Agenda

Natalie E. Nitsche Town Clerk

Town Board of the Town of Hamburg

November 2, 2026

1. Roll Call

2. Pledge of Allegiance

3. Minutes of Previous Meeting
RESOLVED, that the Town Board does hereby approve the minutes of the previous meetings as follows: October 5, 2026 & October 19, 2026

4. Agenda Items

4.1. PROCLAMATION HONORING DR. BRIAN CLEMENCY FOR OUTSTANDING CONTRIBUTIONS TO EMERGENCY MEDICAL SERVICES

4.2. Business/Community Recognition

4.3. Town of Hamburg Data Center Moratorium Adoption Resolution

4.4. Hamburg Woodlawn Gateway Brownfield Opportunity Area (BOA) Plan Lead Agency and Public Hearing Resolution

4.5. Amendments to the 2027 Supervisor's Budget

4.6. Order Establishing the Town of Hamburg Ambulance District

4.7. Urging New York State to Amend Criminal Procedure Law for Repeat Juvenile Offenders and Restore Judicial Discretion

4.8. Out of Town Travel Request – POLICE

4.9. Budget Adjustment - Youth, Recreation, & Senior Services - Town Park

4.10. POLICE / Dog Control Officer – Budget Adjustment/Transfer

4.11. POLICE – Budget Amendment Transfer - Grant

4.12. B&G Budget Transfer

4.13. Highway Budget Adjustment

4.14. B&G Revenue Account Transfer

4.15. ECWA Collection Administrative Fee

4.16. Amendment of Planning & Engineering Fees

4.17. Twin Willow Water Service

4.18. B&G PAF

4.19. Youth, Recreation, & Senior Services P.A.F.

4.20. POLICE – Agreement with Auctions International

4.21. Cutting and removal of dead trees

4.22. Award Demolition Contractors for 6817 Boston State Rd.

4.23. Award Demolition Contractors for 6310 Southwestern Blvd.

4.24. Award Demolition Contractors for 5272 South Park Ave.

4.25. Ice Rink Equipment Cover Design

4.26. Authorize the Town Supervisor to sign the Proposal with Fisher & Associates

4.27. Authorizing the Non-Renewal of the Contract with Granicus at CARAHSOFT

4.28. Network Equipment Upgrade

5. Public Comment

6. Meeting is adjourned by Supervisor

4.1. PROCLAMATION HONORING DR. BRIAN CLEMENCY FOR OUTSTANDING CONTRIBUTIONS TO EMERGENCY MEDICAL SERVICES

WHEREAS, Dr. Brain Clemency has dedicated more than 25 years to prehospital care, beginning with his career as a firefighter and emergency medical technician, and has continued to advance the delivery of emergency medical services through his leadership, education, clinical practice, and research; and

WHEREAS, Dr. Clemency earned his Bachelor of Arts degree in Economics and Pre-Professional Studies from the University of Notre Dame in 2002, followed by a Doctor of Osteopathic Medicine degree and a Master of Business Administration in Health Care Administration in 2006, and

WHEREAS, Dr. Clemency continued his medical training at the University at Buffalo, completing his residency in Emergency Medicine in 2009 and a fellowship in Emergency Medical Services in 2010, and is board-certified in both Emergency Medicine and Emergency Medical Services; and

WHEREAS, Dr. Clemency serves in numerous leadership and academic roles at the University at Buffalo Jacobs School of Medicine and Biomedical Sciences, including Professor with Tenure in Emergency Medicine, Interim Vice Chair for Research, and Vice Chair for Academic and Faculty Affairs; and

WHEREAS, Dr. Clemency has contributed to the health and safety of the Western New York community through his work as an attending emergency physician at Erie County Medical Center and as an emergency physician for the Buffalo Bills, while also advancing the field of prehospital care through research, education, mentorship, and professional leadership at the local, regional, and national levels; and

WHEREAS, Dr. Clemency serves as Subject Matter Expert and Medical Director for the Town of Hamburg Emergency Services, providing medical expertise and leadership that support the delivery of emergency medical services to the residents of Hamburg, while also serving as Associate Medical Director for Rural/Metro Medical Services of Western New York and providing medical direction to local volunteer EMS agencies; and

WHEREAS, Dr. Clemency has been awarded the Award for Outstanding Contribution in EMS by the American College of Emergency Physicians (ACEP), which recognizes an ACEP member who has made an outstanding contribution to emergency medical services of national significance or application, honoring his impact on the advancement of EMS and his commitment to improving prehospital emergency care; and

WHEREAS, Dr. Clemency's longstanding commitment to excellence, innovation, and the advancement of emergency medical services exemplifies the highest standards of professionalism and public service and has made a lasting impact on the medical community and the lives of those served.

NOW, THEREFORE, BE IT PROCLAIMED, that the Town of Hamburg hereby recognizes and honors Dr. Clemency for more than 25 years of dedicated service, outstanding leadership, and significant contributions to emergency medical services, medical education, and research; and

BE IT FURTHER PROCLAIMED, that the Town of Hamburg congratulates Dr. Clemency on being the recipient of this distinguished national recognition and for his continued commitment to advancing emergency medical services and protecting the health and well-being of our community.

In Witness Whereof, we have caused the seal of the Town of Hamburg to be affixed this 2nd day of November 2026.

_____

Elizabeth Farrell Lorentz, Supervisor

Daniel Kozub, Deputy Supervisor

Frank Bogulski, Councilmember

Lynne Dixon, Councilmember

Nick Ortiz, Councilmember

4.2. Business/Community Recognition

4.3. Town of Hamburg Data Center Moratorium Adoption Resolution

WHEREAS, the rapid development of large-scale data centers and artificial intelligence computing facilities presents significant land-use and infrastructure considerations, including electrical and water demands, noise, backup power generation, environmental impacts, and compatibility with surrounding properties; and

WHEREAS, although the Town of Hamburg currently regulates artificial intelligence data centers under its zoning laws, the Town Board wishes to further review those regulations in light of the rapidly evolving nature and scale of these facilities; and

WHEREAS, a one-year pause in the approval and development of new large-scale data centers would provide the Town with an opportunity to study these issues and determine whether additional regulations are necessary to protect Town residents, infrastructure, natural resources, and neighboring properties; and

WHEREAS, the Code Review Committee needs time to update these zoning regulations related to data centers, and is recommending that the Town of Hamburg adopt a moratorium while these Codes are being updated; and

WHEREAS, the Town has introduced the following proposed Local Law, entitled “A Local Law of the Town of Hamburg to Establish a Temporary One-Year Moratorium on Applications, Approvals, Permits and Construction Related to Data Centers Within the Town of Hamburg” and presented a copy to each member of the Board , which reads as follows:

Be it enacted by the Town Board of the Town of Hamburg as follows:

Section 1. Title:

A Local Law of the Town of Hamburg to Establish a Temporary One-Year Moratorium on Applications, Approvals, Permits and Construction Related to Data Centers Within the Town of Hamburg.

Section 2. Legislative Authorization:

This Local law is authorized by New York State Municipal Home Rule Law Section 10.

Section 3: Intent:

It is the intent of this local law to establish a temporary one (1) year moratorium on the acceptance, processing, review, consideration, approval, and issuance of applications, permits, certificates, site plan approvals, special use permits, variances, building permits, and other land use approvals relating to the construction, establishment, expansion, enlargement, conversion, or operation of data centers within the Town.

Section 4. Definitions:

For purposes of the proposed Local Law, a "Data Center" shall mean a building, facility, or group of buildings and facilities used primarily for the housing, operation, management, processing, storage, transmission, or distribution of digital data or electronic information through computer servers, networking equipment, data storage systems, cooling equipment, backup power systems, and related infrastructure, including colocation facilities, cloud computing facilities, artificial intelligence computing facilities, high-performance computing facilities, and similar commercial computing operations.

Section 5. Purpose:

The purpose of the moratorium is to allow the Town Board sufficient time to study the potential land use, zoning, environmental, infrastructure, public safety, utility demand, noise, traffic, and community character impacts associated with data centers and to determine whether amendments to the Town's Comprehensive Plan, Zoning Law, Site Plan Review Law, and other applicable regulations are necessary to protect the health, safety, and welfare of the residents of the Town.

Section 6. Moratorium:

The proposed moratorium would remain in effect for a period of one (1) year from its effective date unless earlier modified, extended, or repealed by the Town Board.

Section 7. Extensions:

This Moratorium may be extended by Resolution for such additional periods as the Town Board may determine to be necessary to protect the public health, safety and welfare of the residents of the Town of Hamburg and accomplish the stated purposes and intent of this Local Law.

Section 8. Severability:

If a court determines that any, clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm, corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 9. Effective Date:

This Local Law shall become effective immediately, upon filing with the New York State Secretary of State.

WHEREAS, the Hamburg Town Board held a public hearing for this proposed moratorium on October 19th, 2026; and

WHEREAS, the Hamburg Town Board does hereby declare that the proposed moratorium is a Type II action and requires no further SEQR review pursuant to 6 NYCRR §617.5(c)(36); and

WHEREAS, the Hamburg Town Board completed the required 239-m referral of this proposed moratorium to Erie County for their input.

NOW THEREFORE BE IT RESOLVED, the Hamburg Town Board hereby enacts this local law and amends Local Law #10 of the year 1986 of the Code of the Town of Hamburg Chapter 280 entitled "Zoning" to provide for the revision of the Town Code as referenced above.

BE IT FINALLY RESOLVED, this Local Law shall become effective immediately, upon filing with the New York State Secretary of State.

ATTACHMENTS:

FEAF Part 1 Data Center Moratorium.pdf

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies that would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No." If the answer to the initial question is "Yes," complete the following sub-questions. If the answer to the initial question is "No," proceed to the next question. Section F allows the project sponsor to identify and attach additional information. Section G requires the name and signature of the applicant or project sponsor to verify the information in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Town of Hamburg Data Center Moratorium		
Project Location (describe and attach a general location map): Town of Hamburg		
Brief Description of Proposed Action (include purpose or need): The proposed action involves the adoption of a temporary one-year moratorium on applications, approvals, permits and construction related to data centers within the Town of Hamburg.		
Name of Applicant/Sponsor: Town of Hamburg	Telephone: 716-649-6111 E-Mail:	
Address: 6100 South Park Avenue		
City/PO: Hamburg	State: NY	Zip Code: 14075
Project Contact (if not same as sponsor; give name and title/role): Joshua Rogers/Hamburg Planning Department	Telephone: 716-649-2023 E-Mail: jrogers@townofhamburgny.gov	
Address: 6100 South Park Avenue		
City/PO: Town of Hamburg	State: NY	Zip Code: 14075
Property Owner (if not same as sponsor): 	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☑Yes ☐No	Town Board Approval	November 2026
b. City, Town or Village Planning Board or Commission ☐Yes ☐No		
c. City, Town or Village Zoning Board of Appeals ☐Yes ☐No		
d. Other local agencies ☐Yes ☐No		
e. County agencies ☑Yes ☐No	County 239-m referral	October 2026
f. Regional agencies ☐Yes ☐No		
g. State agencies ☐Yes ☐No		
h. Federal agencies ☐Yes ☐No		

i. Coastal Resources.

i. Is the project site within a Coastal Area or the waterfront area of a Designated Inland Waterway? ☐ Yes ☑ No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑ Yes ☐ No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☑ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule, or regulation be the only approval(s) that must be granted to enable the proposed action to proceed? ☑ Yes ☐ No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally adopted (city, town, village, or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☑ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other)? ☑ Yes ☐ No

If Yes, identify the plan(s):

Erie Canal Heritage Area

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan? ☐ Yes ☑ No

If Yes, identify the plan(s):

d. Is the proposed action in a municipality with an adopted comprehensive or individual plan that addresses climate change? ☐ Yes ☑ No

If Yes , identify the elements of the plan that are relevant to the action:

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance? ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
All zoning districts within Town

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes, what is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Frontier Central School District, Hamburg Central School District

b. What police or other public protection forces serve the project site?
Town of Hamburg Police, Village of Hamburg Police, Erie County Sheriff

c. Which fire protection and emergency medical services serve the project site?
All fire departments within Town of Hamburg

d. What parks serve the project site?
All parks within Town of Hamburg

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

_____

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? %_____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

_____

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum_____Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month_____year
- Anticipated completion date of final phase _____ month_____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure:_____height;_____width; and_____length

iii. Approximate extent of building space to be heated or cooled:_____square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume:_____million gallons; surface area:_____acres

v. Dimensions of the proposed dam or impounding structure: _____ height;_____length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☐ No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No

If yes, describe.

_____

v. What is the total area to be dredged or excavated?_____acres

vi. What is the maximum area to be worked at any one time?_____acres

vii. What would be the maximum depth of excavation or dredging?_____feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

ii. Describe how the proposed action would affect that waterbody or wetland, e.g., excavation, fill, placement of structures, or alteration of channels, banks, and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day:_____gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing sewer lines serve the project site? ☐ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e., sheet flow) during construction or post construction? ☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or_____acres (impervious surface)

_____ Square feet or_____acres (parcel size)

ii. Describe types of new point sources.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water, or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☐ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, boilers, electric generation, surface coating)

_____

g. Will any air emission sources named in D.2.f (above), require an Air Facility Registration, Air State Facility Permit, Title IV Permit or Title V Permit? ☐ Yes ☐ No

If Yes:

i. Is the proposed action subject to the Nonattainment New Source Review or Prevention of Significant Deterioration requirements discussed in 6 NYCRR Part 231? ☐ Yes ☐ No

ii. As calculated in the air permit application, the proposed action has the potential to emit:

- _____Tons/year (short tons) of carbon monoxide (CO)
- _____Tons/year (short tons) of oxides of nitrogen (NOx)
- _____Tons/year (short tons) of particulate matter (PM-10, PM-2.5)
- _____Tons/year (short tons) of volatile organic compounds (VOC)
- _____Tons/year (short tons) of sulfur dioxide (SO_2)

iii. Will emissions of air contaminants from the proposed action described above exceed the corresponding major source thresholds? ☐ Yes ☐ No

iv. Does the proposed action have the potential to emit 10 tons/year or more of any one designated hazardous air pollutant or 25 tons/year or more of any combination of such hazardous air pollutants (6NYCRR 200.1(ag))? ☐ Yes ☐ No

If Yes, provide the total potential to emit hazardous air pollutants in short tons/year: _____

h. Will the proposed action generate or emit annual direct and indirect greenhouse gas emissions, such as carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, or perfluorocarbons in excess of 10,000 metric tons of total carbon dioxide equivalents per year at any point in the lifetime of the proposed action (estimated using the carbon dioxide equivalent definition and global warming potentials provided in 6 NYCRR Part 496)? ☐ Yes ☐ No

If Yes:

i. Estimate the proposed action's metric tons of carbon dioxide equivalents in tons/year (metric): _____

ii. Describe any greenhouse gas capture, control, or elimination measures included in project design: _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of_____to_____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks):

_____

iii. Parking spaces: Existing_____Proposed_____Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional energy demand? ☐Yes ☐No
If Yes:
i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:
- Monday - Friday:_____
- Saturday:_____
- Sunday:_____
- Holidays:_____

ii. During Operations:
- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No
If yes:
i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No
Describe:

n. Will the proposed action have outdoor lighting? ☐Yes ☐No
If yes:
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No
Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No
If Yes:
i. Product(s) to be stored _____
ii. Volume(s)_____ per unit time_____(e.g., month, year)
iii. Generally, describe the proposed storage facilities:_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticide) during construction or operation? ☐ Yes ☐No
If Yes:
i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction:_____tons per_____(unit of time)
- Operation : _____ tons per_____(unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:

_____

- Operation:

_____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:

_____

- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐Yes ☐No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled, or managed at facility: _____

_____

ii. Generally describe processes or activities involving hazardous wastes or constituents:

iii. Specify amount to be handled or generated_____tons/month

iv. Describe any proposals for on-site minimization, recycling, or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐Yes ☐No

If Yes: provide name and location of facility:_____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐Urban ☐Industrial ☐Commercial ☐Residential (suburban) ☐Rural (non-farm)
☐Forest ☐Agriculture ☐Aquatic ☐Other (specify):

ii. If mix of uses, generally describe:

b. Land uses and cover types on the project site.

