Unknown Date.jpg
1070K

Ellis, Helen-Obituary-1952.jpg
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Helen Bordner Ellis-With Showdog-1910.jpg
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William Ellis (1850-1913), and Helen Bordner Ellis (1868-1952).jpg
2772K

 **1904-Sanborn Insurance Map.pdf**
115K

 **1912-Sanborn Insurance map.pdf**
101K

 **1920-Sanborn Insurance map.pdf**
108K

 **1927-Sanborn Insurance map.pdf**
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 **Ellis Place-Articles from Digital Search of East Aurora Advertiser.pdf**
263K

 **William Ellis-Obituary-East Aurora Advertiser-Nov. 27 1913.pdf**
117K

DEATH ROLL.

FIVE E

Three Residents Passed Away
During the Past Week.

Mr. William Ellis was born in Freedom, N. Y., April 3, 1850. He received his early education in the country school in Freedom, and at the age of 14 years enlisted in the 12th U. S. Infantry (Regulars). He served 6 years in the army, 5 years being non-commissioned officer. After the Civil War the armies were stationed in the west, where he fought many battles with the In-



dians, but escaped fortunately with but two or three scalp wounds from arrows.

He was united in marriage to Julia Voss of Buffalo, in March 1876, and to this union seven children were born, of which five survive him: Correll, Mrs. Hugh Rogers, Messrs. Richard and William Ellis, Mr. Frederick Ellis, Mrs. Mary Culpin and Mr. Elmer Ellis, Correll and Frederick dying in youth. The death of Mrs. Ellis occurred Oct. 2, 1897.

On August 9, 1898, he was united in marriage to Helen Rordner who still survives him.

Mr. Ellis had a variety store in this place for three years, but most of his late years were spent as travelling salesman, and it was while on his route that he was taken suddenly ill at Shenandoah, Pa., and his condition being very serious was immediately taken to the Fountain Springs Hospital, Ashland, Pa., where he underwent an operation, from which he never rallied. Mrs. Ellis, left for Shenandoah, Monday evening, arriving there Tuesday a. m., and remaining with Mr. Ellis until his death, which occurred Friday.

The body was brought home Sunday morning.

He was a member of Masonic Lodge, Old Fellows, and was commander of Author Smith Post for 6 years.

Impressive funeral services were held at the Presbyterian Church, Tuesday afternoon, the Grand Army and S. of V. having charge of the services from the house to church, where, by request of Mr. Ellis, was turned over to the Masons. Rev. J. B. McCreary offered prayer at the house and church. Interment was in Oakwood Cemetery.

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Public Sale

Saturday, September 24, 1921, at 1:00 p. m. sharp at No. 7 Ellis Place, lending off from Olean street: 1 walnut upright organ; 1 bedroom suite; bed; dresser; commode; springs; mattress; 1 dining room set; table; sideboard; cabinet; chairs; rockers; couch; tables; stands; crockery and dishes; tinware; cooking utensils; lamps; glassware; fruit jars; 2 gas heaters; 1 gas plate; garden tools; saddle and bridle; and many other household articles. Mrs. Helen Ellis, proprietor. C. H. Addington, Auctioneer.

Collector's Notice

East Aurora Advertiser 22 September 1921

son of Mr. and Mrs. Fred Holmer, of Lancaster.

OBITUARY

CHARLES E. GLEED
Funeral services for Charles E. Gleed, Sr., age 77, were held Wednesday afternoon from his late home at 173 King street, the Rev. Eugene J. Fleury, pastor of the Baker Memorial Methodist church, officiating. Burial was in Oakwood cemetery.

The deceased passed away Monday after an illness of six weeks. He was born July 19, 1862 in Buffalo and had lived in East Aurora and vicinity for over 75 years.

In 1880 he was married to Miss Della McCumber of East Aurora who passed away 10 years ago.

Mr. Gleed was well known in East Aurora, having operated a blacksmith shop in the community for the greater part of his life. For the past 18 years, he owned a welding shop on Ellis place.

Surviving are three daughters, Mrs. John Lipport, Mrs. George Decker and Miss Priscilla E.; also one son, Charles E., Jr. and a brother, John L., all of East Aurora.

