



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



ENVIRONMENTAL RESTORATION PROGRAM (ERP) APPLICATION

1996 CLEAN WATER/CLEAN AIR BOND ACT

ECL ARTICLE 56, TITLE 5 - 6NYCRR 375-4

9/3/04

Applicant Information			
NAME OF MUNICIPALITY City of Buffalo			
NAME OF INDIVIDUAL AUTHORIZED TO SIGN APPLICATION Anthony Maisello			
TITLE OF AUTHORIZED INDIVIDUAL Mayor			
ADDRESS 65 Niagara Square			
CITY/TOWN Buffalo		ZIP CODE 14202	
PHONE (716) 851-5054	FAX (716) 854-0172		E-MAIL
NAME OF COMMUNITY BASED ORGANIZATION (IF APPLICABLE)			
COMMUNITY BASED ORGANIZATION'S REPRESENTATIVE			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX		E-MAIL
Site Information			
SITE NAME Franczyk Park			
SITE ADDRESS 564 Babcock Street			
CITY/TOWN Buffalo		ZIP CODE 14206	
COUNTY Erie		SIZE (ACRES) 16.5	
LATITUDE (degrees/minutes/seconds) 42 ° 52 ' 48 "		LONGITUDE (degrees/minutes/seconds) 78 ° 49 ' 54 "	
PLEASE ATTACH A COUNTY TAX MAP WITH IDENTIFIER NUMBERS, ALONG WITH ANY FIGURES NEEDED TO SHOW THE LOCATION AND BOUNDARIES OF THE SITE ALSO INCLUDE A USGS 7.5 MINUTE QUAD MAP IN WHICH THE SITE IS LOCATED			
1 DO THE SITE BOUNDARIES CORRESPOND TO TAX MAP METES AND BOUNDS? IF NO, PLEASE ATTACH A METES AND BOUNDS DESCRIPTION OF THE SITE		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
2 IS THE SITE PART OF A DESIGNATED BROWNFIELD OPPORTUNITY AREA PURSUANT TO GML970-R? IF YES, IDENTIFY AREA (NAME) _____		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
3 IS THE SITE LISTED ON THE NYS REGISTRY OF INACTIVE HAZARDOUS WASTE DISPOSAL SITES? IF YES, FILL IN CURRENT REGISTRY SITE NUMBER AND CLASSIFICATION		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
REGISTRY SITE NUMBER _____ CLASSIFICATION _____			

## Applicant Eligibility Information

1. HAS THE APPLICANT GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF, HAZARDOUS WASTE OR PETROLEUM ON THE SITE? ☐ YES ☒ NO
2. WAS THE APPLICANT UNDERTAKEN, OR INTEND TO UNDERTAKE, ANY INDEMNIFICATION OBLIGATION RESPECTING A PARTY RESPONSIBLE UNDER LAW FOR THE REMEDIATION OF THE SITE? ☐ YES ☒ NO
3. HAS THE APPLICANT LEASED THE SITE TO ANOTHER PARTY THAT GENERATED, TRANSPORTED OR DISPOSED OF, OR THAT ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF HAZARDOUS WASTE OR PETROLEUM ON THE SITE? IF YES, CHECK ONE OF THE FOLLOWING: ☐ YES ☒ NO
- ☐ A THE APPLICANT DID NOT KNOW THAT SUCH OTHER PARTY GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF SUCH HAZARDOUS WASTE OR PETROLEUM.
- ☒ B THE APPLICANT KNEW THAT SUCH OTHER PARTY GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF SUCH HAZARDOUS WASTE OR PETROLEUM AND DID NOT TAKE ACTION TO REMEDIATE OR CAUSE THE REMEDIATION OF SUCH HAZARDOUS WASTE OR PETROLEUM
- ☒ C THE APPLICANT KNEW THAT SUCH OTHER PARTY GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF SUCH HAZARDOUS WASTE OR PETROLEUM AND TOOK ACTION TO REMEDIATE OR CAUSE THE REMEDIATION OF SUCH HAZARDOUS WASTE OR PETROLEUM.
- DOES THE APPLICANT CURRENTLY OWN THE SITE OR HAS IT OBTAINED TEMPORARY INCIDENTS OF OWNERSHIP FOR AN INVESTIGATION PURSUANT TO ECL 56-05087 ☒ YES ☐ NO

