MEETING NO. 1

CHEEKTOWAGA, NEW YORK
January 2, 1975

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of January, 1975 at 2:30 o'clock P.M., Eastern Standard Time there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson

ABSENT: 0

Also present were: Benedict T. Holtz, Town Clerk; Mary Holtz, First Deputy Town Clerk; John V. Rogowski, Town Attorney; Robert Miller, First Deputy Town Attorney; Chester Bryan, Town Engineer; Casey Kozminski, Deputy Assessor; Kenneth Kopacz, Executive Director of the Youth Board; Ronald Norman, Receiver of Taxes and Assessments; Bernard Arendt, Ass't. Building & Plumbing Inspector; Raymond Matot, Building Maintenance Foreman.

#2

I. BIDS

Item No. 2 Highway Department - Two (2) New 1975 Self-contained Hopper-type Spreaders.

Referred to Alfred Wnek, Cheektowaga Highway Superintendent.

Item No. 3 Operation of Sporting Goods Concession to be located in the Cheektowaga Recreation Center.

No Bids Received; Item to be Readvertised.

Motion by Councilman Swiatek, seconded by Supervisor Weber

BE IT RESOLVED that the Town Clerk of the Town of Cheektowaga be and hereby is directed to publish a Notice to Bidders relative to a Sporting Goods Shop Concession to be located in the Cheektowaga Recreation Center, Cheektowaga Town Park, Cheektowaga, New York. Specifications may be obtained at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA NEWS and CHEEKTOWAGA TIMES on the 9th day of January, 1975.

* *

LEGAL NOTICE

N O T I C E T O B I D D E R S

Sealed bids will be received and considered by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 7:30 p.m. Eastern Standard Time, on January 20, 1975, and said bids will be opened at said time and place, for the operation of a Sporting Goods Shop Concession to be located in the Cheektowaga Recreation Center, Cheektowaga Town Park, Cheektowaga, New York. Information for bidders and specifications may be obtained from the Town Clerk's Office located in the Town Hall, Broadway and Union Road, Cheektowaga, New York.

Item No. 3 Cont'd

By order of the Town Board of the Town of Cheektowaga, Erie County, New York

Benedict T. Holtz
Town Clerk

DATED: January 2, 1975

* *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson

NAYES: 0

ABSENT: 0

AFFIDAVITS-NEXT PAGE

#2

PROOF OF PUBLICATION

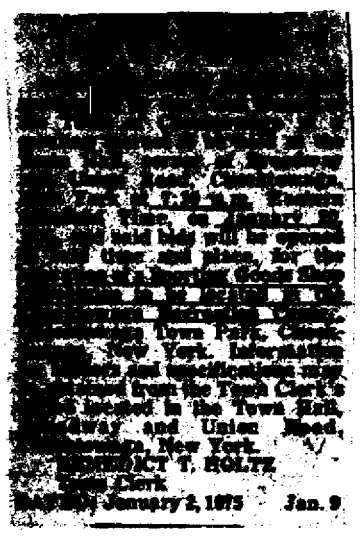
Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.


...January 2, 1975 Jan. 9

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 9 day of January, 1975, and the last insertion being on the same day of same, 19.....

#2

Subscribed and sworn to before me this 9 day of January, 1975

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

George J. Measer

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Lechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 9, 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Lechter

Sworn to before me this 10th

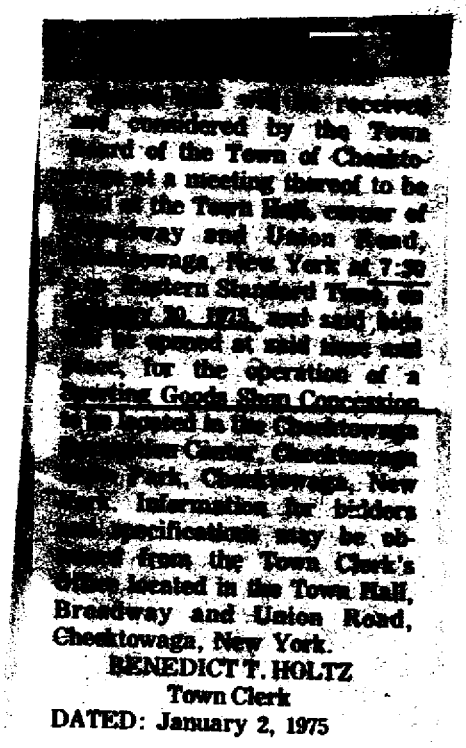
day of January, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

#2



[illegible] received, and considered by the Town Board of the Town of Cheektowaga at a meeting thereof to be held in the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 7:30 P.M. Eastern Standard Time, on January 20, 1975, and said bids will be opened at said time and place, for the operation of a Sporting Goods Store Concession to be located in the Cheektowaga Sports Center, Cheektowaga Town Park, Cheektowaga, New York. Information for bidders and specifications may be obtained from the Town Clerk's office located in the Town Hall, Broadway and Union Road, Cheektowaga, New York.

BENEDICT T. HOLTZ
Town Clerk
DATED: January 2, 1975

Item No. 4 Operation of a Food Concession to be located in the Cheektowaga Recreation Center.

Referred to Jim Matecki, Acting Parks Foreman.

II. PUBLIC HEARINGS

Item No. 5 Motion by Councilman Halicki, seconded by Councilman Wroblewski

WHEREAS, this Town Board duly held a Public Hearing on the 2nd day of January, 1975 to consider the advisability of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said Hearing being held in accordance with Notice thereof which was duly published as required by law, at which Hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Town Board determine that it is in the public interest to adopt the following amendments to the Traffic Ordinance of the Town of Cheektowaga, County of Erie, and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE X

PARKING, STANDING, STOPPING is Amended by Adding thereto the following:

SECTION 102 - NO PARKING HERE TO CORNER

AURORA DR. - NORTHSIDE - 100 FEET WEST FROM HARLEM RD.

AURORA DR. - SOUTHSIDE - 100 FEET WEST FROM HARLEM RD.

SCHEDULE A

Section 2. Time to Take Effect.

(a) These amendments shall take effect immediately except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

These amendments shall apply to all of the Town of Cheektowaga, Erie County, New York, outside of the villages of Depew and Sloan.

Section 4. Publication and Posting.

That these amendments to said Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES, newspapers published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of New York, and affidavits of such publication and posting shall be filed with the Town Clerk, and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

Item No. 5 Cont'd

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson

NAYES: 0

ABSENT: 0

AFFIDAVITS-NEXT PAGE

#2

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STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 9 day of January, 19 75, and the last insertion being on the same day of same, 19.....