EMIL E. OFFHAUS
Funeral services for Emil E. Offhaus, 73, will be held Friday afternoon at 2:30 o'clock from the Lutheran church, Porterville, with the

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FOR RENT

DOUBLE BEDDED furnished room. Apply before 7 p. m., 624 Main street. *10-1

FURNISHED apartment or sleeping rooms, 61 Park Place. *18-1

FURNISHED apartment, three rooms and bath. Electric, heat and water furnished. Inquire at 20 North Willow street. *17-1

FURNISHED house in desirable location in St. Petersburg, Fla. Phone E.A. 127 or write 2845 Second avenue, St. Petersburg, Fla. *17-1

FURNISHED HOUSE until May 1 or longer. Furnished apartment to couple or single with home privileges. Board if desired. Garage, garden. Phone 135-J. *17-1

HOUSE and garage, 61 Walnut street. Call 451-R-21. *17-2

OFFICE for rent. For the person who wants an office not too large or expensive, we have just what you want. See Merritt A. Kyser, Aurora Theatre Bldg. *16-1

ROOMS to rent. 55 Park Place. *18-1

SIX ROOM apartment, furnished and heated. Adults only. Inquire 624 Main street evenings. *17-2

SMALL COTTAGE on Ellis Place. Inquire 20 Olean street. *17-1

THREE large sleeping rooms with privileges. 103 Maple street. Telephone 55-R. *16-1

TWO FURNISHED bedrooms at 60

two (2) another's addition burg, said County Cle 1184; said larily descri Beginning section of t both Ayacu Place, with Street or easterly all said. Elizab seventy-one feet to the vision lot on said me the western lot number (100) feet said Subh thence we line of an One (1) On thirty-three to the east or Pine along the sale Street dred (100) of Elizabeth beginning.

Belwyn H. Attorney Office an 902 M. & Buffalo, I

NOTICE
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East Aurora Advertiser 20 October 1938

East Aurora Advertiser 11 January 1940

IN THE PHILLIPINES



Kenneth H. Joessel, S1/c, has arrived somewhere in the Philippines. He is the son of Mrs. Clifford Becker, Ellis place, East Aurora.

Aurora Players

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WestPROCEEDINGS
of the Village BoardRESUME OF EAST AURORA
VILLAGE BOARD MEETING
OCTOBER 20, 1958

The Village Attorney, Mr. Howitt, reported he had received a report on ordinances, providing for fencing in private swimming pools, which are in effect across the United States. The Board requested Mr. Howitt to complete his studies of the report and to draft a sample ordinance for consideration.

The Board directed the Village Engineer, Mr. O'Connor, to install "Children at Play — Drive Carefully" signs in the Hamlin Avenue-Parkdale area of the Village.

Mr. Ehlers, Commissioner of the Division of Public Safety, announced the Annual Inspection of the East Aurora Volunteer Fire Department would be held at 7:30 P. M., November 3, 1959, at the Fire Hall.

A delegation from Ellis Place (a Private Way) approached the Board on the proper procedure to follow to arrange the dedication to the Village of sufficient land so that Ellis Place could be made a Village Street. The Engineer and Attorney were directed to make a study of the area and be prepared to report on their findings at the November 3rd meeting.

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East Aurora Advertiser 23 October 1958

East Aurora Advertiser 17 May 1945

751 Ellis Place

NOTICE

New Location of

WOLFF RADIO & TELEVISION

(Formerly 180 Main)