Land use or Cover type	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces (total)			
• Industrial or manufacturing			
• Commercial			
• Residential			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse, etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth, or fill)			
• Other, Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No
If Yes,
i. Identify facilities:

e. Does the project site contain an existing dam? ☐ Yes ☐ No
If Yes:
i. Dimensions of the dam and impoundment:
- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property that is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
- If Yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If Yes, provide DEC ID number(s): _____
iv. If Yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☐No

- If Yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____%
_____ _____%
_____ _____%

d. What is the average depth to the water table on the project site? Average: _____feet

e. Drainage status of project site soils:
☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes:
☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐Yes ☐No
If Yes, describe:

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds, or lakes)? ☐Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes ☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☐No

If Yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☐No

j. Is the project site in the 100-year Floodplain? ☐Yes ☐No

k. Is the project site in the 500-year Floodplain? ☐Yes ☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☐No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

_____ _____ _____

_____ _____ _____

n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

_____

ii. Source(s) of description or evaluation:

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No

If Yes:

i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No

If Yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYSOffice of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐Yes ☐No

If Yes:

i. Nature of historic/archaeological resource: ☐Archaeological Site ☐Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office (SHPO) archaeological site inventory? ☐Yes ☐No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐Yes ☐No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic, or aesthetic resource? ☐Yes ☐No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail, or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐Yes ☐No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐Yes ☐No

E.4. Disadvantaged Communities Designated Pursuant to ECL Article 75

a. Is the project located within, or within ½ mile of, a disadvantaged community? ☐Yes ☐No

If No, could impacts(see examples below in E.4.b) from the project affect a disadvantaged community? ☐Yes ☐No

If Yes to either question in E.4.a, answer the remaining questions in this section.

b. Will there be direct or indirect impacts that may affect a disadvantaged community, such as those listed below? ☐Yes ☐No

i. new noise sources or expansions/modification of existing noise sources;
- noise from operational sources
- noise from construction activities

ii. emissions of air pollutants including, mobile emissions;

iii. wastewater discharges;

iv. generation of odors;

v. light pollution;

vi. new or modified radiation sources;

vii. new or modified sources of solid waste generation, management, or disposal.

If Yes, describe the impacts:

c. Do any of the State agency approvals identified in question B.g include any of the following DEC permits?

State Pollutant Discharge Elimination System (SPDES)	☐Yes ☐No
Solid Waste Management Facility	☐Yes ☐No
Hazardous Waste Management Facility	☐Yes ☐No
Air Pollution Control (Title V or Air State Facility)	☐Yes ☐No
Water Withdrawal over 20 MGD for Cooling Water	☐Yes ☐No
Waste Transporter	☐Yes ☐No

E.5 Future Physical Climate Risks

Will the proposed action be vulnerable to the following future physical climate risks under current or projected future conditions:

a. Is the proposed action vulnerable to damage from a projected 100-year flood? ☐ Yes ☐ No

b. Is the proposed action vulnerable to damage from a projected 500-year flood? ☐ Yes ☐ No

c. Is the proposed action in an area potentially affected by sea level rise? ☐ Yes ☐ No

d. Will the proposed action increase the vulnerability of human or ecological communities to the following:

i. drought? ☐ Yes ☐ No

ii. temperature extremes (hot or cold)? ☐ Yes ☐ No

iii. extreme storms, including high winds? ☐ Yes ☐ No

iv. landslides? ☐ Yes ☐ No

v. coastal erosion? ☐ Yes ☐ No

vi. stormwater flooding? ☐ Yes ☐ No

vii. other climate or weather hazards? ☐ Yes ☐ No If Yes, describe: _____

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Joshua Rogers Date 9-18-26

Signature  Title Town Planner

4.4. Hamburg Woodlawn Gateway Brownfield Opportunity Area (BOA) Plan Lead Agency and Public Hearing Resolution

WHEREAS, the Town of Hamburg has participated in the preparation of the Hamburg Woodlawn Gateway Brownfield Opportunity Area (BOA) Plan pursuant to the New York State Brownfield Opportunity Area Program; and

WHEREAS, the Hamburg Woodlawn Gateway BOA Plan provides a comprehensive framework for the revitalization, redevelopment, and sustainable growth of properties within the designated Brownfield Opportunity Area; and

WHEREAS, the adoption of the Hamburg Woodlawn Gateway BOA Plan constitutes an action subject to review under the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, pursuant to section 617.4 (b)(1) of the SEQRA regulations, the Town Board has determined that the Proposed Action constitutes a "Type I Action," and a coordinated review will be conducted; and

WHEREAS, pursuant to SEQRA and its implementing regulations, the Town of Hamburg Town Board has determined that it is the appropriate agency to coordinate the environmental review of the proposed action.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hamburg Town Board hereby declares its intent to serve as Lead Agency for the environmental review associated with the adoption of the Hamburg Woodlawn Gateway BOA Plan pursuant to the State Environmental Quality Review Act and its implementing regulations; and

BE IT FURTHER RESOLVED, that the Town Planning Department is hereby authorized and directed to circulate the appropriate Lead Agency Coordination Notice to all involved and interested agencies, as required by SEQRA; and

BE IT FURTHER RESOLVED, the Town of Hamburg Town Board hereby authorizes the 239-M referral of the Hamburg Woodlawn Gateway BOA Plan to Erie County; and

BE IT FURTHER RESOLVED, the Town of Hamburg Town Board sets a Public Hearing on the

Hamburg Woodlawn Gateway BOA Plan at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, NY at 6:00 pm on December 14th, 2026.

BE IT FURTHER RESOLVED, a copy of the Hamburg Woodlawn Gateway BOA Plan can be found on the Town Planning Department page on the Town website: https://www.townofhamburgny.gov/577/Hamburg-Woodlawn-Gateway-Brownfield-Oppo

BE IT FINALLY RESOLVED, that upon completion of the coordination process and environmental review, the Town Board shall consider the adoption of the Hamburg Woodlawn Gateway BOA Plan and any related findings and determinations.

ATTACHMENTS:

Hamburg Woodlawn Gateway BOA FEAF Part 1 updated.pdf

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies that would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No." If the answer to the initial question is "Yes," complete the following sub-questions. If the answer to the initial question is "No," proceed to the next question. Section F allows the project sponsor to identify and attach additional information. Section G requires the name and signature of the applicant or project sponsor to verify the information in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Hamburg Woodlawn Gateway BOA Plan		
Project Location (describe and attach a general location map): Hamlets of Woodlawn and Athol Springs, Town of Hamburg, NY		
Brief Description of Proposed Action (include purpose or need): The proposed action involves adoption by the Town Board of the Hamburg Woodlawn Brownfield Opportunity Area (BOA) Plan. The Plan establishes a community-supported vision and framework for revitalization and redevelopment within the Woodlawn BOA study area. It identifies opportunities to address brownfield and underutilized properties, encourage compatible redevelopment, enhance the public realm, improve connectivity, and support economic development. The Plan includes recommendations and implementation strategies intended to guide future public and private investment and decision-making within the study area.		
Name of Applicant/Sponsor: Town of Hamburg	Telephone: (716) 649-6111 E-Mail: efarrell@townofhamburgny.gov	
Address: 6100 South Park Avenue		
City/PO: Hamburg	State: New York	Zip Code: 14075
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☑Yes ☐No	Town Board - Plan adoption	October-December 2026
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board - recommendation for Plan adoption	October-December 2026
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☐Yes ☑No		
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	New York State Department of State (NYSDOS) BOA Designation	October 2026-Winter 2027
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area or the waterfront area of a Designated Inland Waterway? ☑ Yes ☐ No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑ Yes ☐ No

iii. Is the project site within a Coastal Erosion Hazard Area? ☑ Yes ☐ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule, or regulation be the only approval(s) that must be granted to enable the proposed action to proceed? ☑ Yes ☐ No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally adopted (city, town, village, or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other)? ☑ Yes ☐ No

If Yes, identify the plan(s):

Western Erie Canal Natural Heritage Corridor, Erie County Agricultural and Farmland Protection Plan, Regional Niagara River/Lake Erie Watershed Management Plan

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan? ☑ Yes ☐ No

If Yes, identify the plan(s):

Erie County Parks Master Plan

d. Is the proposed action in a municipality with an adopted comprehensive or individual plan that addresses climate change? ☐ Yes ☑ No

If Yes , identify the elements of the plan that are relevant to the action:

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance? ☐ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Numerous zoning districts. Proposed action is the adoption of a BOA Plan for the Hamburg Woodlawn Gateway study area

b. Is the use permitted or allowed by a special or conditional use permit? N/A ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes, what is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Frontier Central School District

b. What police or other public protection forces serve the project site?
Hamburg Police Department, Blasdell Police Department, Erie County Sheriff New York State Police

c. Which fire protection and emergency medical services serve the project site?
Woodlawn Volunteer Fire Department, Village of Blasdell Volunteer Fire Department

d. What parks serve the project site?
There are 12 parks within or in the immediate vicinity of the BOA.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? %_____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum_____Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month_____year
- Anticipated completion date of final phase _____ month_____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure:_____height;_____width; and_____length

iii. Approximate extent of building space to be heated or cooled:_____square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume:_____million gallons; surface area:_____acres

v. Dimensions of the proposed dam or impounding structure: _____ height;_____length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☐ No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____

v. What is the total area to be dredged or excavated?_____acres

vi. What is the maximum area to be worked at any one time?_____acres

vii. What would be the maximum depth of excavation or dredging?_____feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

ii. Describe how the proposed action would affect that waterbody or wetland, e.g., excavation, fill, placement of structures, or alteration of channels, banks, and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day:_____gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing sewer lines serve the project site? ☐ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e., sheet flow) during construction or post construction? ☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or_____acres (impervious surface)

_____ Square feet or_____acres (parcel size)

ii. Describe types of new point sources.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water, or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☐ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, boilers, electric generation, surface coating)

_____

g. Will any air emission sources named in D.2.f (above), require an Air Facility Registration, Air State Facility Permit, Title IV Permit or Title V Permit? ☐ Yes ☐ No

If Yes:

i. Is the proposed action subject to the Nonattainment New Source Review or Prevention of Significant Deterioration requirements discussed in 6 NYCRR Part 231? ☐ Yes ☐ No

ii. As calculated in the air permit application, the proposed action has the potential to emit:

- _____Tons/year (short tons) of carbon monoxide (CO)
- _____Tons/year (short tons) of oxides of nitrogen (NOx)
- _____Tons/year (short tons) of particulate matter (PM-10, PM-2.5)
- _____Tons/year (short tons) of volatile organic compounds (VOC)
- _____Tons/year (short tons) of sulfur dioxide (SO_2)

iii. Will emissions of air contaminants from the proposed action described above exceed the corresponding major source thresholds? ☐ Yes ☐ No

iv. Does the proposed action have the potential to emit 10 tons/year or more of any one designated hazardous air pollutant or 25 tons/year or more of any combination of such hazardous air pollutants (6NYCRR 200.1(ag))? ☐ Yes ☐ No

If Yes, provide the total potential to emit hazardous air pollutants in short tons/year: _____

h. Will the proposed action generate or emit annual direct and indirect greenhouse gas emissions, such as carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, or perfluorocarbons in excess of 10,000 metric tons of total carbon dioxide equivalents per year at any point in the lifetime of the proposed action (estimated using the carbon dioxide equivalent definition and global warming potentials provided in 6 NYCRR Part 496)? ☐ Yes ☐ No

If Yes:

i. Estimate the proposed action's metric tons of carbon dioxide equivalents in tons/year (metric): _____

ii. Describe any greenhouse gas capture, control, or elimination measures included in project design: _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of_____to_____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks):

_____

iii. Parking spaces: Existing_____Proposed_____Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional energy demand? ☐Yes ☐No
If Yes:
i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:
- Monday - Friday:_____
- Saturday:_____
- Sunday:_____
- Holidays:_____

ii. During Operations:
- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No
If yes:
i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No
Describe:

n. Will the proposed action have outdoor lighting? ☐Yes ☐No
If yes:
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No
Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No
If Yes:
i. Product(s) to be stored _____
ii. Volume(s)_____ per unit time_____(e.g., month, year)
iii. Generally, describe the proposed storage facilities:_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticide) during construction or operation? ☐ Yes ☐No
If Yes:
i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:

_____

- Operation:

_____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:

_____

- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐Yes ☐No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled, or managed at facility: _____

_____

ii. Generally describe processes or activities involving hazardous wastes or constituents:

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling, or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐Yes ☐No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐Urban ☐Industrial ☐Commercial ☐Residential (suburban) ☐Rural (non-farm)
☐Forest ☐Agriculture ☐Aquatic ☐Other (specify):

ii. If mix of uses, generally describe:

b. Land uses and cover types on the project site.