George J. Measer

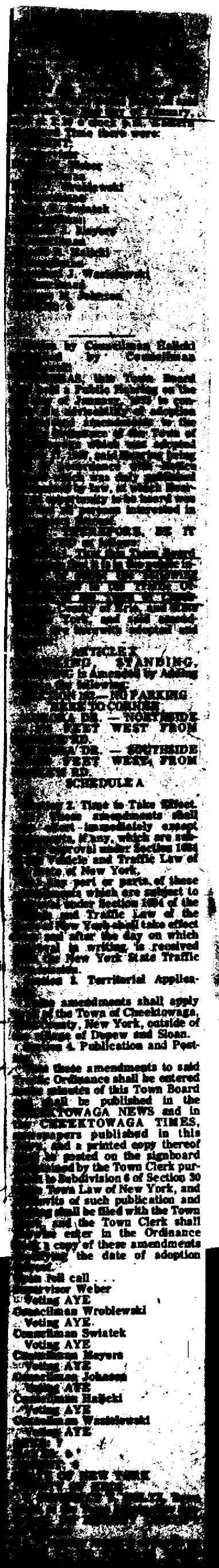
Subscribed and sworn to before me this

of January

Myrna Rosen

Notary Public in and for Erie County

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County



...by Councilman Halicki
...by Councilman
...AS, this Town Board
...a Public Hearing on the
...of January, 1975 to con-
...advisability of adopting
...amendments to the
...Ordinance of this Town of
...which was adopted
...1968, said hearing being
...pursuance with notice
...duly published
...by law, at which hear-
...opportunity was heard to
...all persons interested in
...matter.
...FORE, BE IT
...ORDAINED,
...That this Town Board
...hereby amends
...CHAPTER XI
...TRAFFIC
...ARTICLE X
...STANDING.
...is Amended by Adding
...the following:
...SECTION 101. NO PARKING
...HERE TO CORNER.
...ELM DR. — NORTHSIDE
...FEET WEST FROM
...RD.
...ELM DR. — SOUTHSIDE
...FEET WEST FROM
...RD.
SCHEDULE A

...2. Time to Take Effect.
...these amendments shall
...effect immediately except
...thereof, if any, which are sub-
...approval under Section 1684
...Vehicle and Traffic Law of
...of New York,
...such part or parts of these
...ments which are subject to
...under Section 1684 of the
...and Traffic Law of the
...New York shall take effect
...and after the day on which
...proval in writing, is received
...the New York State Traffic
...mission.

...3. Territorial Applica-
...

...amendments shall apply
...of the Town of Cheektowaga,
...County, New York, outside of
...village of Depew and Sloan.

...4. Publication and Post-
...

...these amendments to said
...Ordinance shall be entered
...minutes of this Town Board
...shall be published in the
...TOWAGA NEWS and in
...CHEEKTOWAGA TIMES,
...papers published in this
...and a printed copy thereof
...be posted on the signboard
...maintained by the Town Clerk pur-
...to Subdivision 6 of Section 30
...Town Law of New York, and
...affidavits of such publication and
...posting shall be filed with the Town
...Clerk and the Town Clerk shall
...forthwith enter in the Ordinance
...a copy of these amendments
...specifying the date of adoption
...thereof.

...on roll call . . .
...Supervisor Weber
...Voting AYE
...Councilman Wroblewski
...Voting AYE
...Councilman Swiatek
...Voting AYE
...Councilman Meyers
...Voting AYE
...Councilman Johnson
...Voting AYE
...Councilman Halicki
...Voting AYE
...Councilman Wasielewski
...Voting AYE

...STATE OF NEW YORK

Form No. 1

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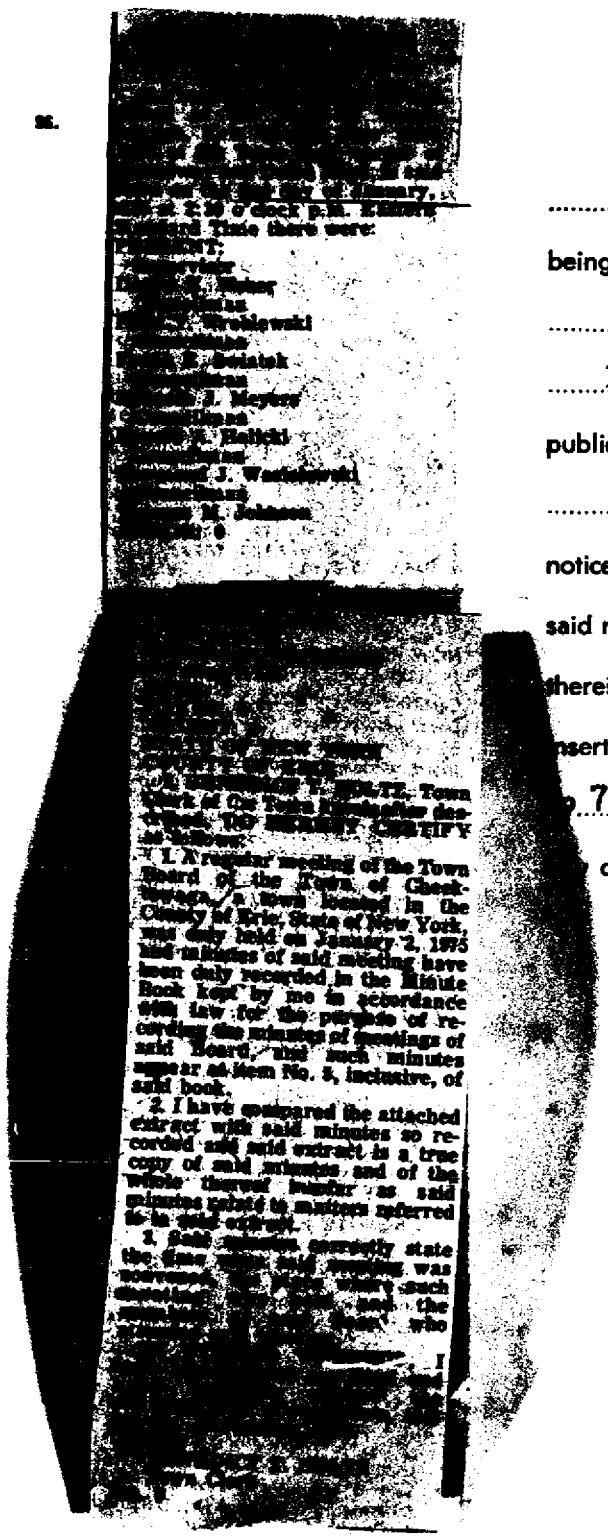


George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 9 day of January, 19 75, and the last insertion being on the same of same, 19.....

Subscribed and sworn to before me this 9 day of January, 19 75

Myrna Rosen

Notary Public in and for Erie County

Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
.. 76

Form No. 1

#2

#2

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sechrist, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 9, 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Sechrist

Sworn to before me this 10th day of January, 1975

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

OF CHEEKTOWAGA
TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of January, 1975 at 2:30 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Daniel E. Weber
Councilmen:
Felix T. Wroblewski
Frank E. Swiatek
Kenneth J. Meyers
Donald A. Halicki
Raymond J. Wasielewski
Thomas M. Johnson
ABSENT: 0

Motion by Councilman Halicki seconded by Councilman Wroblewski.