SALES AND SERVICE

746 Ellis Place - East Aurora

Opposite N. Holmes & Sons Hudson Garage — 13 Clean

Same Telephone: 661

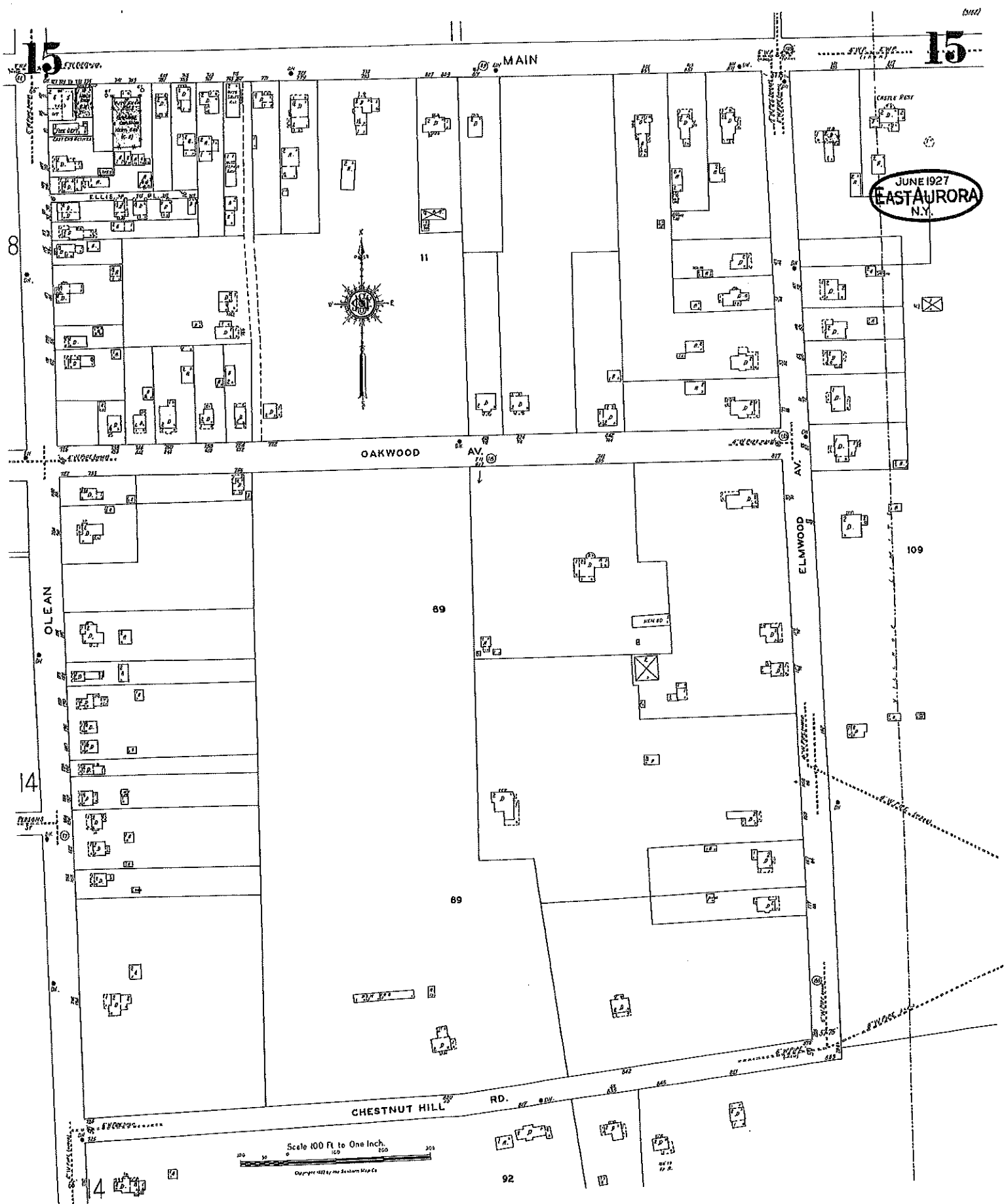