Land use or Cover type	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces (total)			
• Industrial or manufacturing			
• Commercial			
• Residential			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse, etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth, or fill)			
• Other, Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No
If Yes,
i. Identify facilities:

e. Does the project site contain an existing dam? ☐ Yes ☐ No
If Yes:
i. Dimensions of the dam and impoundment:
- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property that is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
- If Yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If Yes, provide DEC ID number(s): _____
iv. If Yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☐No

- If Yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____%
_____ _____%
_____ _____%

d. What is the average depth to the water table on the project site? Average: _____feet

e. Drainage status of project site soils:
☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes:
☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐Yes ☐No
If Yes, describe:

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds, or lakes)? ☐Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes ☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☐No

If Yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☐No

j. Is the project site in the 100-year Floodplain? ☐Yes ☐No

k. Is the project site in the 500-year Floodplain? ☐Yes ☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☐No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

_____ _____ _____

_____ _____ _____

n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

_____

ii. Source(s) of description or evaluation:

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No

If Yes:

i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No

If Yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYSOffice of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐Yes ☐No

If Yes:

i. Nature of historic/archaeological resource: ☐Archaeological Site ☐Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office (SHPO) archaeological site inventory? ☐Yes ☐No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐Yes ☐No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic, or aesthetic resource? ☐Yes ☐No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail, or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐Yes ☐No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐Yes ☐No

E.4. Disadvantaged Communities Designated Pursuant to ECL Article 75

a. Is the project located within, or within ½ mile of, a disadvantaged community? ☐Yes ☐No

If No, could impacts(see examples below in E.4.b) from the project affect a disadvantaged community? ☐Yes ☐No

If Yes to either question in E.4.a, answer the remaining questions in this section.

b. Will there be direct or indirect impacts that may affect a disadvantaged community, such as those listed below? ☐Yes ☐No

i. new noise sources or expansions/modification of existing noise sources;
- noise from operational sources
- noise from construction activities

ii. emissions of air pollutants including, mobile emissions;

iii. wastewater discharges;

iv. generation of odors;

v. light pollution;

vi. new or modified radiation sources;

vii. new or modified sources of solid waste generation, management, or disposal.

If Yes, describe the impacts:

c. Do any of the State agency approvals identified in question B.g include any of the following DEC permits?

State Pollutant Discharge Elimination System (SPDES)	☐Yes ☐No
Solid Waste Management Facility	☐Yes ☐No
Hazardous Waste Management Facility	☐Yes ☐No
Air Pollution Control (Title V or Air State Facility)	☐Yes ☐No
Water Withdrawal over 20 MGD for Cooling Water	☐Yes ☐No
Waste Transporter	☐Yes ☐No

E.5 Future Physical Climate Risks

Will the proposed action be vulnerable to the following future physical climate risks under current or projected future conditions:

a. Is the proposed action vulnerable to damage from a projected 100-year flood? ☐ Yes ☐ No

b. Is the proposed action vulnerable to damage from a projected 500-year flood? ☐ Yes ☐ No

c. Is the proposed action in an area potentially affected by sea level rise? ☐ Yes ☐ No

d. Will the proposed action increase the vulnerability of human or ecological communities to the following:

i. drought? ☐ Yes ☐ No

ii. temperature extremes (hot or cold)? ☐ Yes ☐ No

iii. extreme storms, including high winds? ☐ Yes ☐ No

iv. landslides? ☐ Yes ☐ No

v. coastal erosion? ☐ Yes ☐ No

vi. stormwater flooding? ☐ Yes ☐ No

vii. other climate or weather hazards? ☐ Yes ☐ No If Yes, describe: _____

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Town of Hamburg Date _____

Signature _____ Title _____

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.5. Amendments to the 2027 Supervisor's Budget

WHEREAS, the following amendments to the 2027 Supervisor's Budget do not result in any change to the proposed ad valorem tax rates.

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board hereby amends the 2027 Supervisor's Budget as follows:

ATTACHMENTS:

DOC103026-004.pdf

Amendments to Supervisor's Budget 2027

Account #	Description/Dept	Change
	Revenue:	
A.0000.2701	Refund of prior year expense	35,000
		-
	Appropriated Fund Balance:	
		-
	Expense:	
A.1410.0100	Personal Services	1,629
A.6310.0451	Expenses	(1,000)
A.1690.0100	Personal Services	(58,698)
A.3225.0100	Personal Services	5,888
A.1355.0423	Service Contracts	3,300
A.1220.0492	Training and Professional development	1,000
A.1990.0419	Contingency Account	25,000
A.1620.0303	Permanent Improvements	35,000
A.1440.0452	Mileage	3,000
A.1220.0423	Maintenance and Service Contracts	5,000
A.1690.0423	Maintenance and Service Contracts	14,881
		-
SF08.3410.0439.0002	Village of Hamburg	16,400
		-

4.6. Order Establishing the Town of Hamburg Ambulance District

WHEREAS, on September 28, 2026, the Town Board of the Town of Hamburg, New York (the "Town Board"), in accordance with the requirements of Article 12-a of the New York Town Law, adopted a resolution approving the creation of the Town of Hamburg Ambulance District ("District") subject to a permissive referendum (the "Resolution"); and

WHEREAS, prior to the adoption of said resolution, the Town Board authorized the preparation of a map, plan and report pursuant to the requirements of Town Law § 209-c ("Report") to support the establishment of the District, and the Town Board, on August 10, 2026, duly adopted an order pursuant to Town Law § 209-d calling for a public a public hearing on the establishment of the District ("Notice of Hearing"); and

WHEREAS, on August 24, 2026, the Town Board held a public hearing on the establishment of the District and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, as stated in the Notice of Hearing, it is in the best interest of the Town that the District include all properties within the boundaries of the Town, including all properties located within the Villages of Blasdell and Hamburg (the "Villages"); and

WHEREAS, the Villages have not duly adopted resolutions consenting to their inclusion in the District; and

WHEREAS, the Town Clerk reported to the Town Board that notices of the adoption of the Resolution were duly posted and published as required by law and that the Town Clerk had petitions requesting a permissive referendum available in the Town Clerk's Office and that more than thirty (30) days have elapsed since September 28, 2026 and no petitions requesting a permissive referendum have been filed with the Town Clerk; and

WHEREAS, this Town Board is now empowered to order the establishment of the District;

NOW, THEREFORE, BE IT ORDERED, by the Town Board, as follows:

1. Consistent with the Report, the Notice of Hearing, and the Resolution establishing the District, the Town of Hamburg Ambulance District is hereby established to include all properties within the boundaries of the Town, excluding the Village of Hamburg and Village of Blasdell.

2. The Town Clerk is hereby directed to certify a copy of this Order and forthwith record the same in the office of the Clerk of the County of Erie in which the Town of Hamburg is situated and to forward a certified copy of the same to the Department of Audit and Control.

4.7. Urging New York State to Amend Criminal Procedure Law for Repeat Juvenile Offenders and Restore Judicial Discretion

WHEREAS, the Town Board of the Town of Hamburg is committed to protecting the safety, welfare, and quality of life of its residents; and

WHEREAS, municipalities throughout Erie County and New York State have experienced incidents involving repeat juvenile offenders, including vehicle thefts, property crimes, and other offenses that have significant impacts on residents, businesses, and law enforcement resources; and

WHEREAS, local governments and law enforcement agencies have expressed concerns regarding the ability to effectively address repeat juvenile offending while ensuring accountability, and public safety; and

WHEREAS, the Town Board recognizes the importance of balancing rehabilitation opportunities for youth with the need to protect victims and communities from repeated criminal behavior; and

WHEREAS, repeated criminal activity, court-related noncompliance, and property offenses committed by repeat offenders may result in increased expenditures of municipal resources, including law enforcement response, public safety services, court administration, and related governmental functions; and

WHEREAS, enhancing public safety tools and improving accountability for repeat offenders may help reduce the long-term financial burden on local governments and taxpayers.

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board respectfully urges the New York State Legislature to review and amend existing laws, where appropriate, to restore judicial discretion in release and detention determinations to address repeat juvenile offending and chronic failures to appear in court; and

BE IT FURTHER RESOLVED, that such review should consider measures that enhance judicial discretion, improve accountability for repeat offenders, support victims of crime, and strengthen public safety while preserving appropriate rehabilitation opportunities for youth; and

BE IT FURTHER RESOLVED, that the Town Board encourages other municipalities and local government organizations throughout New York State to join in advocating for public safety reforms that address repeat juvenile offending and its impact on local communities; and

BE IT FINALLY RESOLVED, that the Town Clerk is hereby directed to transmit copies of this Resolution to the State of New York, the Majority and Minority Leaders of the New York State Senate and Assembly, the New York State legislature delegation representing Erie County, The Erie County Legislature, neighboring municipalities, and such other officials as may be appropriate.

4.8. Out of Town Travel Request – POLICE

WHEREAS, the National Computer Forensics Institute (NCFI) is offering Introduction to Phone Repair Course (IPR 27-02) from Monday, December 7, 2026 – Friday, December 11, 2026, in Pelham, Alabama; and

WHEREAS, there is NO COST for LODGING, MEALS, or TRANSPORTATION; and

NOW, THEREFORE BE IT, RESOLVED, the Town Board authorize Officer William Blette to attend the Introduction to Phone Repair Course (IPR 27-02) at no cost.

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.9. Budget Adjustment - Youth, Recreation, & Senior Services - Town Park

WHEREFORE, the Town Board of the Town of Hamburg hereby authorizes the following budget adjustment for Fiscal Year 2026 within the Department of Youth, Recreation & Senior Services to account for an underfunded Town Park Contractual Account (A7180.0440)

WHEREAS, funds are available in Senior Services Contractual Account (A6772.0440)

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor and Finance Department are authorized to adjust the 2026 Budget as follows:

Transfer From A6772.0440 to Account A7180.0440 $5,000.00

4.10. POLICE / Dog Control Officer – Budget Adjustment/Transfer

WHEREAS, the Police Department/DCO has requested a budget adjustment as outlined on the Town of Hamburg Budget Adjustment Form to fund necessary expenditures; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamburg hereby authorizes the budget adjustment as detailed on the attached Budget Adjustment Form for Fiscal Year 2026; and

BE IT FURTHER RESOLVED, the final adopted resolution, together with the completed Budget Adjustment Form, shall be forwarded to the Town Finance Department for processing.

ATTACHMENTS:

Police_DCO-Budget Adj_Transfer Form-11-2-2026.pdf

Town of Hamburg
Budget Adjustment and Transfer Form

All fields must be completed with the required backup for the request to be processed.

Budget Adjustment Details:

2026 — Fiscal Year

POLICE - DCO — Department

Transfer Type (check one):

☐ **Intradepartmental** (within same department/fund)

■ **Interdepartmental** (between departments, Board resolution required)

☐ **Revenue to Expense** (Board resolution required)

Transfer From Account Number	Transfer To Account Number	Amount	Board Resolution Date and Number
A Fund Fund Balance	A000-3510-0440	$ 8,000.00	N/A

Explain purpose or justification for adjustment: Adjustment is needed to cover invoice overages due to increased costs associated with new Ag and Market requirements instituted in Mid 2026.

Explain why funds are available: _____

I certify that the above is required for efficient program operation.

Department Head Signature — Date: 10/26/25

APPROVAL SECTION

Note: For Interdepartmental and Revenue to Expense transfers approved by Town Board resolution, the Town Board resolution serves as the approval; Finance Director and Supervisor signatures are not required.

APPROVAL ( ) DISAPPROVAL ( )

Finance Director Signature — Date — Supervisor Signature — Date

4.11. POLICE – Budget Amendment Transfer - Grant

WHEREAS, the Town of Hamburg Police Department receives grants/donations from time to time and,

WHEREAS, the use of these funds has been determined by the granting agency/donor and,

NOW, THEREFORE BE IT RESOLVED, that the Town Board approves the receipt of the following monies and approves a budget amendment to the revenue and expenditure accounts as follows:

ATTACHMENTS:

Budget Adjustment - Spark Good Grant_Shop with a Cop 2026.pdf

Board Meeting Date: **Monday, November 2, 2026**

Resolution Number:

Recoveries and Sales Budget Adjustment			
Receipt	Revenue Code	Expenditure Code	
Amount	**To Increase**	**To Increase**	**Purpose/Source**
$5,000.00	B2705	B3120.0450	Shop with a Cop / Spark Good Grants
Total:			
$5,000.00			

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.12. B&G Budget Transfer

RESOLVED, that the Town Board approves the following budget tansfers; and

BE IT FURTHER RESOLVED, that the Town Supervisor and Finance Office are authorized and directed to make the necessary accounting and budgetary entries to carry out these transfers.

Transfer From:	**Transfer To:**	**Amount**
A.1620.303	A.1620.466	$1,617.35
A.1620.303	A.7140.466	$1,165.57
A.1620.303	A.7181.466	$3,812.08
A.1620.303	A.7183.466	$1,029.31
A.1620.303	A.7185.466	$1,013.03

4.13. Highway Budget Adjustment

NOW, THEREFORE BE IT, RESOLVED, that the Town Board approve the transfer of $185,923.00 from the DB Fund Balance into Account DB5142.467 Chemicals (Road Salt) for purchase of road salt that has exceeded the Budget appropriation due to increased need in the first quarter of the year because of frequent snow and ice events that necessitated using the entire allotment of salt purchased through the Erie County Bid process.

4.14. B&G Revenue Account Transfer

WHEREAS, the Buildings & Grounds Department received a check from Auctions International, Inc. for $2,570.00 for a 2013 Ford E350 Shahl Utility Truck, and

THEREFORE BE IT RESOLVED, the Town Board approves funds in the amount of $2,570.00 to be deposited into Revenue Account A.2665 and transferred to Account A.1640.201.

4.15. ECWA Collection Administrative Fee

WHEREAS, the Erie County Water Authority ("ECWA") has formally implemented a procedure that requires municipalities under a Direct Service Agreement with ECWA to collect delinquent water accounts, and remit past due amounts to ECWA; and

WHEREAS, the method to collect delinquent water accounts owed to ECWA will be to include the unpaid water accounts on the Town of Hamburg tax bill; and

WHEREAS, pursuant to NYS Town Law §198(3)(d) the Town Board may provide that unpaid ECWA charges in arrears for ninety (90) days or longer to be included on the tax bill shall be subject to a surcharge not to exceed ten (10) per centum of the amount due.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamburg authorizes the assessment of a administrative fee for the collection of ECWA any unpaid charges to ECWA in arrears for ninety (90) days or longer, equal to ten (10) per centum of the amount due, and to be added to the unpaid town ECWA charges on the tax bill.