## Project Description

PLEASE ATTACH A DESCRIPTION OF THE PROJECT WHICH INCLUDES THE FOLLOWING INFORMATION (REFER TO THE ENVIRONMENTAL RESTORATION PROGRAM PROCEDURES HANDBOOK FOR DETAILED INSTRUCTIONS).

- PURPOSE AND SCOPE OF THE PROJECT,
- CURRENT AND PROPOSED FUTURE USE OF THE SITE (RESIDENTIAL, COMMERCIAL, INDUSTRIAL),
- ESTIMATED PROJECT COST (INCLUDE ANY RESPONSIBLE PARTY COST RECOVERY PAYMENTS RECEIVED OR ANTICIPATED, AS WELL AS ANY OTHER ACTUAL OR POTENTIAL FUNDING SOURCES FOR THE PROJECT),
- HOW THE PROJECT WOULD SATISFY THE CRITERIA OF ECL 56-0505; AND
- ESTIMATED PROJECT SCHEDULE (FIELD WORK MUST BEGIN WITHIN 12 MONTHS OF THE APPLICATION APPROVAL DATE)

## Site's Environmental History

TO THE EXTENT THAT EXISTING INFORMATION/STUDIES/REPORTS ARE AVAILABLE TO THE APPLICANT, PLEASE ATTACH THE FOLLOWING:

- 1 **ENVIRONMENTAL DATA**  
A PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT PREPARED IN ACCORDANCE WITH ASTM E 1527 (American Society for Testing and Materials Standard Practice for Environmental Site Assessments. Phase I Environmental Site Assessment Process), AND ALL ENVIRONMENTAL REPORTS RELATED TO CONTAMINANTS ON OR EMANATING FROM THE SITE
- 2 **OWNERS**  
A LIST OF PREVIOUS OWNERS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER LISTED IF NO RELATIONSHIP, PUT "NONE")
- 3 **OPERATORS**  
A LIST OF PREVIOUS OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBER (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OPERATOR LISTED IF NO RELATIONSHIP, PUT "NONE")

## Contaminant Information

INDICATE KNOWN OR SUSPECTED CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN OR SUSPECTED TO HAVE BEEN AFFECTED:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs		✓			
SVOCs	✓	✓			
Metals	✓	✓			
Pesticides					
PCBs					
Other * _____					