Plenty of Parking Right at Door

Drive In — Look for Sign

Hours: 9 a. m. to 6 p. m. Daily; Friday evening till 9

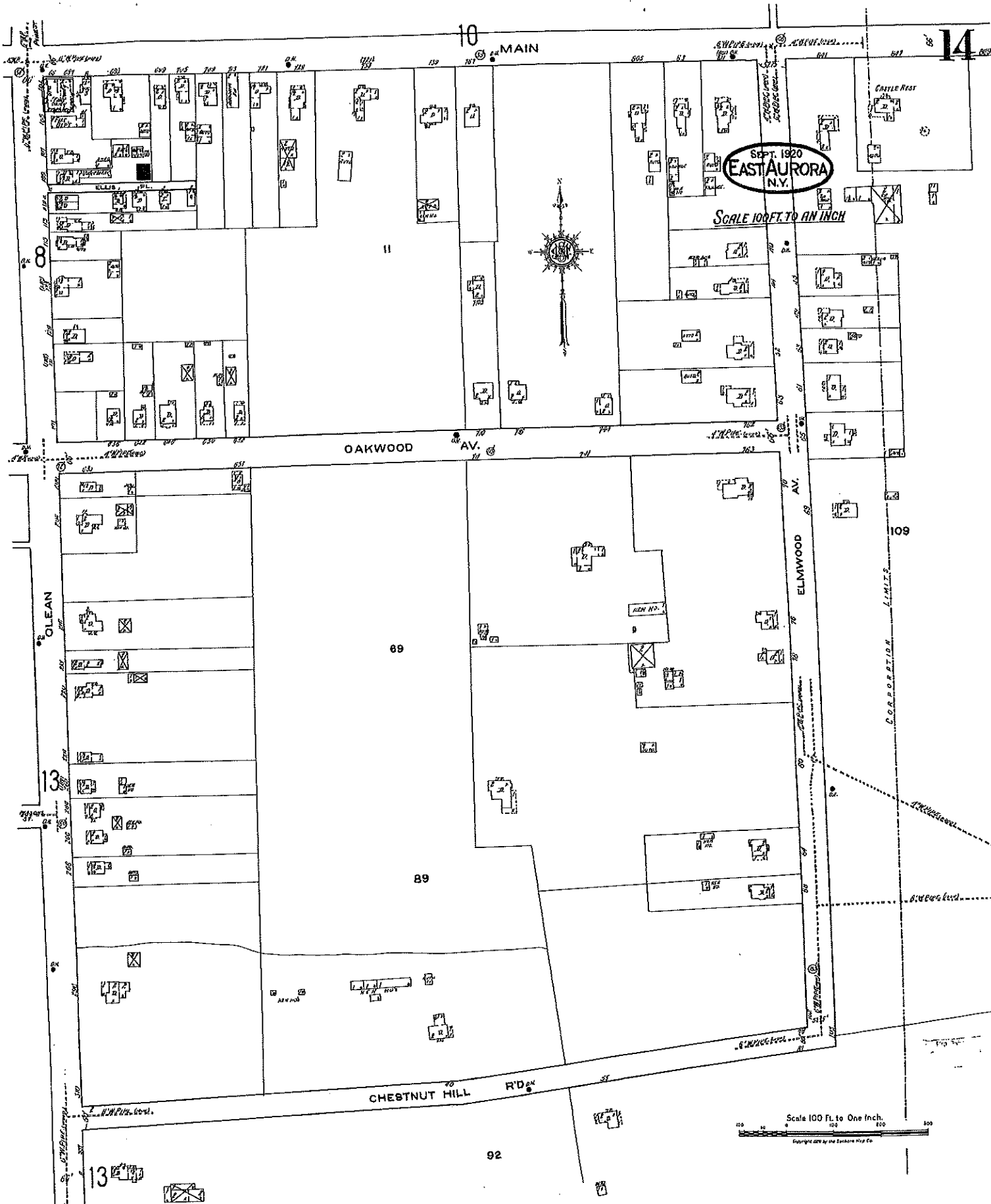