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.16. Amendment of Planning & Engineering Fees

WHEREAS, the Town of Hamburg Planning and Engineering Departments have various application fees associated with planning board applications, sketch plan reviews, SWPPP reviews, site plan approvals, subdivision approvals, special use permits, rezoning applications, etc.; and

WHEREAS, the fees are reviewed and reassessed on an annual basis to meet the costs of such efforts, reviews and inspections by Town personnel.

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board adopts the attached 2027 Schedule of Fees for the Planning and Engineering Departments, which shall apply to all applications starting January 1, 2027.

ATTACHMENTS:

2027 Schedule of Fees.xlsx

TOWN OF HAMBURG
6100 S. Park Ave
Hamburg, NY 14075

716-649-6111
www.townofhamburgny.gov

Schedule of Fees

January 1, 2027

Rezoning Application Fees	Planning Department Fees	Engineering Department Fees
1 Acre or less	$550	None
>1 - 5 Acres	$1,600	None
>5 - 10 Acres	$3,200	None
>10 - 50 Acres	$5,300	None
>50 Acres	$8,000	None

MINOR SUBDIVISION UP TO 4 LOTS	Planning Department Fees	Engineering Department Fees
Sketch Plan	$200	None
Preliminary Plan	$300 + $300/lot over 2	$200 (if required)
Public Hearing Fee	$350	None
Final Plat Map Cover (if required)	None	$350

MAJOR SUBDIVISION 5 LOTS OR MORE (no PIP)	Planning Department Fees	Engineering Department Fees
Sketch Plan	$750	$500
Preliminary Plan + $300/lot over 5	$1,500 + $300/lot over 5	$1,000 + $200/lot over 5
Public Hearing Fee	$350	$200
Final Plat Map Cover (if required)	None	$1,000
Re-review of subdivision materials	None	$1,500

MAJOR SUBDIVISION 5 LOTS OR MORE (with PIP)	Planning Department Fees	Engineering Department Fees
Sketch Plan	$750	$750
Preliminary Plan + $300/lot over 5	$2,000 + $300/lot over 5	$2,500 + $300/lot over 5
Public Hearing Fee	$415	$375
Final Plat Map Cover (if required)	None	$2,000
Re-review of subdivision materials	None	$2,000

All Subdivisions per # Lots/Units	Planning Department Fees	Engineering Department Fees
Final Engineering Review Fee	None	$70 per lot/unit up to 20
Final Engineering Review Fee	None	$50 per lot/unit over 20

Public Improvement Permit	Planning Department Fees	Engineering Department Fees
PIP Permits	None	**Based on project costs**
Clearing, Striping and Erosion Sediment Control	None	**Based on project costs**

SWPPP Plan Review (Subdivisions)	Planning Department Fees	Engineering Department Fees
1-4.99 acres	None	$1,000
5-10 acres	None	$1,500
Greater than 10 acres	None	$2,500
Yearly renewal fee	None	$300

TOWN OF HAMBURG
6100 S. Park Ave
Hamburg, NY 14075
716-649-6111
www.townofhamburgny.gov

Schedule of Fees — January 1, 2027

SITE PLAN REVIEW FEES	Fees	
Sketch Plan	$250	$250
Public Hearing	$350	$350
Preliminary Engineering Fee*	$400	None
Minor Addition and site improvements	$400	$400
Less than 1 acre	$1,000	$1,000
1 to <2 acres	$1,750	$1,750
2 to <5 acres + $500 per acre over 2	$2,000	$2,000
5 to <10 acres + $500 per acre over 5	$5,000	$5,000
10 acres & above + $500 per acre over 10	$10,000	$10,000
Re-review of site plan materials (not a new application)	$750, $1,000, $1,500, $2,000 & $2,500 (for each category)	$750, $1,000, $1,500, $2,000 & $2,500 (for each category)
Special Use Permit	$350 + site plan fees	Site plan fees only
Site Plan Waiver	$150	$150

SWPPP Plan Review (Site Plans)	Planning Department Fees	Engineering Department Fees
1-4.99 acres	None	$1,000
5-9.99 acres	None	$1,400
10 acres or greater	None	$1,900
Yearly renewal fee	None	$300

*Preliminary Engineering Fee is required for all site plan applications at the time of submittal to the Planning Department. A separate check made to the Town of Hamburg is required. The amount will be deducted from Engineering Department Fees should the application move forward to engineering review following Planning Board approval. If not, the fee shall be forefeited.

4.17. Twin Willow Water Service

WHEREAS, the Town of Hamburg is responsible for the waterlines within the Twin Willow area; and

WHEREAS, a leak has been detected related to vacant home at 5036 Lakeshore Road, Hamburg 14075, and no shut off valve was located; and

WHEREAS, the Engineering Department recommends hiring Russo Development Inc. to install a curb box to address the issue at a cost of $1,490.00.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Engineer to sign the attached quote from Russo Development Inc. and for work to start immediately.

Funds are available in B.1490.0440.2

ATTACHMENTS:

Town of Hamburg - low risk constuction.docx
Russo_TOH CONTRACTOR AGREEMENT.docx

Insurance Requirements

Instructions pertaining to the Town of Hamburg regarding:

CONTRACTORS' INSURANCE COVERAGE AND CERTIFICATES

1. GENERAL PROVISIONS

As to all required insurance:

.1 The Contractor shall provide current Certificates of Insurance and accompanying documents as described herein for the Town's approval prior to Town's signing of contract(s).

.2 "Certificate Holder" shall be **Town of Hamburg** at the address of **6100 South Park Avenue Hamburg, NY 14075**

.3 Coverage must comply with all specifications set forth herein.

.4 All insurance documents must be executed with authorized signatures.

.5 The Contractor's required liability policies must be endorsed to provide that any Notice of Cancellation or Notice of Non-Renewal given to the First Named Insured shall also be given to the Additional Insureds for this project**. A copy of such endorsement(s) must be furnished to the Certificate Holder.**

.6 Failure of the Town to object to the Contractor's failure to furnish a Certificate or other evidence of the required insurance coverages, object to any defect in such Certificate or other evidence of coverage, or demand receipt of such Certificate or other evidence of coverage shall not be deemed a waiver of Contractor's obligation to furnish the required insurance coverages described herein. Nothing contained herein imposes on the Town a duty or obligation to review any evidence of insurance coverages or issue any formal approval or acceptance of such evidence.

.7 The Contractor's liability and indemnification of the Town shall not be relieved or diminished by the Contractor securing insurance coverage in accordance with the Town's requirements. Any approval by the Town of such insurance coverage shall not be construed as accepting in any way the deficiencies in the Contractor's insurance coverage.

.8 In addition to Certificates of Insurance and other documents, the Contractor shall provide to the Town and other Certificate Holders, on a timely basis, copies of any subsequently issued endorsement(s) that amend applicable coverages or limits.

.9 When any required insurance shall expire, due to the attainment of a normal expiration or renewal date, the Contractor shall supply, no later than ten (10) days prior to such expiration, the Town with Certificates of Insurance and accompanying documents evidencing continuation of coverage in the same manner, limits of protection and scope as provided by the previous policy.

.10 The Contractor will assure that any and all subcontractors retained by the Contractor carry and maintain insurance with reasonably prudent limits and coverage satisfactory to the Town in light of the work to be performed, written by companies meeting the same criteria as required in Section 2. LIABILITY INSURANCE, and that the Town is named additional insured on the subcontractor's liability policies according to the same requirements as described in Section 2.1(b).

.11 The Contractor shall disclose to the Town any deductible or self-insured retentions applicable to any of the coverages required herein of the Contractor.

.12 The Contractor's liabiltiy coverage must not contain any exlcusions or restriction of coverage for claims involving New York Labor Law, Employer's Liability, third party over actions, or equivalent.

2. LIABILITY INSURANCE

The Contractor agrees to secure and maintain, at the Contractor's own expense, all insurance coverage required herein from one or more insurance companies that are licensed to write such insurance in New York State or are eligible non-admitted insurers, per the current Excess Line Association of New York's (ELANY) official list. Insurers must carry an A.M. Best "Secure" rating of A- or better. The Contractor's insurance shall include the following, and shall be written with limits no less than hereinafter specified:

.1 COMMERCIAL GENERAL LIABILITY

(a) Occurrence based **Commercial General Liability** coverage to include bodily injury, personal injury, and property damage applicable to ongoing operations, products & completed operations, and contractual liability, all with a per-project aggregate endorsement. There shall be no exclusions for NY State Labor Law. There shall be no exclusions for explosion, collapse, and underground operations ("XCU"). The coverage limits applicable shall be the greater of the amounts indicated below or the amounts carried by the Contractor:

General Aggregate	$2,000,000
Products & Comp/Op. Aggregate	$2,000,000
Personal & Advertising Injury	$1,000,000
Each Occurrence	$1,000,000
Fire Damage (any one fire)	$ 50,000
Med. Expense (any one person)	$ 5,000

(b) Additional Insured: Coverage in Commercial General Liability, Automobile Liability, and Excess Liability and/or Umbrella Liability policies or coverage sections shall be written or endorsed so as to apply to the following as **additional insured on a primary and non-contributory basis**:

"Town of Hamburg and its employees, authorized volunteers, committee members and board members"

This Additional Insured coverage must be at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10, CG 20 26, CG 20 33, or CG 20 38; *and* CG 2037 forms together if later revisions are used, or the equivalent. In addition, the primacy of coverage must be at least as broad as ISO Form CG 20 01 04 13. The Certificate of Insurance must clearly state how Additional Insured coverage is achieved in the General Liability, Automobile Liability, and Umbrella/Excess Liability policies. Certificates of Insurance must show the form numbers that are used to achieve all of the Additional Insured coverage. A copy of the actual policy language that achieves this coverage in each policy must be provided to the Owner with the Certificate of Insurance.

(b) Products & Completed Operations coverages must be maintained in force for a **minimum of three (3) years** following Final Completion of the Project.

(c) Waiver of Subrogation: To the fullest extent permitted by applicable state law, a Waiver of Subrogation Clause shall be added to the General Liability, Automobile, Umbrella/Excess Liability, and Workers Compensation policies in favor of the Town.

.2 AUTOMOBILE LIABILITY INSURANCE

Bodily Injury and Property Damage, coverage for the Contractor as the owner or the lessee of automobiles, trucks, trailers, self-propelled Contractor's equipment and all other owned, hired and non-owned vehicles registered for use on the public highway and/or used in operations relating to work under contract. If any such vehicles are to be used to transport hazardous materials, the Contractor shall also provide pollution liability broadened coverage evidenced by ISO Form CA 99 48. The coverage limit applicable shall be the greater of the amounts indicated below or the amount(s) carried by the Contractor:

Combined Single Limit	$1,000,000

Note: See Section 2.1(b) above for **additional insured** requirements applicable to Automobile Liability insurance.

.3 EXCESS LIABILITY AND/OR UMBRELLA LIABILITY applicable to Commercial General Liability and Automobile Liability policies. The Excess Liability and/or Umbrella Liability coverage limits applicable shall be the greater of the amounts indicated below or the amounts carried by the Contractor:

Each Occurrence	$1,000,000
Aggregate	$1,000,000

Note: See Section 2.1(b) above for **additional insured** requirements applicable to the Excess Liability and/or Umbrella Liability insurance.

4. WORKERS COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE,

Must include Waiver of Subrogation in favor of Owner.

Coverage required by the laws of New York State as further described below.

.1 Requirements. To comply with coverage provisions of Section 57 of the Workers' Compensation Law, businesses must **(1)** be legally exempt from obtaining workers' compensation insurance coverage, **(2)** obtain such coverage from insurance carriers, or **(3)** be self-insured or participate in an authorized group self-insurance plan.

.2 Coverage Evidence. The Contractor must provide one of the following forms to the Owner, or the current equivalent of any of them in the event of revisions or replacements:

(a) Either: **CE-200**, Affidavit For New York Entities And Any Out Of State Entities With No Employees, That New York State Workers' Compensation And/Or Disability Benefits Insurance Coverage Is Not Required
Or: **CE-200**, Affidavit That An OUT-OF-STATE OR FOREIGN EMPLOYER Working In New York State Does Not Require Specific New York State Workers' Compensation And/Or Disability Benefits Insurance Coverage
(Affidavits must be stamped as received by the N.Y.S. Workers' Compensation Board)

OR

(b) Either: **C-105.2**, Certificate of Workers' Compensation
Or: **U-26.3**, New York State Insurance Fund Certificate of Workers' Compensation Coverage

OR

(c) Either: **SI-12** – Certificate of Workers' Compensation Self-Insurance,
Or: **GSI-105.2** – Certificate of Participation in Workers' Compensation Group Self-Insurance

5. NEW YORK DISABILITY (NYDBL)

Coverage required by the laws of New York State as further described below.

DISABILITY BENEFITS REQUIREMENTS UNDER WCL SECTION 220 SUBD. 8

.1 Requirements. To comply with coverage provisions of the New York State Disability Benefits Law, businesses must (1) be legally exempt from obtaining disability benefits insurance coverage, (2) obtain such coverage from insurance carriers, or (3) be self-insured.

.2 Coverage Evidence. The Contractor must provide one of the following forms to the Owner, or the current equivalent of any of them in the event of revisions or replacements:

(a) Either: **CE-200**, Affidavit For New York Entities And Any Out Of State Entities With No Employees, That New York State Workers' Compensation And/Or Disability Benefits Insurance Coverage Is Not Required

Or: **CE-200**, Affidavit That An OUT-OF-STATE OR FOREIGN EMPLOYER Working In New York State Does Not Require Specific New York State Workers' Compensation And/Or Disability Benefits Insurance Coverage
(Affidavits must be stamped as received by the N.Y.S. Workers' Compensation Board)

OR

(b) Either: **DB-120.1**, Certificate of Disability Benefits Insurance
Or: **DB-820/829**, Certificate/Cancellation of Insurance

OR

(c) DB-155, Certificate of Disability Benefits Self-Insurance

AGREEMENT

THIS AGREEMENT made on October 23, 2026, between TOWN OF HAMBURG, a municipal corporation formed pursuant to the laws of the State of New York, with a mailing address of 6100 South Park Avenue, Hamburg, New York 14075 ("TOWN") and Russo Development Inc., with a mailing address of 3710 Milestrip Rd./ Blasdell, NY 14219 ("CONTRACTOR") agree as follows:

1. SCOPE OF WORK: The Contractor agrees to perform the scope of work as follows:

- ¾" curb stop installation on an existing main at 5036 Lakeshore Road, Hamburg.
- Materials: curb stop and curb box.
- Backfill with materials generated at installation.
- Lawn restoration of excavated area. No asphalt or concrete restoration.
- Traffic control not included.
- Prevailing wage rate and tax-exempt status.