\*PLEASE DESCRIBE: \_\_\_\_\_

## Project Information (Complete for Remediation Projects Only)

- HAS THE DEC ISSUED A RECORD OF DECISION FOR THE SITE UNDER THE ERP? ☒ YES ☐ NO
  - HAS GROUNDWATER OR A SURFACE WATER BODY BEEN CONTAMINATED ABOVE STANDARDS?  
IF YES, CHECK ALL THAT APPLY: ☒ YES ☐ NO
    - THE INFLUENT TO A PUBLIC OR PRIVATE WATER SUPPLY HAS BEEN CONTAMINATED OR THREATENED. ☐
    - A CLASS A OR AA SURFACE WATER BODY OR A PRIMARY OR PRINCIPAL AQUIFER HAS BEEN CONTAMINATED WITHOUT AFFECTING AN EXISTING WATER SUPPLY. ☐
    - GROUNDWATER HAS BEEN CONTAMINATED ABOVE STANDARDS OR A SURFACE WATER HAS BEEN IMPACTED. ☒
  - HAVE ENDANGERED, THREATENED OR RARE SPECIES, STATE PROTECTED STREAMS, OR STATE REGULATED WETLANDS BEEN IMPACTED BY RELEASES FROM THE SITE? ☐ YES ☒ NO
  - ARE CONTAMINANTS PRESENT IN SOILS/WASTE AT LEVELS THAT EXCEED DEC DIVISION OF ENVIRONMENTAL REMEDIATION GUIDANCE VALUES? ☒ YES ☐ NO
  - IS THE SITE LOCATED IN A DESIGNATED EMPIRE ZONE? ☐ YES ☒ NO
  - IS THE SITE LOCATED IN A DESIGNATED EN-ZONE PURSUANT TO TL § 21 (b)(6)? ☐ YES ☒ NO
  - HAS ALL OR PART OF THE SITE BEEN IDLE OR ABANDONED FOR MORE THAN ONE YEAR? ☐ YES ☒ NO
  - HAS THE APPLICANT SIGNED AN AGREEMENT WITH A PRIVATE PARTY TO REUSE THE SITE ONCE IT IS RESTORED? ☐ YES ☒ NO
  - HAS THE APPLICANT COMMITTED TO A NEW PUBLIC OR RECREATIONAL USE? ☐ YES ☒ NO
  - HAS THE APPLICANT COMPLIED WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGARDING THIS ACTION? IF YES, INCLUDE THE DETERMINATION (NEGATIVE DECLARATION OR FINDINGS STATEMENT) IN THE ATTACHED PROJECT DESCRIPTION AND IDENTIFY ALL INVOLVED AGENCIES IN THE COORDINATED REVIEW. ☐ YES ☒ NO
- IS THE APPLICANT AWARE OF OTHER FUNDING SOURCES FOR REMEDIATING THE SITE?  
IF YES, PROVIDE SOURCES(S) AND DOLLAR AMOUNT IN THE ATTACHED PROJECT DESCRIPTION. ☐ YES ☒ NO

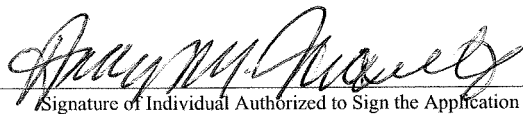
## Municipality Certification

The undersigned on behalf of the applicant does hereby certify that:

All statements made for the purpose of obtaining State assistance for the proposed project either are set out in full in this application, or are set out in full in exhibits attached to this application and incorporated by this reference; and

The individual whose signature appears hereon is authorized to sign this application for the municipality.

A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

  
Signature of Individual Authorized to Sign the Application

4/22/05  
Date

## Community Based Organization Certification (if applicable)

The undersigned on behalf of the Community Based Organization acting in partnership with the municipality does hereby certify that

The Community Based Organization is a not-for-profit corporation, exempt from taxation under section 501(c)(3) of the internal revenue code whose stated mission is promoting reuse of brownfield sites within a specified geographic area in which the Community Based Organization is located, which has 25% or more of its board of directors residing in the community in such area;

- The Community Based Organization represents a community with a demonstrated financial need;
- Not more than 25% of the members, officers or directors of the Community Based Organization are or were employed by or receiving compensation from any person responsible for a site under title 13 or title 14 of article 27 of the Environmental Conservation Law, article 12 of the navigation law or under applicable principles of statutory or common law liability; and
- The individual whose signature appears hereon is authorized to sign this application for the Community Based Organization.

A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW

\_\_\_\_\_  
Signature of Individual Authorized to Sign for the Community Based Organization

\_\_\_\_\_  
Date

## SUBMITTAL INFORMATION:

Three (3) complete copies of the application are required.

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, must be sent to:  
  
Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233-7020
- **One (1)** hard copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.state.ny.us/website/der/index.html>

## FOR DEPARTMENT USE ONLY:

ERP SITE NO: \_\_\_\_\_ ERP SITE T&A CODE: \_\_\_\_\_ PROJECT MANAGER: \_\_\_\_\_

## **PROJECT DESCRIPTION**

### **PURPOSE AND SCOPE OF THE PROJECT**

The City of Buffalo has completed a Site Investigation/Remedial Action Report (SI/RAR) on the 16.5 acre parcel of City owned property located at Lewis and Fleming Streets, referred to as Franczyk Park. The site is bordered on the south by Fleming Street, to the east by Babcock Street, to the north by Lyman Street, and to the west by Lewis Street. Based on the City's current plans, the property will be retained as a City park.