East Aurora Advertiser 21 February 1957

746 Ellis Place

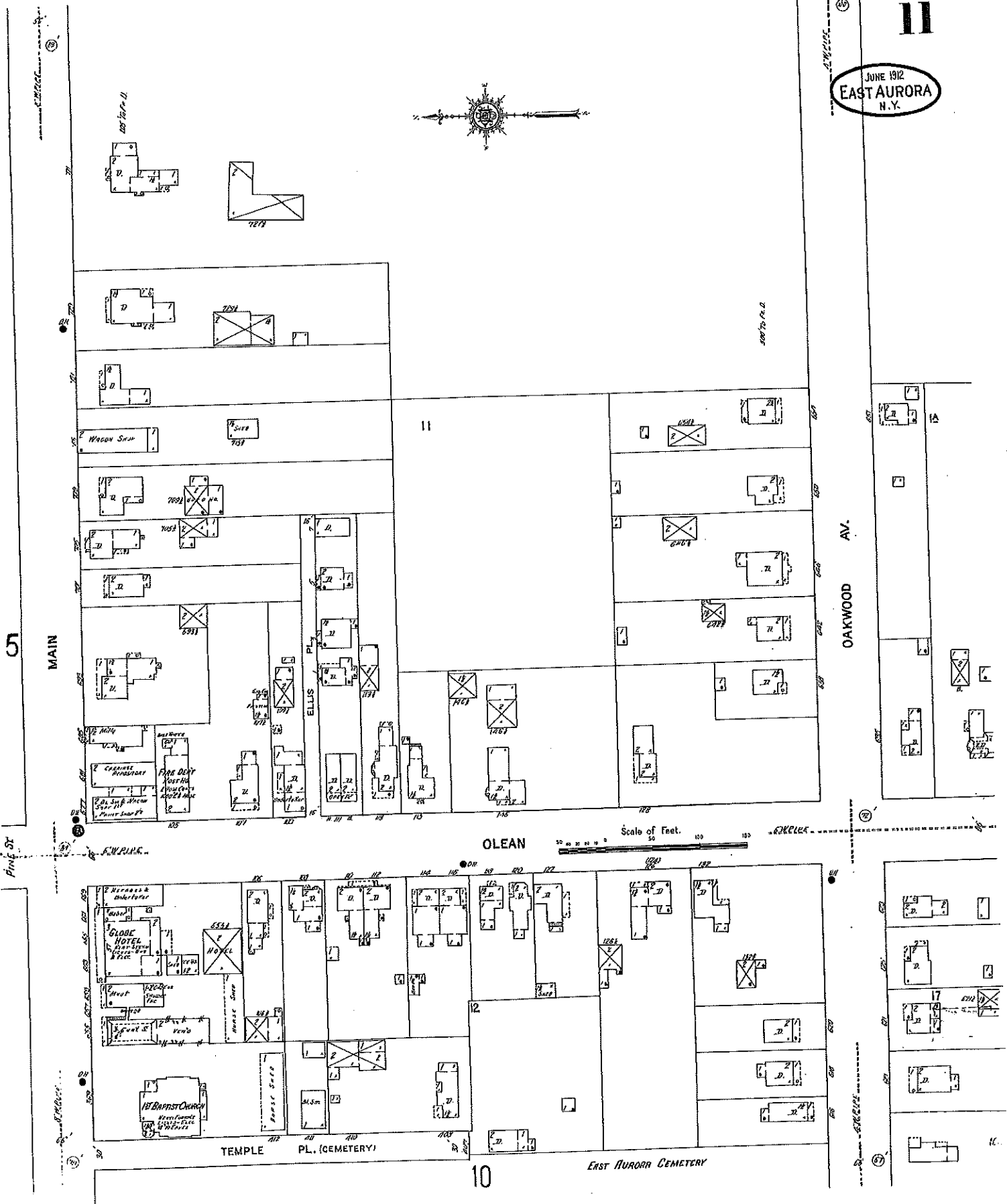
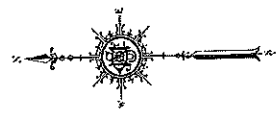