2. COST OF WORK TO BE PERFORMED:

-Town shall pay Contractor the sum of $1,490.00 for the work performed.
-Contractor shall be responsible for providing the following when performing the services:
-Labor, including, but not limited to, employees, subcontractors and any other individuals or agents.
-Materials, including, but not limited to, all supplies and products.
-Equipment, including but not limited to, machinery, accessories.

3. LOCATION: The primary location for the work to be completed by the Contractor is:
   In front of 5036 Lakeshore Rd. (Twin Willows), Hamburg, New York

4. Commencement date: The Contractor will begin on:_____

5. Completion Date: The Contractor will be required, unless otherwise stated under the terms of this Agreement to complete the work by:_____

6. INSURANCE: The Contractor shall comply with all Town insurance requirements on the attached "Exhibit A – Insurance Requirements," which is incorporated by reference herein and

made a part of this Agreement. Prior to commencement of the work, Contractor shall provide to the Town evidence, including without limitation certificates of insurance, of all insurance coverages outlined on the attached "Exhibit A – Insurance Requirements,".

7. HOLD HARMLESS/INDEMNITY: The Contractor shall, to the fullest extent permitted by law, and at its expense, defend, indemnify, and hold the Town of Hamburg, its officers, employees and agents, harmless from and against any and all liability, loss, expense, damage, or claims for injury or damages of any kind, including reasonable attorneys' fees, arising out of the work performed by the Contractor.

8. ADDITIONAL PROVISIONS: _____

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by subscribing the same, this _____day of _____, 2026

TOWN OF HAMBURG

BY: _____

Elizabeth Farrell-Lorentz, Supervisor

CONTRACTOR

BY: _____

Name, Title

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.18. B&G PAF

BE IT RESOLVED, that the Town Board approves the termination and hiring of the following employees in Buildings & Grounds.

ATTACHMENTS:

signed BG PAF 11-2-26.pdf

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request: 10/28/26 Department: BUILDINGS & GROUNDS

Department Head Signature:

Supervisor Signature: Date: 10/29/26

TOWN BOARD MEETING OF 11/2/26

PAGE 1 of 1

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Employee Name	Town Resident Yes (Y) or No (N)	New(N) or Rehire (R) or Change (C)	Position/Fund	Start date	Full Time hourly rate	Part Time hourly rate	Termination Date
	5312	Benjamin Kalieta	Y	C	Seasonal Clerk/A.7140.102 to PT Clerk/A.7140.102	11/4/2026		$16.00	
	5084	Cal Tomaka	Y	C	Seasonal Laborer/A.7140.102 to PT Laborer/A.7140.102	11/10/2026		$16.00	
	5479	Ryan Leonard	N	C	Seasonal Laborer/A.7181.102 to PT Laborer/A.7181.102	11/24/2026		$16.00	

4.19. Youth, Recreation, & Senior Services P.A.F.

BE IT RESOLVED, that the Town Board approve the termination and hiring of personnel for the Youth, Recreation & Senior Services Department as attached.

ATTACHMENTS:

scan_2026_10_28_11_49_44_463.pdf

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request: _____ Department: Youth, Recreation, & Senior Services

Department Head Signature: _____

Supervisor Signature: _____ Date: _____

TOWN BOARD MEETING OF 11/2/26

I request that a Town Board Resolution be adopted approving the following personnel action(s):

#	Emp #	Employee Name	Town Resident Yes (Y) or No (N)	New(N) or Rehire (R) or Change (C)	Position/Status/Fund	Start date	Full Time hourly rate	Part Time hourly rate	Separation Date
1	5359	Farry, Georgia	Y	R	Rec. Attend PT A7310	11/3/26		$17.00	
2	3507	Biellak, Paul	Y	C	Rec. Attend PT A7182 to Rec. Attend Seas. A7184	11/3/26		$18.50	
3	5356	Bunn, Olivia	Y	C	Rec. Attend Seas A7310 to Rec. Attend PT A7310	11/10/26		$17.00	
4	5478	Connolly, Claire	Y	C	Rec. Attend Seas A7310 to Rec. Attend PT A7310	11/10/26		$16.00	
5	5476	Valentine, Mia	Y	C	Rec. Attend EMT Seas A7184 to Rec. Attend EMT PT A7184	11/10/26		$23.00	
6	5477	Cross, Brooklyn	Y	C	Lifeguard Seas A7180 to Lifeguard PT A7310	11/10/26		$19.00	
7	5466	Jubulis, Gregory	Y	C	Lifeguard Seas A7180 to Lifeguard PT A7310	11/10/26		$19.00	
8	5468	Bolea, Gavin	Y	C	Rec. Attend Seas. A7184 to Rec. Attend PT A7184	11/10/26		$16.00	
9	5462	Jordan, Kennedy	Y	C	Rec. Attend Seas. A7184 to Rec. Attend PT A7184	11/10/26		$16.00	
10	5464	Lapaglia, Anthony	Y	C	Rec. Attend Seas. A7184 to Rec. Attend PT A7184	11/10/26		$16.00	
11	5461	O'Connor, Lauren	Y	C	Rec. Attend Seas. A7184 to Rec. Attend PT A7184	11/10/26		$16.00	
12	655	Nelson, Gaylynn	Y	C	Rec. Attend PT A6772 to Rec. Attend Seas. A6772	11/10/26		$16.75	
13									
14									
15									

4.20. POLICE – Agreement with Auctions International

WHEREAS, the Asset Disposition Policy states all assets shall be disposed of in accordance with the Town Sale of Surplus Property Policy, and

NOW THEREFORE, BE IT RESOLVED, the Town Board authorize the Town of Hamburg Police Department to enter into a contract with Auctions International for the disposal of excess equipment and supplies.

ATTACHMENTS:

Online Auction Contract 11-2-2026.pdf

ONLINE AUCTION CONTRACT - AGREEMENT FOR SALE OF GOVERNMENT ASSETS BY ONLINE AUCTION

This Agreement made on 10 / 28 / 2026, between TOWN OF HAMBURG POLICE, hereafter called "Seller", and Auctions International, Inc., 11167 Big Tree Road, East Aurora, NY 14052, hereafter called "Auctioneer":

The Auctioneer hereby agrees to use professional skills, knowledge, and experience to the best advantage of both parties in preparing for and conducting the sale. All auction items will be sold "as is, where is", subject to the Seller's terms.

The Seller agrees to provide titles, keys in all other proof of ownership to customers who present a paid invoice from Auctions International, and release the purchased items once the Auctioneer has received full payment for the goods listed and described in detail on provided condition reports, and / or provided by the electronic means to the Auctioneer.

GOVERNMENT VEHICLES, MACHINERY, EQUIPMENT AND ALL OTHER SURPLUS ASSETS

The Seller agrees to provide merchantable title (with no liens or encumbrances) for motor vehicles, and agrees to write-in the purchase information on the back of any titles issued to purchasers (as required by law). The Seller furthermore agrees not to sell listed merchandise before the term of the online auction is complete, under any circumstances.

The auction is to be held online at www.AuctionsInternational.com, beginning and closing on mutually agreed-upon dates and times. The terms and prices of this contract shall remain in effect for two years after the agreement is executed based on the means of the Seller. Notwithstanding the foregoing, the Seller may terminate this contract at any time for convenience.

It is agreed that all listed merchandise be sold to the highest bidder, "as is, where is", with no warranty, expressed, implied or otherwise, and with the government Seller retaining the right to reject any bids that are insufficient. The Seller agrees to specify a minimum acceptable price on each rejected bid, which will be posted on the past prices page of the Auctioneer's website.

Purchasers will be required to pay a 4% buyer's premium for vehicles and equipment sold within two (2) years of the manufacture date, a 5% buyer's premium for vehicles and equipment within three (3) years of the manufacture date, or a 10% buyer's premium for any vehicles/older equipment to be added to the successful high bid prices, which will constitute the Auctioneer's compensation for these services. There is no commission charged to the Seller.

The Seller agrees to provide photographs and description of the auction merchandise to conduct the auction. In the event that the Seller cannot provide this information, the Auctioneer's staff will travel to the Seller's facilities to obtain photos and condition reports of the Sellers items for the following fee: $30 for each motorized vehicle/equipment item, and $5 for each general merchandise auction lot. Listing fees are deducted from the net sale proceeds, before final payment is made to the Seller.

The Auctioneer will mail a check to the Seller for all proceeds collected within 15 business days after the Seller approves the bids for the sale items, and all monies are collected, along with an accounting summary. In the event of a bidder's refusal or failure to pay for their invoiced items, the Auctioneer will offer the unsold merchandise to the backup bidder, and the reneging bidder will be banned from future auctions. If the backup bidder does not take the merchandise for the backup bid price, then the merchandise will revert back to the possession of the Seller, after a reasonable time has been allowed for the backup bidder to get their payment to the Auctioneer. At the request of the Seller any unsold merchandise can be re-listed in the future online auction at no cost to the Seller.

INDEPENDENT STATUS. That during the existence of this agreement, the Auctioneer shall remain an individual, independent contractor, retaining its separate identity and shall in no way be considered a division, department or agent of the Seller's agency or organization.

WAIVER. No waiver of any breach of any condition of the agreement shall be binding unless in writing and signed by the party waivingsaid breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause or excusefor a repetition of such or any other breach unless the waiver shall include the same.

ENTIRE AGREEMENT. This Agreement constitutes the entire agreement among the parties with respect to the subject matter of this Agreement, and supersedes any and all prior understandings and agreements, whether written or oral, and all prior dealings of the parties with respect to the subject matter of this Agreement.

(x) CPT N. Ugale — Seller's Authorizing Signature

NICHOLAS UGALE-CAPTAIN — Printed Name and Agency Title

(716) 648-5111 EXT 2600 — Telephone Number

(x) 6100 SOUTH PARK AVE. HAMBURG, NY 14075
Seller's Agency Payment Address (Check will be made out and mailed to Seller, from Auctioneer, for payments received)

(x) nugale@townofhamburgny.gov
Seller's E-Mail Address

(x) _____ Auctioneer's Signature

_____ Auctioneer's Printed Name

_____ Date

State License #

County: Erie

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.21. Cutting and removal of dead trees

WHEREAS, on October 19, 2026 the Town of Hamburg Board approved the removal of dead trees located on a vacant parcel SBL 160.14-1-27 per the Town of Hamburg Code Chapter 90 Dead Trees, and,

WHEREAS, the Code Enforcement Department obtained two quotes for the removal of the trees as follows:

Branch Managers, INC.	$4,250.00
Davey	$6,500.00

, and,

NOW THEREFOR BE IT RESOLVED, that the Town Board authorizes Branch Managers, INC. to remove the dead trees from parcel SBL 160.14-1-27.

Funds are available to be charged to Clean up of properties A3620.469

ATTACHMENTS:

DOC102826-10282026124227.pdf

DAVEY
Proven Solutions for a Growing World

The Davey Tree Expert Company ("Company")
1200 Commerce Pkwy
Lancaster, NY 14086-1796
Phone: (716) 684-2700 Fax: (716) 684-2705
Email: Tom.Anderson@davey.com
NY Business Reg 05850

Client	Service Location	10/24/2026
Town Of Hamburg Attn Tracy 6100 S Park Ave Hamburg, NY 14075-3766	Town of Hamburg Bldg Insp Dept Site Attn Jeff Skrzypek 4365 Highland Pkwy Blasdell, NY 14219-2951 Work: (716) 949-6111 ext. 2214	Proposal #: 20051868-1792850604 Account #: Work: (716) 649-6111 ext. 2210

	Tree Care	Service Period	Price*	Tax	Total
☐	Tree Surgery	Target Date: Fall	$6,500.00	$568.75	$7,068.75

(2) ASH in woods right side rear: Dismantle to low stumps; no clean up.

(1) Storm - damaged ash right side driveway: Cut to low stump; chip and haul all debris.

Maple right of driveway: Clean deadwood that is 2 inches in diameter and larger; Chip and haul all debris.

☐ YES, please schedule the Services marked above.

* Sales tax will be added per local jurisdiction unless a tax exempt form is on file.

Other Important Terms: See the attached "Terms and Conditions" either set forth on the reverse side of this Agreement or attached to this Agreement for additional information, such as early termination, maintenance responsibilities, warranties, late and default charges and insurance.

ACCEPTANCE OF PROPOSAL: By signing below, Client agrees and accepts the terms and conditions stated above and the Terms and Conditions either set forth on the reverse side of this Agreement or attached to this Agreement. Company is authorized to do this work as specified. All deletions have been noted. I understand that once accepted, this Agreement constitutes a binding contract. If Client is a legal entity, the undersigned hereby represents that the undersigned has full authority to enter into this Agreement on behalf of Client. This proposal may be withdrawn if not accepted within 30 days.

YOU ARE ENTITLED TO A COMPLETELY FILLED IN COPY OF THIS AGREEMENT, SIGNED BY BOTH YOU AND US, BEFORE ANY WORK MAY BE STARTED

PROPOSAL

BRANCH MANAGERS, INC.

PO Box 250
Springbrook, NY 14140

(716) 662-6868

007921

PROPOSAL SUBMITTED TO: Town of Hamburg	PHONE: 716	WORK PHONE: SKrzypeK
STREET: 6100 South Park Avenue	DATE: 10/20/26	
CITY, STATE, ZIP CODE: Hamburg NY 14075	JOB LOCATION: Highland Parkway, Hmbg.	

DESCRIPTON OF WORK:

* Remove 1 storm damaged, suspended Ash Tree from Western property line pursuant to diagram

* Perform crown cleaning on 1 Silver Maple Tree to mitigate dead/unstable limbs

* Takedown 2 dead Ash Trees from Natural Area pursuant to diagram + designated by marker tape

- Chip + remove all brush + debris corresponding to suspended Ash + Maple Trim
- leave all brush wood + debris on site in Natural area that correspond to 2 dead standing Ash Trees
- flush cut stumps as low as possible

- WE PROPOSE, hereby to furnish material and labor - complete in accordance with above specifications, for the sum of: Four Thousand Two Hundred Fifty + 00/100 Dollars ($ 4250 00)
- PAYMENT TO BE MADE UPON COMPLETION OF WORK.
- All our workers are fully covered by workers compensation insurance.
- We are not responsible for lawn damage, blacktop damage or concrete damage.
- In the absence of special arrangements, stump grindings remain on site.
- In an effort to control costs and due to weather considerations, scheduling will be completed at the discretion of Branch Managers, Inc., and we may arrive unannounced.
- I HAVE READ AND AGREE TO THE ABOVE TERMS AND CONDITIONS.