WHEREAS, this Town Board duly held a Public Hearing on the 2nd day of January, 1975 to consider the advisability of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said Hearing being held in accordance with Notice thereof which was duly published as required by law, at which Hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Town Board determines that it is in the public interest to adopt the following amendments to the Traffic Ordinance of the Town of Cheektowaga, County of Erie, and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE X.
PARKING, STANDING, STOPPING is Amended by Adding thereto the following:
SECTION 102- NO PARKING HERE TO CORNER
AURORA DR. - NORTHSIDE - 100 FEET WEST FROM HARLEM RD.
AURORA DR. - SOUTHSIDE - 100 FEET WEST FROM HARLEM RD.

SCHEDULE A,
Section 2. Time to Take Effect.
(a) These amendments shall take effect immediately except these parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.
(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.
Section 3. Territorial Application.
These amendments shall apply to all of the Town of Cheektowaga, Erie County, New York, outside of the villages of Depew and Sloan.
Section 4. Publication and Posting.
That these amendments to said Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the Cheektowaga News and in the Cheektowaga TIMES, newspapers published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of New York, and affidavits of such publication and posting shall be filed with the Town Clerk, and the Town Clerk shall likewise enter in the Ordinance Book a copy of [illegible]

[illegible]	Voting	AYE
Meyers	Voting	AYE
Johnson	Voting	AYE
Halicki	Voting	AYE
Wasielewski	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

I, BENEDICT T. HOLTZ, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on January 2, 1975, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 5, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 3rd day of January, 1975.

BENEDICT T. HOLTZ
Town Clerk

III. GENERAL COMMUNICATIONS

Item No. 6 Stanley M. Bolas, Commissioner, Central Police Services - Correspondence re: Central Police Services Computer Terminal.
Referred to Benedict L. Kostrzewski, Chief of Police; Cheektowaga Police Commission.

Item No. 7 Robert P. Thill, Town Clerk, Town of Lancaster - Copy of resolution re: Proposed Rate Increases requested by the N.Y.S. Electric & Gas Corp. and the National Fuel Gas Corp.

Motion by Supervisor Weber, seconded Unanimously

WHEREAS, the Town Board has become increasingly alarmed over recent utility rate increases granted by the Public Service Commission and rapidly scheduled hearings for additional increases in gas and electric service rates, and

WHEREAS, such additional increases, if granted, will have a disastrous economic effect on all residents of the Town of Cheektowaga and especially upon the elderly struggling to survive on fixed incomes and maintain the dignity of personal independence without resorting to Social Welfare Aid, and

WHEREAS, residents of the Town of Cheektowaga have requested the Town Board to make their feelings known to the Public Service Commission in this regard, NOW, THEREFORE, BE IT

RESOLVED that the Town Board memorialize the Public Service Commission and notify said Commission of its opposition on behalf of the residents of the Town of Cheektowaga of the proposed rate increases requested by New York State Electric & Gas Corporation and National Fuel Gas Corporation.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 8 Robert P. Thill, Town Clerk, Town of Lancaster - Copy of resolution re: Proposed Amendment to the Transportation Corporation Law and Social Services Law.
Referred to the Town Board Members; John V. Rogowski, Town Attorney.

Item No. 9 Raymond T. Schuler, Commissioner of Transportation - Designation of Restricted Highway: Portion of Broadway (NYS Route 130, SH 914); Portion of Union Road.
Referred to Benedict L. Kostrzewski, Chief of Police; Alfred Wnek, Cheektowaga Highway Superintendent.

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 10 Building Permits.
Received and Filed.

Item No. 11 Engineering Department - Award of Bid for the furnishing of Chlorine during the year 1975.

Motion by Councilman Meyers, seconded by Councilman Wroblewski to table this item until the next Town Board Meeting of 1/20/75.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 12 Engineering Department - Award of Bid for the exterior washing and drying of Town Automobiles during the year 1975.

Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, notice to Bidders was duly published for the receipt of bids for Fleet Washing for exterior washing and drying of Town of Cheektowaga automobiles during the year of 1975, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation, and report, AND

WHEREAS, said Town Engineer has submitted the same, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of Fleet Washing be awarded to Delta Sonic Systems, 570 Delaware Avenue, Buffalo, New York 14202, for their bid in the amount of one dollar and seven cents ($1.07) per vehicle, said bid being the lowest bid meeting specification requirements.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

***SEE NEXT PAGE

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

STER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

December 26, 1974

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Car Wash bid

Gentlemen:

At the regular Town Board Meeting on December 16, 1974, bids were received and publicly opened for exterior washing and drying of Town of Cheektowaga Automobiles during the year of 1975.

Only one (1) bid was received, that being from Delta Sonic Systems Inc. for the unit bid price of one dollar and seven cents ($1.07), per vehicle. This is an increase of two (2) cents per unit over the 1974 bid price.

The cost for the 1975 calendar year is estimated at two thousand five hundred, and sixty eight dollars ($2,568.00).

It is recommended that the bid be awarded to Delta Sonic Systems, 570 Delaware Avenue, Buffalo, New York 14202, for submitting the lowest bid meeting all specification requirements.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB/tw

Item No. 12 Cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 13 Engineering Department - Award of Bid for a replacement automobile for the Supervisor.

Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) 1975 automobile, which bids were duly received and opened at this meeting, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, and

WHEREAS, said Town Engineer has submitted the same, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of one (1) 1975 automobile, be awarded to Doug Compbell Chevrolet-Olds Inc., 36 Main Street, Attica, New York 14011 for their bid in the amount of $3,825.00, said bid being the lowest bid meeting specifications.

***SEE NEXT PAGE

#2

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

December 26, 1974

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Automobile Bid

Gentlemen:

At the regular Town Board meeting of December 16, 1974 bids were received and opened for a replacement automobile for the Supervisor. Two (2) bids were received. These bids include the trade-in of the 1973 automobile.

Doug Campbell Chevrolet-Olds, Inc.	$3825.00
Holiday Oldsmobile, Inc.	$3911.62

It is recommended that the bid be awarded to Doug Campbell Chevrolet-Olds Inc., 36 Main Street, Attica, New York 14011 for their submission of the lowest bid meeting the requirements of the specification.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB/tw

Item No. 13 Cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Halicki and Wasielewski
NAYES: Councilmen Meyers and Johnson
ABSENT: 0

Item No. 14 Highway Department - Retirement of Matilda Kumpf from her position as Senior Account Clerk Typist.

Motion by Supervisor Weber, seconded by Councilman Wroblewski

BE IT RESOLVED that the retirement of Matilda Kumpf, Senior Account Clerk Typist in the Highway Department, be accepted, effective February 1st, 1975.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 15 Assessor's Office - Authorization for Andrew Schwenk and Casey Kozminski to attend Conference in Rochester, New York.

Motion by Councilman Halicki, seconded by Councilman Wasielewski

WHEREAS, the State Board of Equalization and Assessment is conducting a Conference on Assessment Administration from January 12 through January 15, 1975, NOW, THEREFORE, BE IT

RESOLVED that Andrew Schwenk, Sole Assessor, and Casey Kozminski, Deputy Assessor, be and hereby are authorized to attend said Conference on Assessment Administration from January 12 through January 15, 1975 at the Flagship Rochester, Rochester, New York, and BE IT

FURTHER RESOLVED that the necessary and reasonable expenses for attending said Conference be reimbursed by the Town.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

V. RESOLUTIONS

Item No. 16 Order Calling for a Public Hearing and Bond Resolution re: Increase and Improvement of the Facilities of Storm Drainage District No. 1 of the Town of Cheektowaga.