The purpose of the project is to remediate the contamination detected during the SI/RAR and previous site activities. The entire park (16.5 acres) will be remediated to fulfill the requirements of the New York Department of Environmental Conservation (NYSDEC) Record of Decision issued in February 2005.

The City of Buffalo will use a competitive procurement process to select its consultant to assist with environmental remediation efforts. The procurement process will be undertaken in compliance with New York State's General Municipal Law 104 (b).

### **ENVIRONMENTAL HISTORY OF THE PROPERTY**

Environmental investigation activities were conducted at the subject property during July 1985, June 1998, April 2001, and November 2003 through November 2004. These activities revealed that:

- The past history of the property includes use as an agricultural chemical manufacturing facility from 1930 to 1974. Since then other owners have included the Industrial Refining Corporation and Car Salvage World. The property was acquired by the City of Buffalo in 1984.
- The Agrico Chemical Company operated its' facility to manufacture superphosphate, hydrofluorosilicic acid, sodium silicofluoride, sulfuric acid and mixed granular fertilizers of various NPK grades. Herbicides, pesticides, and lawn fertilizers were also stored and handled on site.
- A 1985 report on an investigation of the property concluded that no hazardous waste was detected and no on-site material appeared to pose a significant hazard to public health. Furthermore, probable impact to the groundwater was likely but the property could only be improved by development
- Limited sampling of the surface soil and surface water runoff during June of 1998 was conducted in response to public concern over seeps noted at two locations in the park. The analysis indicated elevated levels of arsenic and iron at one location and elevated levels of iron at the second location. Subsequent investigation activities indicated elevated levels of lead and arsenic in the on-site soils.

- In 2001, 28 additional surface soil samples were collected from the northern portion of the project site. The analytical results indicated that the lead concentration under the western swing set exceeded the regulatory guidance value.
- A Site Investigation, to define the nature and extent of contamination resulting from historical site activities was conducted between November 2003 and November 2004. SI/RAR. This investigation indicated that contamination, primarily lead and arsenic, was present in the surface soil, subsurface soil and groundwater.
- A Record of Decision (ROD) was issued by the NYSDEC in February 2005. The ROD presented a remedial alternative that included a program of environmental monitoring, institutional controls, limited removal of severely contaminated on-site materials and augmenting the existing soil cover over the entire property.

### **PROPOSED FUTURE USE**

The City of Buffalo intends to maintain the use of the property as park and recreational greenspace.

### **ESTIMATED COST**

The estimated project cost to implement the remediation plan is approximately \$2.8 million.

### **OTHER ACTUAL OR POTENTIAL FUNDING SOURCES FOR THE PROJECT**

There are no other funding sources for this project.