OFFICE USE ONLY
- ☐ Dig Safely
- ☐ Service Drop
- ☐ Primary Insulation Boot
- ☐ Insurance Info. Requested

X _____

Thank You,
Bill Cooley

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.22. Award Demolition Contractors for 6817 Boston State Rd.

WHEREAS, the Town of Hamburg Code Chapter 80 references the procedure for unsafe buildings in the Town of Hamburg, and,

WHEREAS, the Town of Hamburg Board deemed the structures 6817 Boston State Rd. unsafe and ordered the demolition of the structures on the property, and,

WHEREAS, Bids for a demolition contractor where publically opened and quotes for an air monitoring company were received as follows:

Demolition Contractors

Hannah Demolition	$19,500.00
Geiter Done of WNY INC.	$34,000.00

Air monitoring companies

56 Services	$2,610.00

, and,

BE IT RESOLVED, that the Town Board approves Hannah Demolition as the demolition contractor and 56 Services as the air monitoring company for the demolition of 6817 Boston State Rd. The demolition will begin after December 1st 2026, and,

BE IT FUTHER RESOLVED, that the Town Supervisor sign any contracts required for the demolition, and,

BE IT FINALLY RESOLVED, that the Town Board shall levy the costs incurred for the demolition upon the land on which the unsafe structures are located.

ATTACHMENTS:

DOC102926-10292026094602.pdf

17 September 2026

Mr. Jeffrey Skrzypek
Town of Hamburg
6100 South Park Avenue
Hamburg, NY 14075

Re: **Air Sampling Services - 6817 Southwestern Boulevard - Controlled Demolition**

Dear Mr. Skrzypek,

56 Services is please to provide you with a price quotation for the above referenced scope of services.

56 Services can provide the following: In accordance with NYS ICR 56, and Federal protocols, a New York State certified asbestos air sampling technician/project monitor will conduct general air sampling during the controlled demolition at the above referenced site. The following cost will apply:

Air Sampling Technician	**$480/Shift (8 hr shift, 7-5 M-F)**
Overtime	**$85/hour (after 8 hours)**
PCM Sample Analysis	**$11/each**
Visual Inspection	**$250 each (upon completion)**

Total based upon estimated duration (2 days, plus B/F) - $2610 Air Monitoring + Visual

Shifts for background and final air sampling will be performed in addition to daily air sampling during abatement/demolition. Price above reflects one containment area for a large project as defined by NYS DOL CR 56. If additional containments are required, additional PCM samples will be required daily as well as for background and final air clearances at the above rates per each. The above referenced pricing is only applicable to jobs of two (2) days of abatement and two (2) days for background and final air sampling only, maximum. The above listed pricing is contingent upon the chosen contractor and 56 Services reserves the right to rescind this quotation based upon that decision.

Please let me know if the above referenced task is something you would be interested in having 56 Services perform. Should you have any questions, please do not hesitate to contact me at 716.341.8601.

Sincerely,

Robert Barr
56 Services, Inc.
716.341.8601
Rob@56services.com
www.56services.com

Client Approval

Accepted by Date

By signing this proposal, individual agrees to all terms and conditions set forth in this proposal and is solely responsible for payment of all associated invoices.

Bid Opening: 9/15/26 @10:30

Request for Demolition Services (6817 Boston State Rd)

Bid #1

Hannah Demolition - $19,500

Bid #2

Geiter Done of WNY - $34,000

Hannah Demolition
205 - Baltz Ave
Buffalo NY 14206
716 - 856-4547

Bid for 6817 Boston State Rd demo

$ 19,500.00 Albert Stark

GEITER
DONE OF WNY, INC.
DEMOLITION & DISPOSAL
321 Greene Street, Buffalo, NY 14206

Town of Hamburg

September. 3rd 2026

I appreciate the opportunity to quote this project for you.

The total cost for the demolition at 6817 Boston State Road, Hamburg, NY 14075 is **$34,000 as per specs.**

1.) Insurances
2.) Permit
3.) Supplies
4.) Labor
5.) Demolition
6.) Debris removed
7.) Concrete removed.
8.) Backfill seed and hay disturbed areas.

Please let me know if you have any questions or concerns. 716-894-2595.

Geiter Done of WNY Inc.

Michael Honer Jr.
Vice President

Town of Hamburg.

_____

_____

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.23. Award Demolition Contractors for 6310 Southwestern Blvd.

WHEREAS, the Town of Hamburg Code Chapter 80 references the procedure for unsafe buildings in the Town of Hamburg, and,

WHEREAS, the Town of Hamburg Board deemed the structures located at 6310 Southwestern Blvd. unsafe and ordered the demolition of the structures on the property, and,

WHEREAS, Bids for a demolition contractor were publicly opened and quotes for an air monitoring company were received as follows:

Demolition Contractors

Geiter Done of WNY INC.	$32,000.00
Regional Environmental Demolition INC	$59,253.00
EBD Construction Services	$73,900.00

Air monitoring companies

Advanced Contracting Services	$3,000.00
56 Services	$4882.00

, and,

BE IT RESOLVED, that the Town Board approves Geiter Done of WNY INC as the demolition contractor and Advanced Contracting Services as the air monitoring company for the demolition of structured at 6310 Southwestern Blvd., and,

BE IT FUTHER RESOLVED, that the Town Supervisor sign any contracts required for the demolition, and,

BE IT FINALLY RESOLVED, that the Town Board shall levy the costs incurred for the demolition upon the land on which the unsafe structures are located.

ATTACHMENTS:

DOC102926-10292026095252.pdf

300 Greene Street
Buffalo, New York 14206
Phone: (716) 894-2595
Fax: (716) 895-8129
MHonerJr@GeiterDone.com

Town of Hamburg
6100 South Park Ave.
Hamburg, NY 14075

Aug 25th 2026

Controlled Demolition of 6310 Southwestern Blvd. Lakeview, NY 14085

As per provided specs.

Total Cost: $32,000.00

Geiter Done of WNY Inc. is Licensed and Insured

For any questions, please contact me at 716-894-2595 or 716-895-8121

Michael Honer Jr.
Vice President
Geiter Done of WNY Inc.

Representative:_____
Title:_____
Company:_____

6281 Wendt Drive Niagara Falls New York 14304· Office (716) 284-3366 Fax (716)284-7331

8/24/26

Town of Hamburg
6100 South Park Avenue
Hamburg, New York 14075

RE: Controlled Demolition with Asbestos in Place of located at 6310 Southwestern Blvd. Hamburg, New York 14075.

Regional Environmental Demolition Inc. is pleased to supply the following quote for the above noted project. Price includes legal disposal of all waste generated by scope of work below. All work will be performed in accordance with all Local, State, Federal Rules and Regulations.

Scope of Work*: Controlled Demolitions*

Duration: 5 Working Days

- NYS Asbestos Notification Fee $0 With Town Wavier
- Water and Sewer Cuts
- Letter of Intent sent to National Fuel and National Grid for Cut offs
- Mobilization of Asbestos Abatement/Demolition Crew and Equipment
- All Workers Carry OSHA 10-30 Hard Cards
- NYS Prevailing Wage Rates Apply
- Installation of Detached Decon
- Installation of Critical Barriers Around Work Area
- Installation of Water Canon
- Demolition of All Structure's on 6310 Southwestern Blvd.
- Disposal of All Asbestos Containing Material to NYS Regulated Landfill
- Removal of Concrete to Recycling Facility
- Backfill Demolition Void with Clean Fill
- Top Soil, Harley Rake and Seed Work Areas
- Demobilization
- Return all Dump Tickets to Owners Rep.

Exclusions:
Penalties, Liabilities, & Liquidated Damages
Air Monitoring

Conditions and Clarifications:
RED Inc. will be reimbursed for delays caused by third party.
RED Inc. will commence work upon notice to Proceed
RED Inc. General Liability Insurance are as Follows: General Aggregate $2mil, Each Occurrence $2mil, Product and Completed Operations 2mil, Personal and Advertising Injury 2mil, Medical Expense 5k, Pollution Coverage 2mil, Microbial Substance Occurrence 1mil, Aggregate 2mil, Excess Umbrella Liability 5mil.

Owners or GC to Provide:
Signed Contract
Notice to Proceed

Salvage:
Any Salvage Material becomes Property of RED Inc.

Bonds/Insurance/Taxes:
If Bond is required, the cost will be 3% of bid price
Sales Tax Exempt (Please Provide Proper Documentation

Payment Terms:

Net in 30 Days

The release of retainage, if applicable, is due no later than thirty (30) days after the fulfillment of this agreement.

Controlled Demolition of All Structures Total: $59,253.00

Acceptance of this quote binds the authorized company to Regional Environmental Demolition, Inc. Terms & Conditions as per this page and the attached General Terms and Conditions and applicable sales tax. Should you have any questions or if we may be of further service to you, please do not hesitate to contact us directly at 716-284-3366.

Respectfully Submitted,
REGIONAL ENVIRONMENTAL DEMOLITION, INC.

Enrico D. Liberale,
Vice President

Should this proposal be acceptable, please sign below and return to Regional Environmental Demolition, Inc. along with the signed and initialed Terms and Conditions.

Authorized Signature: _____ *Date:* _____
Printed Name & Title: _____

EBD Construction Services LLC
400 Ingham Ave
Lackawanna, NY 14218
Phone: (716) 685-4588 Fax: (716) 685-6055

PROPOSAL

Proposal Number: 657003948
Customer ID: ALL
Proposal Date: 8/10/2026

Thank you for the opportunity to work with Town of Hamburg.
EBD Construction Services LLC is built on the principals of mutual respect and customer service. Please see quote belo

Customer:	Job Name:
Town of Hamburg	6310 Southwestern Blvd, Lakeview- Total Demo
	Terms: NET 30
Phone / Email: 716-870-3317 / michaely@ebdinc.com	Prepared By: Mike Young

Item	Description	Price	Scope
	Controlled Demo	**$73,900**	removal and dispsoal of the existing structure as a controlled demolition with assumed asbestos in place as well as the detached garage

Notes and Terms:

Included	prevailing wage rates, dispsoal of EBD waste, backfill with clean fill, rodent baiting, seeding, utility cut/cap within the property limits
Not Included	3rd party monitoring/inspections, structural fill, site maintence post seeding, salvage for reuse

Proposal Terms and Conditions: See page 2 and 3

Our Services: Concrete Cutting/Coring/Removal, Roll Off and Waste Service, Selective/Total Demo, Abatement, Wrecking, Remediation, Hydro Excavation, Shoring/Dismantlement

17 September 2026

Mr. Jeffrey Skrzypek
Town of Hamburg
6100 South Park Avenue
Hamburg, NY 14075

Re: **Air Sampling Services - 6310 Southwestern Blvd - Controlled Demolition**

Dear Mr. Skrzypek,

56 Services is please to provide you with a price quotation for the above referenced scope of services.

56 Services can provide the following: In accordance with NYS ICR 56, and Federal protocols, a New York State certified asbestos air sampling technician/project monitor will conduct general air sampling during the controlled demolition at the above referenced site. The following cost will apply:

Air Sampling Technician	**$480/Shift (8 hr shift, 7-5 M-F)**
Overtime	**$85/hour (after 8 hours)**
PCM Sample Analysis	**$11/each**
Visual Inspection	**$250 each (upon completion)**

Total based upon estimated duration (6 days, plus B/F) - $4882 Air Monitoring + Visual

Shifts for background and final air sampling will be performed in addition to daily air sampling during abatement/demolition. Price above reflects one containment area for a large project as defined by NYS DOL CR 56. If additional containments are required, additional PCM samples will be required daily as well as for background and final air clearances at the above rates per each. The above referenced pricing is only applicable to jobs of six (6) days of abatement and two (2) days for background and final air sampling only, maximum. The above listed pricing is contingent upon the chosen contractor and 56 Services reserves the right to rescind this quotation based upon that decision.

Please let me know if the above referenced task is something you would be interested in having 56 Services perform. Should you have any questions, please do not hesitate to contact me at 716.341.8601.

Sincerely,

Robert Barr
56 Services, Inc.
716.341.8601
Rob@56services.com
www.56services.com

Client Approval

Accepted by Date

By signing this proposal, individual agrees to all terms and conditions set forth in this proposal and is solely responsible for payment of all associated invoices.

Advanced Contracting Services
PO Box 986
Grand Island, NY 14072
(716) 480-2125

To: Jeff Skrpyzk, Town of Hamburg **email:** *jskrpyzk@townofhamburg.ny.gov*

From: Raj Chopra **Date:** 10-28-26

RE: Asbestos Monitoring

Location 6310 Southwestern

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

QUOATATION FOR ASBESTOS AIR MONITORING and THIRD PARTY INSPECTIONS

In accordance with NYS ICR 56, and Federal protocols, a New York State certified asbestos air sampling technician will conduct asbestos air sampling during the asbestos abatement at the above referenced site. The following cost will apply.

Project Monitoring site sampling and sample analysis

Estimated air sampling cost during renovations $500.00/day
6 days @$500. Estimated cost $3,000.00

Cost includes, technician, samples and visual inspection and report

The client will be billed the daily rate based upon, the work schedule of the asbestos contractor, units costs only apply to any change in work hours or job scope of work.

Sign below and return to accept this proposal.

Name Title Date

4.24. Award Demolition Contractors for 5272 South Park Ave.

WHEREAS, the Town of Hamburg Code Chapter 80 references the procedure for unsafe buildings in the Town of Hamburg, and,

WHEREAS, the Town of Hamburg Board deemed the chapel of the main building and the detached greenhouse structures at 5272 South Park Ave. unsafe and ordered the demolition of those structures, and,

WHEREAS, Bids for a demolition contractor were publicly opened and quotes for an air monitoring company were received as follows:

Demolition Contractors

Regional Environmental Demolition INC. $172,752.00 with an allowance of $40,000.00 extra for the shoring and board up of the main structure after demolition.