***SEE NEXT FEW PAGES

At a regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town, on the 2nd day of January, 1975.

PRESENT:

Daniel E. Weber,	Supervisor
Donald A. Halicki,	Councilman
Kenneth J. Meyers,	Councilman
Thomas M. Johnson, Jr.,	Councilman
Frank E. Swiatek,	Councilman
Raymond J. Wasielewski,	Councilman
Felix T. Wroblewski,	Councilman

In the Matter of the Increase and Improvement of the facilities of Storm Drainage District #1 of the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law, including connections to lines of the Buffalo Sewer Authority and excess capacity for the County of Erie and other parts of the Town.	ORDER CALLING PUBLIC HEARING JANUARY 20, 1975

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, New York (herein called "Town Board" and "Town", respectively), has heretofore duly established in the Town, Storm Drainage District No. 1 (herein called"District"), pursuant to the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York (herein called "Town Law"), and there is maintained on file for public inspection in the office of the Town Clerk of the Town a metes and bounds description and map of the District; and

WHEREAS, the Buffalo Sewer Authority, in the City of Buffalo, County of Erie, New York (herein called "Authority"

and "City", respectively) was duly established by an Act of the State of New York, L. 1935, c. 349, 81 and said Authority was duly reestablished by a further Act of the State of New York, L. 1939, c. 870, as a body corporate and politic constituting a public benefit corporation, and said Authority continues to exist under the provisions of such Act as amended, such Act being contained in Title 8, Article 5 of the Public Authorities Law of New York, being Chapter 43-A of the Consolidated Laws of the State of New York; and

WHEREAS, the District is adjacent to the City on its western boundary along Eggert Road and the natural flow of drainage of storm water and effluents is westward from the area of the District to and over Eggert Road and the land of the City; and

WHEREAS, litigation was instituted by the Authority on September 14, 1960 concerning a connection between the storm drainage sewer lines of the District and the sewer lines of the Authority, which lines caused flooding in the City, and such litigation culminated in a final Order and Judgment of Hon. Walter J. Mahoney, a Justice of the Supreme Court of the State of New York, duly entered in the Supreme Court of the County of Erie, July 20, 1973 and thereafter filed in the Office of the Erie County Clerk on July 25, 1973; and

WHEREAS, said Order and Judgment provides, in part, for the construction of a connecting sewer in Hastings Avenue, in the City, between the Authority's Kay Street sewer junction chamber and the District's Eggert Road sewer line,

said Hastings Avenue sewer to be of adequate size and capacity as determined by the Town to accommodate the flow from the District and surrounding areas, if any, as determined by the Town and to be constructed in accordance with specifications and standards employed by the Authority in the construction of the Authority's own sewers at the time of entry of said Order and Judgment, at the sole expense of the Town on behalf of the District, said Hastings Avenue sewer to be used solely and exclusively in perpetuity for the storm waters and effluents from the District and surrounding areas, if any, as determined by the Town; and

WHEREAS, the Town has taken into consideration the potential future needs of the County of Erie and the Town has determined to provide excess capacity in the size of the Hastings Avenue sewer connection to meet such future needs of the County of Erie; and

WHEREAS, the Town Board of the Town has requested Nussbaumer and Clarke, Inc., Consulting Engineers, duly licensed engineers of the State of New York, to prepare a preliminary map and plan and estimate of the cost for the increase and improvements of the facilities of the District as provided in said Order and Judgment, said agreement between the Town, the Authority, and the City and said determination of the Town to provide excess capacity for the County of Erie

and pursuant to the direction of said Town Board, said engineers have completed and filed with said Town Board such map and plan for said increase and improvements of the facilities of the District consisting of the construction of a sewer main in Hastings Avenue, in the City, between the Authority's Kay Street sewer junction chamber and the District's Eggert Road sewer line, and also including original furnishings, equipment, machinery and apparatus and acquisition of land, and rights in land, which map, plan, report and estimate of cost has been duly filed in the office of the Town Clerk for public inspection (herein collectively called "Proposed Improvements"); and

WHEREAS, the Proposed Improvements in accordance with said map, plan and report shall be constructed to serve the District pursuant to said Section 202(b) of the Town Law and in addition shall be constructed and developed with a capacity in excess of the needs of the District for the purpose of conveying storm waters and effluents of the County of Erie (herein called "Public Corporation"), the excess capacity developed for the Public Corporation to be in accordance with a proposed contract with the Public Corporation pursuant to Article 5-D of the General Municipal Law and Subdivision (E) of Section 2-a of Article 8 of the New York State Constitution; and

WHEREAS, the estimated maximum cost as prepared by the Engineers of the Proposed Improvements is $150,000 which is planned to be financed by the issuance of serial bonds of the Town; and

WHEREAS, any amounts received pursuant to any contract with the Public Corporation as hereinabove referred to shall be expended towards the cost of constructing said proposed improve-

ments or applied to the redemption of said bonds, or budgeted as an offset to the assessments levied for the payment of the principal of and interest on said bonds;

now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, Cheektowaga, New York, in the Town, on the 20th day of January, 1975, at 7:30 o'clock P.M. (E.S.T.) to consider said increase and improvement of facilities of the District, to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law;

FURTHER ORDERED, that the Town Clerk publish at least once in the "DEPEW HERALD AND CHEEKTOWAGA NEWS" and the "CHEEKTOWAGA TIMES", each published in Cheektowaga, New York, and hereby designated as the official newspapers of the Town for such publication, and post on the sign board maintained pursuant to subdivision 6 of Section 30 of the Town Law and conspicuously in five (5) public places within each of the Districts, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

Dated: January 2, 1975

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

Members of the Town Board of
the Town of Cheektowaga, New York

SEAL

#2

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

BENEDICT T. HOLTZ, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order with the original thereof filed in my office on the 2nd day of January, 1975, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 7th day of January, 1974.

SEAL

Benedict T. Holtz
Town Clerk

#2

ORIGINAL COPY OF CERTIFICATION IN GENERAL FILE UNDER STORM DRAINAGE DISTRICT #1.

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

BENEDICT T. HOLTZ, being duly sworn, deposes and says:

That he is now and at all the times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, New York;

That on the 10th day of January, 1975, he caused to be conspicuously posted and fastened up a certified copy of an Order Calling Public Hearing for the increase and improvement of facilities of Storm Drainage District No. 1, in the Town of Cheektowaga, a true copy of which is annexed hereto and made a part hereof, on the sign board of said Town maintained pursuant to Section 30(6) of the Town Law and in the following places constituting five (5) of the most public places within the District, in the Town of Cheektowaga New York, referred to in said Order Calling Public Hearing:

1. Telephone pole located at Century Road and Kensington Avenue
2. Telephone pole located at Cleveland Drive and Kenview Road
3. Telephone pole located at Century Road and Southgate Road
4. Telephone pole located at Kenville Road and Eggert Road
5. Telephone pole located at Cedar-Campbell Roads and Eggert Road

Benedict T. Holtz
Town Clerk

Subscribed and sworn to before me

this 13th day of January, 1975

Jean A. Rosenberry
Notary Public, State of New York

JEAN A. ROSENBERRY
Notary Public, State of New York
in Erie County
Expires March 30, 19[illegible]

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is th Publisher of th Depew Herald, public newspaper published at Depew, New York, that th notice of which the annexed printed slip taken fro said newspaper, is a copy, was inserted and publishe therein once a week for 1 weeks, the fi insertion being on the 9 day of January 19 75, and the last insertion being on the same day of same, 19.....