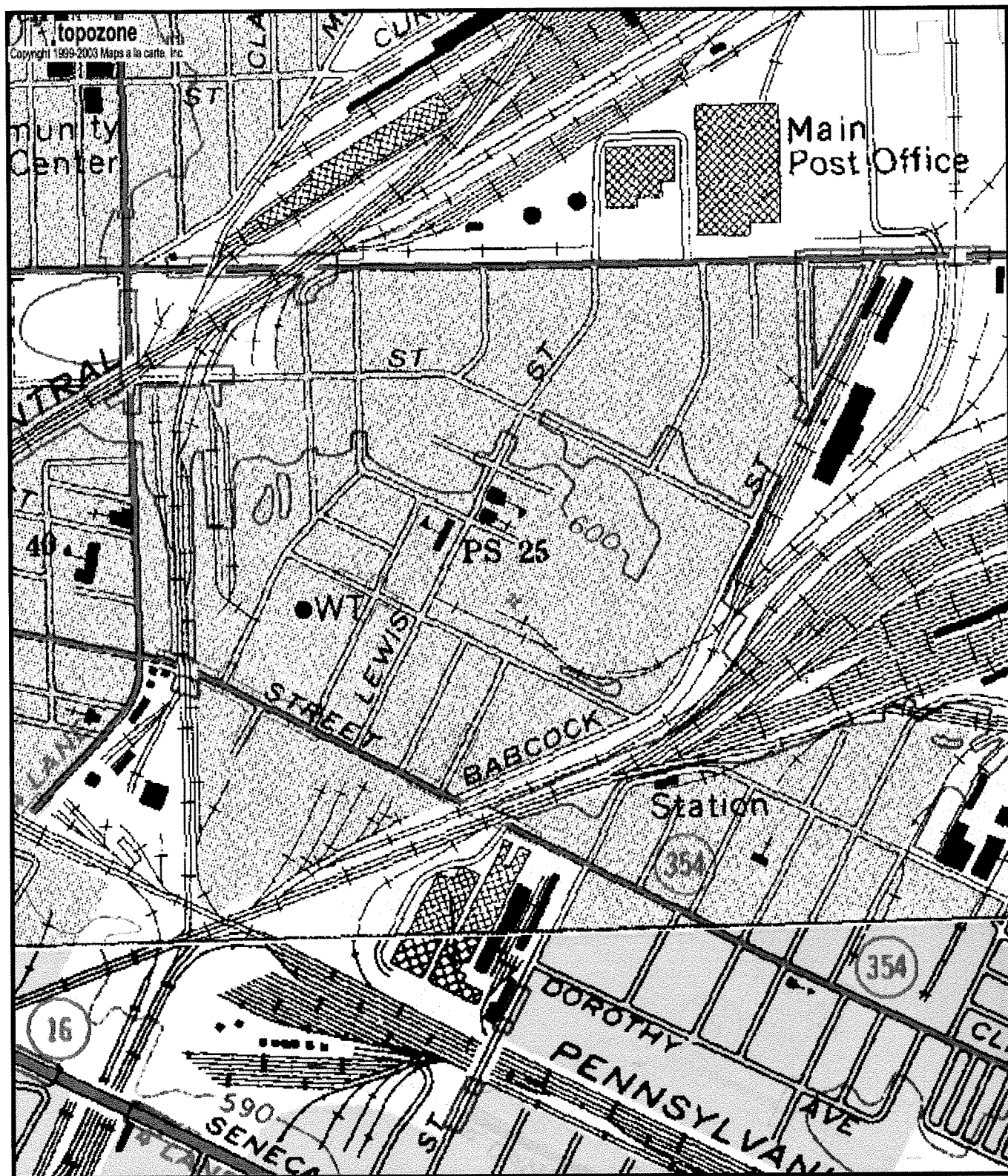
### **HOW THE PROJECT WOULD SATISFY THE CRITERIA OF ECL 56-0505**

This project would expeditiously remediate the park property and lead to the most effective remedial alternative for the site. The cleanup of the property will mitigate environmental concerns detected during the Site Investigation regarding the safe use of the property by the public. Once the cleanup has occurred the property can then be used for public recreational purposes.