Air monitoring companies

Advanced Contracting Services	$10,000.00
56 Services	$11,632.00
Stohl Environmental	$13,250.00

, and,

BE IT RESOLVED, that the Town Board approves Regional Environmental Demolition INC as the demolition contractor and Advanced Contracting Services as the air monitoring company for the demolition of the chapel of the main building and the detached greenhouse located at 5272 South Park Ave., and,

BE IT FUTHER RESOLVED, that the Town Supervisor sign any contracts required for the demolition, and,

BE IT FINALLY RESOLVED, that the Town Board shall levy the costs incurred for the demolition upon the land on which the unsafe structures are located.

ATTACHMENTS:

DOC102926-10292026101931.pdf

6281 Wendt Drive Niagara Falls New York 14304 · Office (716) 284-3366 Fax (716)284-7331

8/24/26

Town of Hamburg
6100 South Park Avenue
Hamburg, New York 14075

RE: Controlled Demolition with Asbestos in Place of Vacant Chapel and Greenhouse Building located at 5272 South Park Ave. Hamburg, New York 14075.

Regional Environmental Demolition Inc. is pleased to supply the following quote for the above noted project. Price includes legal disposal of all waste generated by scope of work below. All work will be performed in accordance with all Local, State, Federal Rules and Regulations.

Scope of Work*: Controlled Demolitions*

Duration: 20 Working Days

- NYS Asbestos Notification Fee $0 With Town Wavier
- Water and Sewer Cuts
- Letter of Intent sent to National Fuel and National Grid for Cut offs
- Mobilization of Asbestos Abatement/Demolition Crew and Equipment
- All Workers Carry OSHA 10-30 Hard Cards
- NYS Prevailing Wage Rates Apply
- Installation of Detached Decon
- Installation of Critical Barriers Around Work Area
- Installation of Water Canon
- Demolition of Both Chapel and Greenhouse
- Disposal of All Asbestos Containing Material to NYS Regulated Landfill
- Removal of Concrete to Recycling Facility
- Backfill Demolition Void with Clean Fill
- Top Soil, Harley Rake and Seed Work Areas
- Demobilization
- Return all Dump Tickets to Owners Rep.

Exclusions:
Penalties, Liabilities, & Liquidated Damages
Air Monitoring

Conditions and Clarifications:
RED Inc. will be reimbursed for delays caused by third party.
RED Inc. will commence work upon notice to Proceed
RED Inc. General Liability Insurance are as Follows: General Aggregate $2mil, Each Occurrence $2mil, Product and Completed Operations 2mil, Personal and Advertising Injury 2mil, Medical Expense 5k, Pollution Coverage 2mil, Microbial Substance Occurrence 1mil, Aggregate 2mil, Excess Umbrella Liability 5mil.

Owners or GC to Provide:
Signed Contract
Notice to Proceed

Salvage:
Any Salvage Material becomes Property of RED Inc.

Bonds/Insurance/Taxes:
If Bond is required, the cost will be 3% of bid price
Sales Tax Exempt (Please Provide Proper Documentation

Payment Terms:

Net in 30 Days

The release of retainage, if applicable, is due no later than thirty (30) days after the fulfillment of this agreement.

Controlled Demolition of Vacant Chapel and Greenhouse Total: $172,752.00

Alt 1: Allowance for Board Up ADD $40,000.00

Acceptance of this quote binds the authorized company to Regional Environmental Demolition, Inc. Terms & Conditions as per this page and the attached General Terms and Conditions and applicable sales tax. Should you have any questions or if we may be of further service to you, please do not hesitate to contact us directly at 716-284-3366.

Respectfully Submitted,
REGIONAL ENVIRONMENTAL DEMOLITION, INC.

Enrico D. Liberale,
Vice President

Should this proposal be acceptable, please sign below and return to Regional Environmental Demolition, Inc. along with the signed and initialed Terms and Conditions.

Authorized Signature: _____ *Date:* _____
Printed Name & Title: _____

17 September 2026

Mr. Jeffrey Skrzypek
Town of Hamburg
6100 South Park Avenue
Hamburg, NY 14075

Re: **Air Sampling Services - Franciscan House - Controlled Demolition**

Dear Mr. Skrzypek,

56 Services is please to provide you with a price quotation for the above referenced scope of services.

56 Services can provide the following: In accordance with NYS ICR 56, and Federal protocols, a New York State certified asbestos air sampling technician/project monitor will conduct general air sampling during the controlled demolition at the above referenced site. The following cost will apply:

Air Sampling Technician	**$480/Shift (8 hr shift, 7-5 M-F)**
Overtime	**$85/hour (after 8 hours)**
PCM Sample Analysis	**$11/each**
Visual Inspection	**$250 each (upon completion)**

Total based upon estimated duration (20 days, plus B/F) - $11632 Air Monitoring + Visual

Shifts for background and final air sampling will be performed in addition to daily air sampling during abatement/demolition. Price above reflects one containment area for a large project as defined by NYS DOL CR 56. If additional containments are required, additional PCM samples will be required daily as well as for background and final air clearances at the above rates per each. The above referenced pricing is only applicable to jobs of twenty (20) days of abatement and two (2) days for background and final air sampling only, maximum. The above listed pricing is contingent upon the chosen contractor and 56 Services reserves the right to rescind this quotation based upon that decision.

Please let me know if the above referenced task is something you would be interested in having 56 Services perform. Should you have any questions, please do not hesitate to contact me at 716.341.8601.

Sincerely,

Robert Barr
56 Services, Inc.
716.341.8601
Rob@56services.com
www.56services.com

Client Approval

Accepted by Date

By signing this proposal, individual agrees to all terms and conditions set forth in this proposal and is solely responsible for payment of all associated invoices.

Advanced Contracting Services
PO Box 986,
Grand Island, NY 14072
(716) 480-2125

To: Jeff Skrpyzk
Town of Hamburg
email: *jskrpyzk@townofhamburg.ny.gov*

From: Raj Chopra
Date: 10-28-26

RE: Asbestos Monitoring

Location 5272 South Park

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

QUOATATION FOR ASBESTOS AIR MONITORING and THIRD PARTY INSPECTIONS

In accordance with NYS ICR 56, and Federal protocols, a New York State certified asbestos air sampling technician will conduct asbestos air sampling during the asbestos abatement at the above referenced site. The following cost will apply.

Project Monitoring site sampling and sample analysis

Estimated air sampling cost during renovations $500.00/day
20 days @$500. Estimated cost $10,000.00

Cost includes, technician, samples and visual inspection and report

The client will be billed the daily rate based upon, the work schedule of the asbestos contractor, units costs only apply to any change in work hours or job scope of work.

Sign below and return to accept this proposal.

Name Title Date

Stohl BUFFALO ROCHESTER
ENVIRONMENTAL
SINCE 1988

3860 California Road
Orchard Park, New York 14127
(P) 716-312-0070 (F) 716-312-8092
www.stohlenvironmental.com

Scope of Services:

Provide Project and Air Monitoring services during asbestos abatement in accordance with NYS Industrial Code Rule 56: Services include:

1. NYS certified and licensed Project Monitor/Air Sampling Technician
2. All equipment, pumps, calibrators, cassettes and supplies
3. Analysis of samples by an independent licensed certified laboratory on a 24 hour turn-around or less upon request
4. Recorded chain of custody and analysis reports
5. Final Clearance Monitoring after contractor has completed abatement work onsite
6. Attend job meetings upon request
7. Daily log of all activities
8. Project summary report

Proposed Fees for Project and & Air Monitoring:

Description	Unit Rate	Approximate Quantity	Approximate Total
Project Monitoring Labor – NYS Certified Project & Air Monitor (does not include weekends or shifts in excess of 8 hours)	$440/ Day	20 Days	$8,800
Project Management – Daily scheduling and review of previous days daily project logs to identify potential issues	$85 / Day	20 Days	$1,700
Air Sample Analysis conducted by an independent third party laboratory:			
Phase Contrast Microscopy (PCM) Analysis (24-hour turnaround time)	$13 / Sample	200 Samples	$2,600
Project Monitoring Summary Report			$150
Approximate Total			**$13,250**

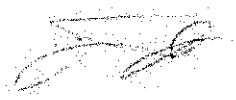
Note 1: The number of Project Monitoring inspections required are directly and 100% dependent upon the project construction schedule, phasing schedule, and abatement contractor's schedule, their schedule, their available labor, their abatement means and methods, and their ability to achieve clearance of work areas. The above quantities are based on an estimate of 20 days for the abatement contractor to complete the (single, NYS large project) work area and achieve final clearance via visual inspection and air sampling. The client should be assured that Stohl Environmental's approach is highly disciplined and managed to assure that total project cost to the client is kept to the minimum possible.

Summary

If you have any questions on the matters discussed here, or suggestions on how Stohl Environmental can better serve you please do not hesitate to call. Thank you for the opportunity to submit this proposal.

Sincerely,
Stohl Environmental, LLC.
Proposed by:

Accepted by:



Tony Franjoine, Jr.

10/29/26
Date

On behalf of Town of Hamburg

Date

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.25. Ice Rink Equipment Cover Design

WHEREAS, the Town of Hamburg ice rink has a large equipment pad in the rear of the building, which is impacted by snow sliding off the roof, and

WHEREAS, last winter this resulted in a damaged gas pipe and prompted the need for a permanent structure to cover the area; and

WHEREAS, the Town Engineer has worked with a local architect, Michael E. Lukaszewski, R.A., who has submitted a proposal for $6,900 to design a structure, columns and foundations.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with Michael E. Lukaszewski, R.A. for not-to-exceed $6,900 and work to begin immediately.

Funds are available in H.21.7141.0303

ATTACHMENTS:

Town of Hamburg Recreation Center 10-27-2026.pdf

Michael Lukaszewski, Architect
P.O. Box 1046, Orchard Park, NY 14127
phone (716) 923-3300
mike@mikethearchitect.net

October 27 2026

Attn: Camie Jarrell
Via email Camie.Jarrell@ghd.com

Re: Town of Hamburg Recreation Center
2982 Lakeview Road, Hamburg NY 14075
New roof structure At Equipment

I am pleased to offer this letter of proposal to provide architectural services for the above-mentioned project. I feel that I have a good understanding of what you are hoping to accomplish with this new structure.

A. Project Scope

Services will include complete Structural and Architectural documentation; to include Floor Plans and Details, Exterior Elevations, Wall Sections and Details as required.

B. Basic Services

- Architectural Design of new roof structure approximately 16'-0' x 45'-0" in size
- Complete Structural design included – new roof structure to be freestanding and will not depend on existing building for structural support
- Architect / Engineer stamped drawings will be provided for your use

C. Architectural Services and Responsibilities

1. **Construction Document**

    a. Construction Documents and Specifications will be completed to a level to allow for competitive bidding and securing a building permit from the Town.
    b. Architectural Documents to include
        - Floor Plans
        - Exterior Elevations
        - Wall Sections and Details
        - Roof Plan
        - Framing plan and connection details

2. **Contract Administration Phase**
    a. During this phase, one site visit will be provided and scheduled during completion of critical construction elements.
    b. If necessary, the architect will provide clarification to the contract documents

D. Owners and Responsibilities

The following items are to be provided by the property owner if available:

1. Property Survey if needed (not anticipated)
2. Additional contract costs related to the completion of the project detailed below.

E. Additional Costs not Included in Contract Fees

1. Permit Fees
2. Soil boring / geotechnical report if required
    a. Soil borings will not be required to design the structure.
3. Extensive Construction Administration – not anticipated however I am available for questions throughout the project
4. Any variances required – none are anticipated
5. Construction cost estimating is not included

F. Fees

The proposed sum based upon the Scope of Work described herein, totals:

Not to exceed cost $6,900

This proposal is valid for sixty (60) days from the date noted on the cover letter. If this document is not executed within this time period, revision will be necessary prior to final submission. Revisions to the project above and beyond the initial intent of the project will be subject to additional fees.

I hope that this proposal meets with your approval and I look forward to working together.

Sincerely, Accepted

_____ _____

Michael E Lukaszewski, R.A.

Town Board of the Town of Hamburg
November 2, 2026 Meeting

4.26. Authorize the Town Supervisor to sign the Proposal with Fisher & Associates

RESOLVED, the Hamburg Town Board authorizes the Town Supervisor to sign the Proposal with Fisher & Associates for Conceptual Multimodal Design on South Park Ave. from Scranton to Bayview Rd. and Bayview to Big Tree Rd., including in the vicinity of Frontier High School to address infrastructure and safety issues in preparation for funding support application submissions, not to exceed to $8,000.

Funds available in B.8020.0456.0403

ATTACHMENTS:

DOC102926-004.pdf

FISHER ASSOCIATES

Transportation
Land Development
Energy

October 27, 2026

Mark Melewski
Organizational Consultant
Managing Director
5651 Main Street
Suite 8-133
Williamsville, NY 14221

Re: Proposal for Planning Consulting Services
Conceptual Multimodal Vision
South Park Avenue and Bayview Road
Town of Hamburg, New York

Dear Mark:

Fisher Associates is pleased to submit this proposal to provide planning consulting services to the Town of Hamburg in response to your request for proposal.

I. BACKGROUND & PROJECT UNDERSTANDING

The Town of Hamburg has requested development of a conceptual design focused on multi-modal infrastructure along South Park Avenue from Scranton Road to Bayview Road and on Bayview Road to Big Tree Road in the vicinity of Frontier High School.

Fisher Associates understands that this effort is not intended to advance detailed design, but rather to clearly communicate the Town's Traffic Safety Advisory Board/Hamburg Moves' vision for a safe, connected, and context-sensitive multimodal corridor. The conceptual plan will build upon an ongoing corridor study that currently terminates at Scranton Road and will illustrate how pedestrian and bicycle infrastructure can be extended north along South Park Avenue, across the replacement bridge being initiated by NYSTA, and to Frontier High School.

The resulting document will provide the Town with a concise, map-driven tool to reinforce broader multimodal connectivity objectives, including improved safety and access for the Town's student population and to facilitate broader connections to the Town's assets including the emerging Stadium District.

II. APPROACH

Fisher Associates will focus on preparing targeted, visually compelling concept mapping that emphasizes corridor continuity. Fisher will work with the Town's Traffic Safety Advisory Board/Hamburg Moves, to develop the elements of the concept mapping,

prioritizing a single preferred concept over multiple alternatives or detailed technical analysis.

III. SCOPE OF WORK

Task 1: Project Initiation and Coordination

Fisher will initiate the project with a focused kickoff meeting with the Traffic Safety Advisory Board/Hamburg Moves and a representative from the Frontier Central School District to confirm expectations, available data, and coordination protocols.