George J. Measer

Subscribed and sworn to before me t
of January
19 75

MYRNA ROSEN
Notary Public in and for Erie County
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 19 76

Form N

LEGAL

At a regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town, on the 2nd day of January, 1975.

PRESENT:
Daniel E. Weber,
Supervisor
Donald A. Halicki,
Councilman
Kenneth J. Meyers,
Councilman
Thomas M. Johnson, Jr.,
Councilman
Frank E. Swiatek,
Councilman
Raymond J. Wasielewski,
Councilman
Felix T. Wrobiewski,
Councilman

In the Matter
of the
Increase and Improvement of the facilities of Storm Drainage District No. 1 of the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 208-b of the Town Law, including connections to lines of the Buffalo Sewer Authority and excess capacity for the County of Erie and other parts of the Town.

ORDER CALLING A PUBLIC HEARING JANUARY 20, 1975

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, New York (herein called "Town Board" and "Town," respectively), has heretofore duly established in the Town, Storm Drainage District No. 1 (herein called "District"), pursuant to the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York (herein called "Town Law"), and there is maintained on file for public inspection in the office of the Town Clerk of the Town a metes and bounds description and map of the District; and

WHEREAS, the Buffalo Sewer Authority, in the City of Buffalo, County of Erie, New York (herein called "Authority" and "City," respectively) was duly established by an Act of the State of New York, L. 1935, c. 349, Section 1 and said Authority was duly reestablished by a further Act of the State of New York, L. 1939, c. 870, as a body corporate and politic constituting a

...WHEREAS, the District is adjacent to the City on its western ...erly along Eggert Road and ...natural flow of drainage of ...storm water and effluents is west... from the area of the District ...and over Eggert Road and the ...of the City; and

...WHEREAS, litigation was in...ed by the Authority on ...ber 14, 1966 concerning a ...ection between the storm ...sewer lines of the District ...the sewer lines of the ...erly, which lines caused ...in the City, and such ...culminated in a final ...and Judgment of Hon. ...J. Mahoney, a Justice of ...Supreme Court of the State of ..., duly entered in the ...Court of the County of ..., 1973 and thereafter ...in the Office of the Erie ...Clerk on July 25, 1973; and

...EREAS, said Order and ...providing, inpart, for the ...on of a connecting sewer ...Hastings Avenue, in the City, ...the Authority's Kay ...sewer junction chamber and ...District's Eggert Road sewer ...said Hastings Avenue sewer ...adequate size and capacity ...determined by the Town to ...receive the flow from the ...and surrounding areas, if ...determined by the Town ...be constructed in accor... ...specifications and ...employed by the ...for the construction of the ...Town sewers at the time ...of said Order and Judg... ...the sole expense of the ...District, said ...Avenue sewer to be used ...conjunctively in per... ...the storm waters and ...from the District and ser... ...of any, as deter... ...the Town; and

...EREAS, the Town has taken ...consideration the potential ...of the County of Erie ...Town has determined to ...excess capacity in the also ...Hastings Avenue sewer con... ...must make future ...County of Erie; and

...EREAS, the Town Board of ...has employed Nuss... ...and Clarke, Inc., Consult... ...Engineers, duly licensed ...of the State of New ...to prepare a preliminary ...and plan and estimate of the ...of the increase and improve... ...of the facilities of the Dis... ...provided in said Order and ...ment, said agreement ...the Town, the Authority, ...City and said determina... ...Town to provide excess ...for the County of Erie and ...by the direction of said ...ers, said engineers have ...and filed with said ...such map and plan for ...and improvements of ...ties of the District con... ...of the construction of a ...main in Hastings Avenue, in ...between the Authority's ...sewer junction ...and the District's Eggert ...sewer line, and also includ... ...personal furnishings, equip... ...machinery and Apparatus ...acquisition of land, and rights ...which map, plan, report ...estimate of cost has been duly ...in the office of the Town Clerk ...public inspection (herein col... ...called "Proposed ...improvements"); and

WHEREAS, the Proposed improvements in accordance with said map, plan and report shall be constructed to serve the District pursuant to said Section 208(b) of the Town Law and in addition shall be constructed and developed with capacity in excess of the needs of the District for the purpose of conveying storm waters and effluents of the County of Erie (herein called "Public Corporation"), the excess capacity developed for the Public Corporation to be in accordance with a proposed contract with the Public Corporation pursuant to Article 5-D of the General Municipal Law and Subdivision (E) of Section 2-a of Article 8 of the New York State Constitution; and

WHEREAS, the estimated maximum cost as prepared by the Engineers of the Proposed Improvements is $150,000 which is planned to be financed by the issuance of serial bonds of the Town; and

WHEREAS, any amounts received pursuant to any contract with the Public Corporation as hereinabove referred to shall be expended towards the cost of constructing said proposed improvements or applied to the redemption of said bonds, or budgeted as an offset to the appurtenants levied for the payment of the principal of and interest on said bonds;

...ORDERED, that a meeting of ...Town Board of the Town ...of the Town Hall, ...New York, in the Town, ...

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is th

Publisher of th

Depew Herald,

public newspaper published at

Depew, New York, that th

notice of which the annexed printed slip taken fro

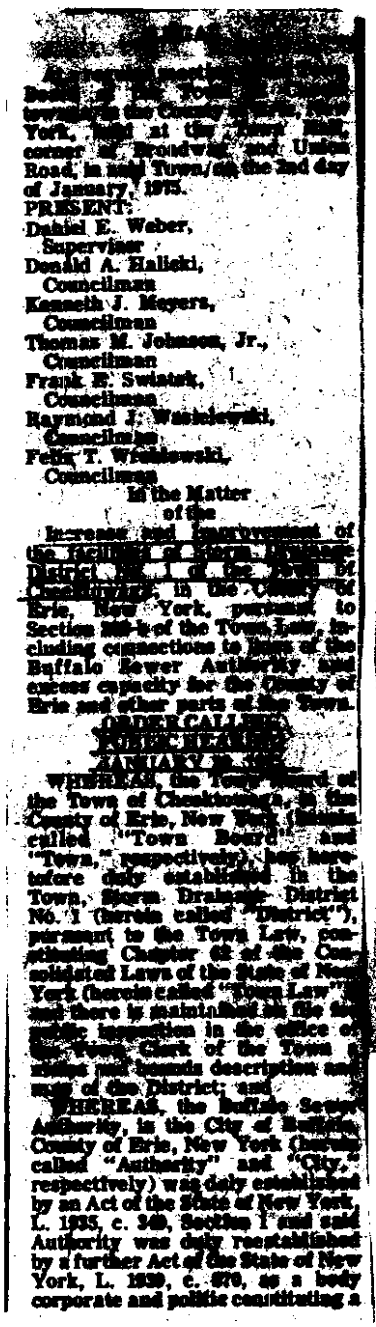
said newspaper, is a copy, was inserted and publishe

therein once a week for 1 weeks, the fi

insertion being on the 9 day of January

19 75, and the last insertion being on the

same day of , 19 .



...Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town, on the 2nd day of January, 1975.

PRESENT:
Daniel E. Weber, Supervisor
Donald A. Halicki, Councilman
Kenneth J. Meyers, Councilman
Thomas M. Johnson, Jr., Councilman
Frank E. Swiatek, Councilman
Raymond J. Wasielewski, Councilman
Felix T. Wrobleski, Councilman

In the Matter of the

Increase and improvement of the facilities of Storm Drainage District No. 1 of the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 208-k of the Town Law, including connections to lines of the Buffalo Sewer Authority and excess capacity for the County of Erie and other parts of the Town.

ORDER CALLING PUBLIC HEARING
JANUARY 2, 19...

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, New York (herein called "Town Board" and "Town," respectively) has heretofore duly established in the Town, Storm Drainage District No. 1 (herein called "District"), pursuant to the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York (herein called "Town Law"), and there is maintained on file for public inspection in the office of the Town Clerk of the Town a map, plan and boundin description and maps of the District; and

WHEREAS, the Buffalo Sewer Authority, in the City of Buffalo, County of Erie, New York (herein called "Authority" and "City," respectively) was duly established by an Act of the State of New York, L. 1935, c. 349, Section 1 and said Authority was duly reestablished by a further Act of the State of New York, L. 1939, c. 870, as a body corporate and politic constituting a

...Town Board of the Town of Cheektowaga, New York, on the ... day of ..., 1975, at ... o'clock ... at the Town Hall, corner of Broadway and Union Road, in said Town, in the Town, on the ... day of ..., 1975, at ... o'clock ... in connection with the improvement of the District, to hear all persons interested in the subject thereof concerning the same and to consider other matters in relation thereto as may be required by law.

FURTHER ORDERED, that the Town Clerk publish at least once in the "DEPEW HERALD AND CHEEKTOWAGA NEWS" and the "CHEEKTOWAGA TIMES," each published in Cheektowaga, New York, and hereby designated as the official newspapers of the Town for such publication, and post on the sign board maintained pursuant to subdivision 4 of Section 30 of the Town Law, and conspicuously in five (5) public places within each of the Districts, a copy of this Order, certified by said Town Clerk, the first publication thereof and such posting to be not less than ten (10) nor more than

...Daniel E. Weber, Jr.,
...Donald A. Halicki
...Kenneth J. Meyers
...Thomas M. Johnson, Jr.
...Frank E. Swiatek
...Raymond J. Wasielewski
...Felix T. Wrobleski

...Town Board of the Town of Cheektowaga, New ...

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

I, BENEDICT T. HOLTZ, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding order with the original thereof filed in my office on the 2nd day of January, 1975, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of January, 19...

BENEDICT T. HOLTZ
Town Clerk

Jan. 9

Subscribed and sworn to before me t

of January v

Notary Public in and for Erie County

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 19 76

Form N

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sackett, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 9, 1975;
last publication ;
and that no more than six days intervened between publications.

Gladys M. Sackett

Sworn to before me this 10th
day of January, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

[redacted] of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town, on the 2nd day of January, 1975.

PRESENT:
Supervisor Daniel E. Weber
Councilmen:
Donald A. Halicki
Kenneth J. Meyers,
Thomas M. Johnson, Jr.
Frank E. Swiatek
Raymond J. Wasielewski

[redacted]

[redacted] New York, pursuant to Section 202-b of the Town Law, including connections to lines of the Buffalo Sewer Authority and excess capacity for the County of Erie and other parts of the Town.

ORDER CALLING PUBLIC HEARING JANUARY 28, 1975

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, New York (herein called "Town Board" and "Town", respectively), has heretofore duly established in the Town, Sewer Drainage District No. 1 (herein called "District"), pursuant to the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York (herein called "Town Law"), and has maintained a file for public inspection in the office of the Town Clerk of the Town a survey and bounds description and map of the District; and

WHEREAS, the Buffalo Sewer Authority, in the City of Buffalo, County of Erie, New York (herein called "Authority" and "City", respectively), was duly established by an Act of the State of New York, L. 1935, c. 322 and said Authority was duly reestablished by a further Act of the State of New York, L. 1946, c. 670, as a body corporate and politic constituting a public benefit corporation, and said Authority continues to exist under the provisions of such Act as amended, such Act being contained in Title 9, Article 5 of the Public Authorities Law of New York, being Chapter 43-A of the Consolidated Laws of the State of New York; and

WHEREAS, the District is adjacent to the City on its western boundary along Eggert Road and the natural flow of drainage of storm water and effluents is westward from the area of the District to and over Eggert Road and the land of the City; and

WHEREAS, litigation was instituted by the Authority on September 14, 1960 concerning a connection between the storm drainage sewer lines of the District and the sewer lines of the Authority, which lines caused flooding in the City, and such litigation culminated in a final Order and Judgment of Hon. Walter J. Mahoney, a Justice of the Supreme Court of the State of New York, duly entered in the Supreme Court of the County of Erie, July 20, 1973 and thereafter filed in the Office of the Erie County Clerk on July 25, 1973; and

WHEREAS, said Order and Judgment provides, in part, for the construction of a connecting sewer in Hastings Avenue, in the City, between the Authority's Kay Street sewer junction [redacted]

[redacted] the Town Board of the Town has requested Nussbaumer and Clarke, Inc., Consulting Engineers, duly licensed engineers of the State of New York, to prepare a preliminary map and plan and estimate of the cost for the increase and improvements of the facilities of the District as provided in said Order and Judgment, said agreement between the Town, the Authority, and the City and said determination of the Town to provide excess capacity for the County of Erie and pursuant to the direction of said Town Board, said engineers have completed and filed with said Town Board such map and plan for said increase and improvements of the facilities of the District consisting of the construction of a sewer main in Hastings Avenue, in the City, between the Authority's Kay Street sewer junction chamber and the District's Eggert Road sewer line, and also including original furnishings, equipment, machinery and apparatus and acquisition of land, and rights in land, which map, plan, report and estimate of cost has been duly filed in the office of the Town Clerk for public inspection (herein collectively called "Proposed Improvements"); and

WHEREAS, the Proposed Improvements in accordance with said map, plan and report shall be constructed to serve the District pursuant to said Section 202(b) of the Town Law and in addition shall be constructed and developed with a capacity in excess of the needs of the District for the purpose of conveying storm waters and effluents of the County of Erie (herein called "Public Corporation"), the excess capacity developed for the Public Corporation to be in accordance with a proposed contract with the Public Corporation pursuant to Article 5-D of the General Municipal Law and Subdivision (E) of Section 2-a of Article 8 of the New York State Constitution; and

WHEREAS, the estimated maximum cost as prepared by the Engineers of the Proposed Improvements is $150,000 which is planned to be financed by the issuance of serial bonds of the Town; and

WHEREAS, any amounts received pursuant to any contract with the Public Corporation as hereinabove referred to shall be expended towards the cost of constructing said proposed improvements or applied to the redemption of said bonds, or budgeted as an offset to the assessments levied for the payment of the principal of and interest on said bonds; now, therefore, be it

ORDERED, that a meeting of [redacted]

[redacted] such meeting being twenty (20) days [redacted] the date of such public hearing.