### **SITE MAPS**

Attached

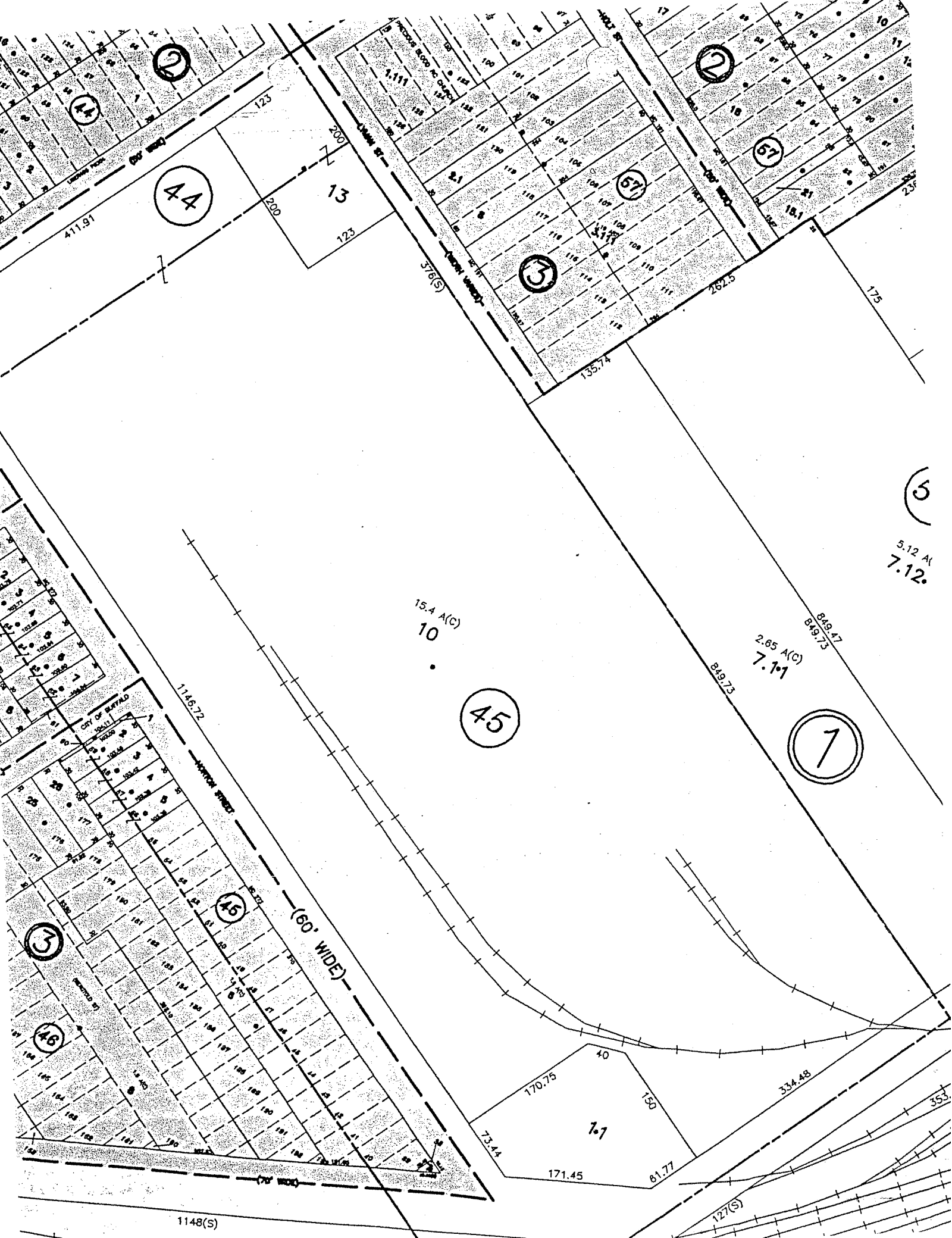
## **ATTACHMENT A**



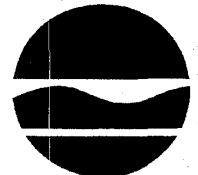
0 0.1 0.2 0.3 0.4 0.5 km  
 0 0.09 0.18 0.27 0.36 0.45 mi  
 Map center is 42° 52' 48"N, 78° 49' 54"W (WGS84/NAD83)  
**Buffalo NE quadrangle**  
 Projection is UTM Zone 17 NAD83 Datum