Key Activities:

- Conduct one (1) virtual kickoff meeting with Traffic Safety Advisory Board/Hamburg Moves and the Frontier Central School District
- Review available background materials, including the ongoing corridor study
- Confirm project limits, assumptions, and deliverable format
- Explore ideas and elements of the future condition of the corridor

Task 2: Existing Conditions Overview

Fisher will prepare a concise summary of existing conditions to establish context for the conceptual plan.

Key Activities:

- Review existing corridor characteristics
- Identify multimodal gaps and constraints
- Prepare a high-level narrative supported by base mapping

Deliverable: Existing conditions summary

Task 3: Multimodal Concept Development

This task represents the core of the effort and will focus on defining a clear and implementable multimodal vision.

Deliverables:

- A preferred multimodal concept in 2D extending from along South Park Avenue from Scranton Road to Bayview Road and Bayview Road to Big Tree Road that ensures consistency with the ongoing corridor study and planned improvements in other parts of the town including the Stadium District. Connections with existing bus stops near the former Senior Community Center on Riley Boulevard and Southwestern Boulevard will also be addressed in the concept.
- Up to two conceptual cross-sections for the South Park and Bayview segments that show:

- Vehicular travel lanes
- Dedicated or protected bicycle facilities
- Sidewalk infrastructure
- Appropriate buffer and/or barrier treatments

Deliverables:

- Plan-view conceptual exhibit(s)
- Cross-section graphic (2)

Task 4: Conceptual Plan Memorandum

Fisher will prepare a concise, graphics-forward memorandum suitable for public consumption.

Deliverable:

- Conceptual Plan Memorandum that includes:
  - Project purpose and planning context
  - Documents existing conditions and relationship to the ongoing study
  - Presents the preferred multimodal concept and supporting rationale
  - Incorporates mapping/cross section graphics developed under prior task

Deliverable: Draft and Final Conceptual Plan Memorandum

Task 5: Review and Finalization

Fisher will incorporate Traffic Safety Advisory Board/Hamburg Moves' and school district feedback from Task 3 and finalize the document for the Town's use.

Key Activities:

- Facilitate one (1) round of review with Traffic Safety Advisory Board/Hamburg Moves and school district
- Address consolidated comments from Traffic Safety Advisory Board/Hamburg Moves/school district
- Prepare final deliverable

Assumptions:

- The Traffic Safety Advisory Board/Hamburg Moves will provide relevant background materials, including the ongoing corridor study
- The scope is conceptual in nature and does not include survey, traffic analysis, or engineering design
- One (1) preferred concept will be developed based on input from Traffic Safety Advisory Board/Hamburg Moves and school district; alternatives analysis is not included.

- One (1) round of review comments is assumed
- 3D visualization is not included
- Any coordination with NYSTA will be led by the Town and not included in this Scope of Services
- Traffic studies are not included in this scope of work. Fisher will rely on existing, publicly available NYSDOT traffic estimates/counts to support the deliverables

IV. SCHEDULE

Fisher anticipates completing the scope of services within approximately 6 weeks from Notice to Proceed.

V. PROJECT COST

Fisher Associates will complete the above scope of services for a lump sum fee of **$8,000**. The foregoing estimated fee and assumptions are based on the scope of work as outlined, which represents our best judgment as to the level of effort requested based on available information. If new information or unforeseen conditions become evident during the course of the Project, we will obtain your authorization before proceeding with the additional work. Any additional out-of-scope work will be performed on a time and materials basis in accordance with hourly rates presented in the attachment to this proposal.

VI. BILLING

Invoices will be issued monthly for the duration of the Project. Each invoice will be based on the percentage of work completed during the applicable billing period.

If you agree to accept this proposal, please sign and date the attached signature page and return a copy to me. This will serve as Fisher's authorization to proceed with the Scope of Work described herein.

Thank you for providing us with the opportunity to submit this proposal and looking forward to working with the Town again.

Sincerely,
FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.

Frank J. Armento, AICP CEP
Planning Studio Manager

Enclosure: Statement of Terms and Conditions

On behalf of the Town of Hamburg, I hereby accept this proposal and the Terms and Conditions enclosed herein.

_____ _____

NAME DATE

STATEMENT OF TERMS AND CONDITIONS

Section 1. Services. Fisher Associates, P.E., L.S., L.A., D.P.C. ("FA") shall provide (CLIENT) with the "Services" set forth in the Proposal for Services ("Proposal") under the terms and conditions set forth herein. FA's Services will be performed on behalf of and solely for the exclusive use of CLIENT for the purposes set forth in the Proposal and for no other purpose.

The standard of care for all professional engineering and related services performed or furnished by FA under this Agreement will be the care and skill ordinarily used by members of FA's profession practicing under similar circumstances at the same time and in the same locality. FA makes no warranties, express or implied, under this Agreement or otherwise, in connection with FA's services.

Section 2. Insurance. FA maintains Workers Compensation Insurance with respect to its employees within statutory required amounts. FA also maintains Automobile Liability insurance and General and Professional Liability insurance. Certificates of Insurance evidencing such coverage will be provided to CLIENT upon written request.

CLIENT shall be responsible for all other forms of property, casualty and liability insurance coverage required for the project, and hereby agrees to indemnify and hold FA harmless against all suits, orders, judgments, actions, causes of actions and claims arising as a result of personal injury, death or property damage occurring at the project site or in areas otherwise under the control of the CLIENT.

Section 3. Secured Ownership. The CLIENT acknowledges that it has secured ownership of the property upon which the project will be built or that such ownership and/or access will be secured by the CLIENT.

Section 4. Subconsultants & Subcontractors. FA, with the CLIENT's approval, will engage firms to produce such services as soil borings, laboratory testing and engineering services for which FA does not have necessary capacity in-house. FA prefers that the CLIENT contract for these services directly; if not, FA cannot undertake to guarantee or be responsible for their performance or the accuracy of their results.

Section 5. Construction Observation/On-site Services.

A) General. FA, upon CLIENT's written request, will provide personnel to observe and report to CLIENT on specific aspects or phases of CLIENT's project construction. FA's Observation Services do not include any supervision or direction of work of any contractor or subcontractor, or their respective employees, agents or servants. CLIENT shall notify each contractor or subcontractor that FA's observation services do not include supervision or direction of the work and that neither the presence of FA's field representative nor the services of observation and testing by FA, shall excuse the contractor or any subcontractor from the obligation to correct any defects then or thereafter discovered in the respective contractor's or subcontractor's work. FA will not be responsible for any contractor's, or subcontractor's compliance with the provisions of any contract nor for the observation or supervision of any contractor's, or subcontractor's use of personnel, machinery, equipment, safety precautions or procedures.

B) Site Safety. FA, by entering into an agreement with CLIENT or by performing construction observation services, does not undertake any liability or responsibility for the development, supervision, or enforcement of any job or site safety requirements; nor for any failure of any contractor, subcontractor, or other third person or entity present on the Site to comply with the Occupational Safety and Health Act (Federal OSHA), or with any regulations or standards promulgated thereunder, or with any state, county, or municipal law, regulation, or ordinance of similar import or intent.

Section 6. Documents. All reports, boring logs, field data, field notes, laboratory test data, calculations, estimates and other documents, data or information prepared by FA as instruments of Service, shall remain the sole property of FA. All reports and other work prepared by FA for CLIENT shall be utilized solely for the intended purposes and Site described in the Proposal. FA will retain all pertinent documents for a period of three (3) years following the submission of FA's material to CLIENT. Such documents will be available to CLIENT upon request at FA's office during office hours on reasonable notice, and FA will furnish copies to CLIENT for the total cost of reproduction of the same.

Section 7. Opinions of Probable Construction Cost. When the scope of services indicates opinions of probable construction costs are to be provided, FA will prepare opinions of probable construction costs based upon standard engineering practice, drawing from recognized cost estimating standards and experience with previous projects of similar design. CLIENT recognizes that FA has no control over the pricing in the marketplace and that FA is not a construction contractor. Though FA will use diligence in preparing opinions of probable construction cost, it does not warrant or guarantee that CLIENT will obtain these costs at the time of bidding. Additionally, any costs related to re-design of the project subsequent to bidding to lower the project cost would be considered additional services.

Section 8. CLIENT's Duty to Notify FA of Hazards. CLIENT represents and warrants that it will provide FA with any and all information known to or suspected by CLIENT with respect to 1) the existence or possible existence at, on or under the Site of any hazardous materials, or pollutants and 2) to disclose the location and quantity of all previously installed asbestos-containing materials (ACM's) or presumed ACM's in their facilities.

If unanticipated potentially hazardous materials, pollutants or ACM's are encountered during the course of the work, FA shall have the right 1) to suspend its work immediately and 2) to terminate the work described in the Proposal, upon ten (10) days of FA's written notice of intent to terminate, unless FA and CLIENT agree upon a mutually satisfactory amendment to the Proposal that may include a revision of the scope of services, adjustment of budget estimates, revised Terms and Conditions and revised fees. CLIENT shall remain liable for and shall pay all fees and charges incurred under the provisions of the Proposal through the date of termination, notwithstanding CLIENT and FA not having reached a new, mutually satisfactory, revision of their agreement.

Section 9. Release of Stamped Drawings. FA reserves the right to withhold stamped drawings produced for any phase of this project under the terms of this agreement until all invoices billed up to that point in the project have been paid in full.

Section 10. Mediation. In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the CLIENT and FA agree that all disputes between them arising out of or relating to this Agreement shall be submitted to non-binding mediation unless the parties mutually agree otherwise.

Section 11. Limitation of Liability. To the fullest extent permitted by law, the CLIENT agrees to limit FA's liability for CLIENT damages to the amount of FA's fee for this project. The limitation of liability shall exclude liability for consequential damages such as lost profits and lose of use. This limitation shall apply regardless of the cause of action or legal theory asserted.

Section 12. Firm Publicity. FA has the right to photograph the above-named project and to use the photos in the promotion of the professional practice through advertising, public relations, brochures or other marketing materials. Should additional photos be needed in the future, the CLIENT agrees to provide reasonable access to the facility. The CLIENT also agrees to cite the name of FA as Design Engineer in all publicity, presentations, and public relations activities that mention the name of the facility.

Section 13. Controlling Law. This agreement is to be governed by the laws of the State of New York.

Section 14. Successors & Assigns.

A) CLIENT and FA each is hereby bound and the partners, successors, executors, administrators and legal representatives of the CLIENT and FA (and to the extent permitted by Section 14.B the assigns of the CLIENT and FA) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements and obligations of this Agreement.

B) Neither CLIENT nor FA may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated, to maintain regulatory compliance, or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

C) Unless expressly provided otherwise in this Agreement:

1) Nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by the CLIENT or FA to any Contractor, Contractor's subcontractor, supplier, other individual or entity, or to any surety for or employee of any of them.
2) All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of the CLIENT and FA and not for the benefit of any other party. The CLIENT agrees that the substance of the provisions of Section 14.C shall appear in the Contract Documents.

Section 15. Billing, Payment, and Contract Termination. CLIENT will pay FA for services performed in accordance with the rates and charges set forth in the Proposal. Invoices for FA's services will be submitted on a monthly basis, or upon completion of services, as indicated in the Proposal. All invoices will be due by CLIENT upon receipt. Invoice balances remaining unpaid for thirty (30) days after invoice date will bear interest from invoice date at 1.5 percent per month or at the maximum lawful interest rate, if such lawful rate is less than 1.5 percent per month.

FA may terminate this Agreement upon giving the CLIENT 14 calendar days prior written notice for any of the following reasons:

1) CLIENT fails to pay any invoice in full within sixty (60) days after invoice date, FA may, at any time, and without waiving any other rights or claims against CLIENT, and without thereby incurring any liability to CLIENT, elect to terminate performance of services upon fourteen (14) calendar days prior written notice by FA to CLIENT.
2) Breach by the CLIENT of any material term of this Agreement.
3) Material changes in the conditions under which this Agreement was entered into, coupled with the failure of the parties hereto to reach accord on the fees and charges for any Additional Services required because of the changes.

The CLIENT may terminate this Agreement at any time with or without cause upon giving FA 30 calendar days prior written notice. The CLIENT shall within 60 days of termination reimburse FA for all expenses incurred by FA in connection with termination of this Agreement. CLIENT shall pay FA in full for all services rendered by FA to the date of termination of services plus all interest, termination costs and expenses incurred by FA and related to such termination. CLIENT shall be liable to reimburse FA for all fees of any collection agency, which may be based on a percentage at a maximum of 25% of debt, and all costs and expenses of collection, including reasonable attorneys' fees FA incurs for such collection efforts. FA's non-exercise of any rights or remedies, whether specified herein or otherwise provided by law, shall not be deemed a waiver of any such rights or remedies, nor preclude FA from the exercise of such rights or other rights and remedies under this instrument, or at law. Receivables defined in the Scope of Services not completed as of the date of termination will remain property of FA.

Section 16 Severability

Any provision or part thereof of this Agreement held to be void or unenforceable under any law shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the parties. The parties agree that this Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.

4.27. Authorizing the Non-Renewal of the Contract with Granicus at CARAHSOFT

WHEREAS, the Town of Hamburg implemented live streaming services for Town meetings during the COVID-19 pandemic to provide residents with a means of viewing and accessing meetings remotely; and

WHEREAS, live streaming is not mandated by New York State law and was implemented as a courtesy to Town residents to improve public access during limited in-person participation; and

WHEREAS, the Town of Hamburg entered into an agreement with Granicus at Carahsoft in December 2024 for the purpose of live streaming Town Board and Planning Board meetings; and

WHEREAS, the current agreement is scheduled to expire on December 31, 2026; and

WHEREAS, due to financial considerations and the limited viewership of the services provided, the Town Board has determined that continuing the agreement would not be in the best financial interest of the Town; and

WHEREAS, the Town Board desires to provide formal written notice to Granicus at Carahsoft of the Town's decision not to renew the agreement in accordance with the notice requirements set forth in the contract;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamburg hereby authorizes the Supervisor to sign and submit a formal non-renewal contract notice to Granicus at Carahsoft effective December 31, 2026.

4.28. Network Equipment Upgrade

WHEREAS, the Town of Hamburg needs to upgrade network equipment townwide, and

WHEREAS, the equipment will cost $464,238.64 and is on NCPA Contract (#01-125) and NCPA Contract (#01-97), and

WHEREAS, the equipment will be financed through Extreme Capital Services for a 60-month term, with a monthly payment of $8,885.15, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board approves authorizing the Supervisor to sign the finance agreement with Extreme Capital Services.

Funds are available in account A.1690.0207.1