Dated: January 2, 1975.

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA
Supervisor Daniel E. Weber
Councilmen:
Donald A. Halicki
Kenneth J. Meyers
Felix T. Wrablewski
Thomas M. Johnson, Jr.
Frank E. Swiatek
Raymond J. Wasielewski
Members of the Town Board of the Town of Cheektowaga, New York

STATE OF NEW YORK)
ss
COUNTY OF ERIE)

BENEDICT T. HOLTZ, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order with the original thereof filed in my office on the 2nd day of January, 1975, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of January, 1975.

BENEDICT T. HOLTZ
Town Clerk

[redacted] Town Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town, on the 2nd day of January, 1975.

PRESENT:
Supervisor Daniel E. Weber
Councilmen:
Donald A. Halicki
Kenneth J. Meyers,
Thomas M. Johnson, Jr.
Frank E. Swiatek
Raymond J. Wasielewski

[redacted]

[redacted] New York, pursuant to Section 202-b of the Town Law, including connections to lines of the Buffalo Sewer Authority and excess capacity for the County of Erie and other parts of the Town.

ORDER CALLING PUBLIC HEARING JANUARY 20, 1975

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, New York (herein called "Town Board" and "Town", respectively), has heretofore duly established in the Town, Storm Drainage District No. 1 (herein called "District"), pursuant to the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York (herein called "Town Law"), and there is maintained on file for public inspection in the office of the Town Clerk of the Town a metes and bounds description and map of the District; and

WHEREAS, the Buffalo Sewer Authority, in the City of Buffalo [redacted] Judgment provides, in part, for the construction of a connection sewer in Hastings Avenue, in the City, between the Authority's Kay Street [redacted]

[redacted] sewer size and capacity as determined by the Town to accommodate the flow from the District and surrounding areas, if any, as determined by the Town and to be constructed in accordance with specifications and standards employed by the Authority in the construction of the Authority's own sewers at the time of entry of said Order and Judgment, at the sole expense of the Town on behalf of the District, said Hastings Avenue sewer to be used solely and exclusively in perpetuity for the storm waters and effluents from the District and surrounding areas, if any, as determined by the Town; and

WHEREAS, the Town has taken into consideration the potential future needs of the County of Erie and the Town has determined to provide excess capacity in the size of the [redacted] the [redacted] and

WHEREAS, the Town Board of the Town has requested Nussbaumer and Clarke, Inc., Consulting Engineers, duly licensed engineers of the State of New York, to prepare a preliminary map and plan and estimate of the cost for the increase and improvements of the facilities of the District as provided in said Order and Judgment, said agreement between the Town, the Authority, and the City and said determination of the Town to provide excess capacity for the County of Erie and pursuant to the direction of said Town Board, said engineers have completed and filed with said Town Board such map and plan for said increase and improvements of the facilities of the District consisting of the construction of a sewer main in Hastings Avenue, in the City, between the Authority's Kay Street sewer junction chamber and the District's Eggert Road [redacted] assessments levied for the payment of the principal of and interest on such bonds; now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town of Cheektowaga, New York, in the Town, on the 20th day of January, 1975 at 7:30 o'clock P.M. (E.S.T.) to consider said increase and improvement of facilities of the District, to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law:

FURTHER ORDERED, that the Town Clerk publish at least once in the "Depew Herald and Cheektowaga News" and the "Cheektowaga TIMES", each published in Cheektowaga, New York, and hereby designated as the official newspapers of the Town for such publication, and post on the sign board maintained pursuant to subdivision 6 of Section 30 of the Town Law and conspicuously in five (5) public places within each of the Districts, a copy of this Order, certified by said Town Clerk, the [redacted] not more than twenty (20) days before the date of such public hearing.

Dated: January 2, 1975.

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA
Supervisor Daniel E. Weber
Councilmen:
Donald A. Halicki
Kenneth J. Meyers
Felix T. Wroblewski
Thomas M. Johnson, Jr.
Frank E. Swiatek
Raymond J. Wasielewski
Members of the Town Board of the Town of Cheektowaga, New York

STATE OF NEW YORK)
ss
COUNTY OF ERIE)

BENEDICT T. HOLTZ, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order with the original thereof filed in my office on the 2nd day of January, 1975, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of January, 1975.

BENEDICT T. HOLTZ
Town Clerk

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York.

January 2, 1975

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, corner of Broadway and Union Road, in said Town, on January 2, 1975, at 2:30 o'clock P. M. (E.S.T.).

There were present: Honorable Daniel E. Weber, Supervisor,
and Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Thomas M. Johnson
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski

There were absent:

Also present: Benedict T. Holtz, Town Clerk

John V. Rogowski, Town Attorney

* * *

Councilman Meyers offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JANUARY 2, 1975, AUTHORIZING THE PAYMENT OF A JUDGMENT AGAINST SAID TOWN, STATING THE ESTIMATED MAXIMUM COST OF SAID SPECIFIC OBJECT OR PURPOSE IS $241,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $241,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

12

Recitals

WHEREAS, final order and judgment in the matter of Buffalo Sewer Authority v. Town of Cheektowaga, et al., in the amount of $239,827, has been entered in the Supreme Court of the County of Erie on July 20, 1973 Index No. C-51770, following order of remittitur of the New York Court of Appeals, and

WHEREAS, it is now necessary to pay said judgment,

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK (by a favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), is hereby authorized to pay the judgment hereinabove referred to in the Recitals hereof, together with interest thereon at the statutory rate. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $241,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $241,000 serial bonds of the Town and the levy and collection of taxes on all the taxable real

property in the town to pay the principal of and interest on said bonds as the same shall become due and payable. To the extent permitted by law, special assessments shall be levied against and collected from the several lots and parcels of land within the Town of Cheektowaga Drainage District No. 1 in the same manner as other District charges in amounts sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable, and such amounts shall be budgeted as an offset to the taxes thus to be levied and collected.

Section 2. Serial bonds of the Town in the principal amount of $241,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 33 a. of the Law, is five (5) years.

(b) Current funds are not required to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, pursuant to the provisions of §107.00 d. 5 of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town payable as to both principal and interest

by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §§56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issuedin anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Weber and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared unanimously adopted.

****

Councilman Meyers offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of the Town of Cheektowaga, in the County of Erie, New York, is hereby authorized and directed to publish, in full, the foregoing bond resolution, together with a Notice attached in substantially the form as prescribed by §81.00 of the Local Finance Law of the State of New York, in the "DEPEW HERALD AND CHEEKTOWAGA NEWS", a newspaper published in Depew, New York, and the "CHEEKTOWAGA TIMES", a newspaper published in Cheektowaga, New York, having a general circulation therein, and hereby designated as the official newspapers of said Town for such publication.