JUNE 1927
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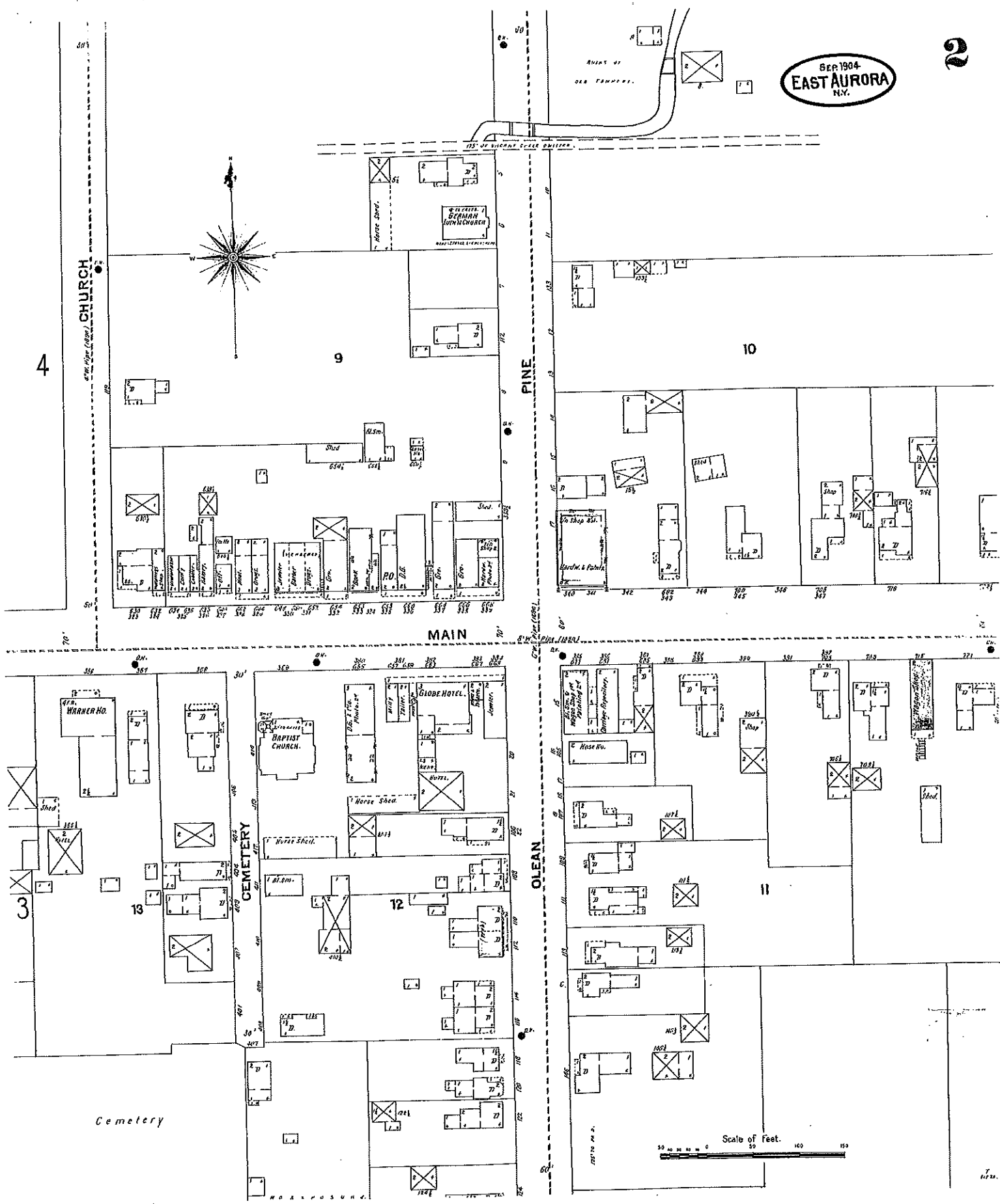
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JUNE 1912
EAST AURORA
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SEP 1904
EAST AURORA
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BROOKS & CO.
BUFFALO, N.Y.



EAST AURORA

OBITUARIES

MRS. HELEN B. ELLIS

Funeral services for Mrs. Helen B. Ellis, 84, of 28 Glenn street, were held Saturday afternoon from the Wood Funeral Home with the Rev. Victor H. Neeb of the Immanuel Lutheran Church officiating. Burial was in Oakwood Cemetery.

Mrs. Ellis died suddenly Wednesday evening, Aug. 13, 1952, in her home of a heart attack. She was born April 19, 1868, in Lewisburg, Pa., and had lived in East Aurora for more than 50 years. Her husband, William T. Ellis, died 40 years ago.

Mrs. Ellis was a past worthy matron of Cyrene Chapter 233, O. E. S. She served as matron in 1913. She was also a member of the Women's Relief Corps, Ladies of the G. A. R., Dames of Malta, and was a past state commander of the Women's Relief Corps in Florida.

For many years Mrs. Ellis spent most of her time in Florida. While there she was active in Republican politics and at one time served as city clerk of St. Cloud. Several years ago she disposed of her holdings in Orlando and St. Cloud and returned to East Aurora.

Surviving are two brothers, William H. Bordner of Peninsula, Ohio; John H. Bordner of the Philippine Islands, and one sister, Mrs. Cora Gudikunst of Akron, Ohio.

Obituaries

MRS. HELEN ELLIS

The many friends of Mrs. Helen Ellis will be sorry to hear that she passed away suddenly from a heart attack, Wednesday evening, August 13, 1952, at her home in East Aurora, N. Y.

She was a member of the St. Cloud U.S.W.V. Auxiliary, Eastern Star, and the D.U.V's, and served as Librarian when the Veteran's Library was first established here.

Mrs. Ellis as a member of her father's family was among the Pioneers in St. Cloud. Her father, Mr. Bordner, operated the first 5 and 10c Store, in a tent on the corner of New York and 11th street.