M\*  
 G  
 M=-10.808  
 G=1.476





**New York State Department of Environmental Conservation**  
**Division of Environmental Remediation**  
**Bureau of Technical Support, 11<sup>th</sup> Floor**  
625 Broadway, Albany, New York 12233-7020  
**Phone:** (518) 402-9553 • **FAX:** (518) 402-9577  
**Website:** www.dec.state.ny.us



Denise M. Sheehan  
Acting Commissioner

**MEMORANDUM**

**TO:** Edward Belmore, NYSDEC - DER Remedial Bureau D  
Gary Litwin, NYSDOH - DEHI Bureau of Environmental Exposure Investigation  
Anthony Quatararo, NYSDEC - DEE Superfund and Voluntary Cleanup Bureau  
Christina Dowd, NYSDEC - DFWMR Bureau of Habitat  
Susanne Wither, NYSDEC - DER Bureau of Technical Support

**FROM:** Kelly Lewandowski, NYSDEC - DER Bureau of Technical Support *Kelly Lewandowski*

**SUBJECT:** Environmental Restoration Projects Application  
Franczyk Park, #B00174

**DATE:** MAY 09 2005

The attached Environmental Restoration Projects (ERP) Application for remedial work at the subject site has been forwarded to you for your records and/or processing according to the established Environmental Restoration Projects procedures. Upon application review, the following requested item was not included with the application:

- No Resolution/Authorization and Certificate of Recording Officer.

Please Note: Requestor stated this is an amendment to a previous Investigation ERP Application, and therefore the Resolution, etc. is not necessary. Requestor was told they would need to discuss this with the Project Manager.

If you require additional copies or the complete series of the related application's attachments, please contact the Project Manager, Tom Biel, at (716) 851-7220.

T&A code for the subject site: Existing Site – none requested

Attachment(s)

Distribution

Original (with all attachments) to:

Tom Biel, DER Project Manager

Copy (with all attachments) to:

Gary Litwin, NYSDOH - DEHI Bureau of Environmental Exposure Investigation

Ed Belmore, NYSDEC - DER Remedial Bureau D

Susanne Wither, DER NYSDEC - Bureau of Technical Support

Copy (without attachments) to:

Anthony Quatararo, NYSDEC - DEE Superfund and Voluntary Cleanup Bureau

Christina Dowd, NYSDEC - DFWMR Bureau of Habitat

BW/kc

bec: B. Wolosen

**CITY CLERK'S OFFICE**

**CITY HALL**

BUFFALO May 3, 2005

**To Whom It May Concern:**

I hereby Certify, That at a Session of the Common Council of the City of Buffalo, held in the City Hall, on the 4TH Day of September 2001 The following item Was Passed which the following is a true copy  
**NO. 170**

**BY: MS. ELLINGTON**

**REQUESTING CLEAN WATER/CLEAN AIR BOND ACT FUNDING TO RERNEDIATE FRANCZYK PARK**

Whereas: The City of Buffalo, hereinafter call the "Municipality", after thorough consideration of the various aspects of the problems at Franczyk Park has hereby determined that certain work, as described in its application and attachments, hereinafter call the "Project", is desirable, is in the public interest, and is required in order to implement the project of remediating Franczyk Park; and Whereas: Article 56 of the Environmental Conservation Law authorizes State -assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith; Now, Therefore, Be It Resolved: That the City of Buffalo Mayor, Anthony M. Masiello, be the representative authorized to act in behalf of the Municipality in all matters related to State assistance for the remediation of Franczyk Park under ECL Article 5-6, Title 5. That the representative be also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project arid to the State Assistance; and Be It Further Resolved: That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and Be It Further Resolved: That one (1) certified copy of this Authorization be prepared by the City Clerk and delivered to the Office of Strategic Planning, which will send it to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance; and Be It Further Resolved: That this authorization take effect immediately. Be it finally resolved That a public hearing will be held regarding issues related to Franczyk Park **APPROVED AS AMENDED PASSED AYES -13 NOES - 0 NO. 171 BY: MR. FONTANA STREET CLOSING PERMIT FOR FAY STREET** Whereas: The Fay Street Block Club has requested a street closing permit for the purpose of a Block Party; and Whereas: This Block Party will take place on Fay Street Between W. Shore & Walden Avenue on Saturday August 25, 2001 from 12 noon to 8:00 PM; and Whereas: This Fay Street Block Club has been working hard to strengthen the neighborhood and unite the people of this street; and Now, Therefore, Be It Resolved: That the Common Council waive all permit fees associated with this street closing. **PASSED AYES -13 NOES - 0 NO. 172 BY: MR. FONTANA WILKES ST. PERMIT** Whereas The Wilkes St. residents are hosting their annual block patty, Saturday August 18, 2001 from 10:00 am to 6: 00 pm ; and Whereas The Wilkes St. residents are requesting a street closing permit for the times of the block party at the location on Wilkes St. between Easton and E. Delavan; and Whereas: The Wilkes St residents would like to request the Common Council waive the street closing permit fee to host this event; and Therefore Be It Resolved: That the Buffalo Common Council waive all fees associated with the street closing permit. **PASSED AYES -13 NOES - 0 NO. 173 BY: MR. FONTANA, MS. MARTINO OPEN YOUR OWN BUSINESS CAMPAIGN** Whereas: Last Spring the New York State Empire Zone was expanded into the City of Buffalo's neighborhood business strips; and Whereas: With the advent of such economic development benefits there's new hope and opportunity for vacant, underutilized neighborhood storefronts; and Whereas: With the availability of usable square footage coupled with the untapped entrepreneurial spirit of our City of Buffalo residents it is clear that many more

stipulate that the City agrees to pay all necessary costs associated with first instance funding and the Federal/Non-Federal shares of the necessary project phases. Funds for this purpose are available in our Capital project Account for Local Match of Federal Highway Projects. Mrs. LoTempio Moved: That the above communication from the Commissioner of Public Works, Parks and Streets dated March 1, 2001 be received and filed; and That the Mayor be, and he hereby is authorized to enter into all necessary agreements with the New York State Department of Transportation for preliminary engineering (planning and design) related to The Buffalo Corridor Management Project PIN 5756.29. The City does hereby agree to pay all necessary costs associated with first instance funding and the Federal/Non-Federal Shares of the necessary project phases. Funds for this purpose are available in the Capital Project Account for Local Match of Federal Highway Projects.

**PASSED**

**ATTEST**  
Deputy City Clerk

This item was signed by the Mayor on September 17, 2001 and returned back to the City Clerks office on Sept 17, 2001

By: Ms. Ellington

SEP 04 2001

**SUBJECT: Requesting Clean Water/Clean Air Bond Act Funding to Remediate Franczyk Park**

Whereas: The City of Buffalo, hereinafter call the "Municipality", after thorough consideration of the various aspects of the problems at Franczyk Park has hereby determined that certain work, as described in its application and attachments, hereinafter call the "Project", is desirable, is in the public interest, and is required in order to implement the project of remediating Franczyk Park; and

Whereas: Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

Now, Therefore, Be It Resolved:

That the City of Buffalo Mayor, Anthony M. Masiello, be the representative authorized to act in behalf of the Municipality in all matters related to State assistance for the remediation of Franczyk Park under ECL Article 56, Title 5. That the representative be also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to the State Assistance; and

Be It Further Resolved:

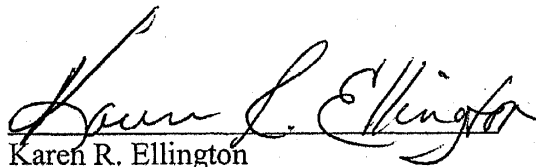
That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and

Be It Further Resolved:

That one (1) certified copy of this Authorization be prepared by the City Clerk and delivered to the Office of Strategic Planning, which will send it to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance; and

Be It Finally Resolved:

That this authorization take effect immediately.

  
Karen R. Ellington