Section 2. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Weber and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared unanimously adopted.

****

General - No Veto 7/1/71 (3M)

CERTIFICATE

I, BENEDICT T. HOLTZ, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on January 2, 19 75, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of January, 19 75

Benedict T. Holtz
Town Clerk

(Seal)

PROOF OF PUBLICATION

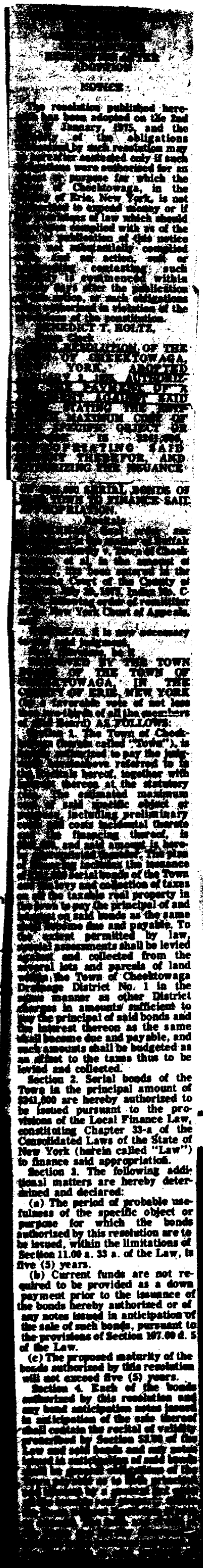
Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.



ADOPTION

NOTICE

The resolution published hereon has been adopted on the 2nd day of January, 1975, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within fifteen days after the publication hereof, or such obligations were authorized in violation of the provisions of the constitution.

DEBORAH T. HOLTZ,
Town Clerk

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, ADOPTED JANUARY 2, 1975, AUTHORIZING THE ISSUANCE OF A NOT TO EXCEED $241,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL BONDS OF THE TOWN TO FINANCE THE ESTIMATED MAXIMUM COST OF A SPECIFIC OBJECT OR PURPOSE, IS $241,000, AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

[illegible] Court, Erie County, [illegible] Drainage District No. 1 v. Town of Cheektowaga et al., in the amount of $241,000, was entered in the [illegible] Court of the County of Erie on July 26, 1971, Index No. C [illegible], and an order of remittitur of the New York Court of Appeals, [illegible], and

WHEREAS, it is now necessary to pay said judgment, [illegible]

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK (by favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), is hereby authorized to pay the judgment hereinbefore referred to in the recitals hereof, together with interest thereon at the statutory rate. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $241,000, and said amount is hereby appropriated therefor. The plan for financing includes the issuance of the serial bonds of the Town and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable. To the extent permitted by law, special assessments shall be levied against and collected from the several lots and parcels of land within the Town of Cheektowaga Drainage District No. 1 in the same manner as other District charges in amounts sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable, and such amounts shall be budgeted as an offset to the taxes thus to be levied and collected.

Section 2. Serial bonds of the Town in the principal amount of $241,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 33 a. of the Law, is five (5) years.

(b) Current funds are not required to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00 d. 5 of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the [illegible]

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 9 day of January, 19 75, and the last insertion being on the same day of ....., 19.....

George J. Measer

Subscribed and sworn to before me th[illegible]

of January

Myrna Rosen

Notary Public in and for Erie County

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 19[illegible]

Form No. 1

#2

#3

#4

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

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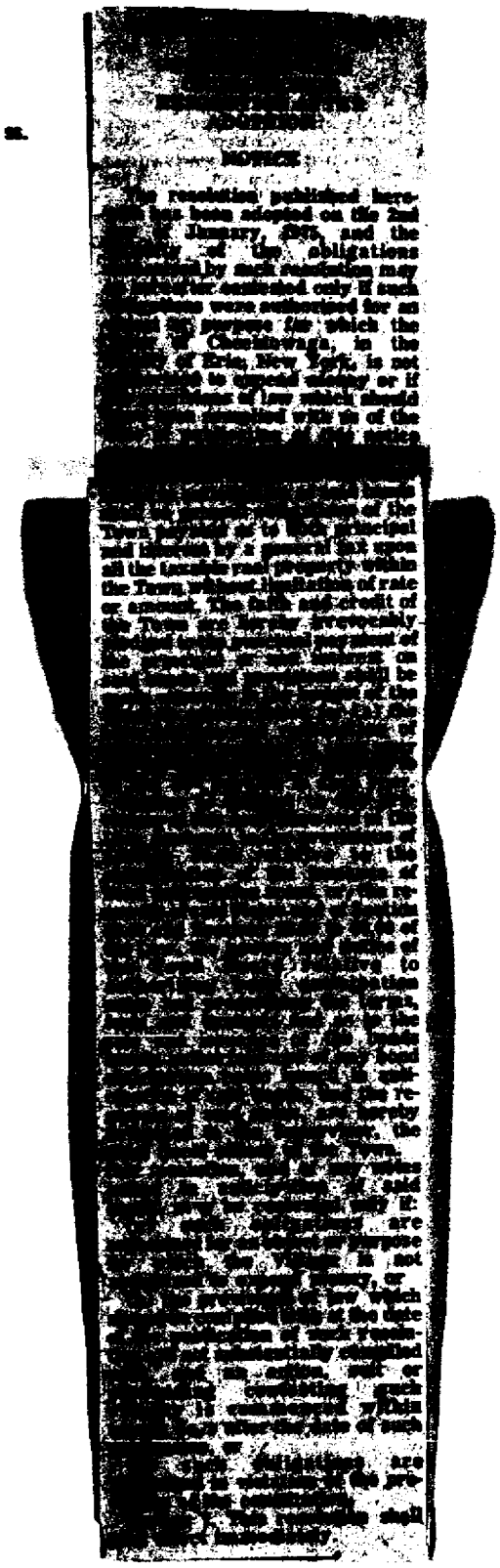
STATE OF NEW YORK }
COUNTY OF ERIE } ss.



George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 9 day of January, 19 75, and the last insertion being on the same day of same, 19.....

Subscribed and sworn to before me this 9 day of January 1975

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Luckate, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 9 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Luckate

Sworn to before me this 10th day of January, 19 75

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
Expires March 30, 1975

The resolution published here- has been adopted on the 2nd of January, 1975, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

BENEDICT T. HOLTZ
Town Clerk

RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JANUARY 2, 1975, AUTHORIZING PAYMENT OF A JUDGMENT AGAINST SAID TOWN, APPROVING THE ESTIMATED MAXIMUM COST OF SAID SPECIFIC OBJECT OR PURPOSE, MAKING APPROPRIATION OF SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF $241,000 BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

Recitals

WHEREAS, final order and judgment in the matter of Buffalo Sewer Authority v. Town of Cheektowaga, et al., in the amount of $238,557, has been entered in the Supreme Court of the County of Erie on July 29, 1974, Index No. C-6[illegible], following decision of remittitur of the New York Court of Appeals, and

WHEREAS, it is now necessary to pay said judgment,

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK (by a favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town") is hereby authorized to pay the judgment hereinabove referred to in the Recitals hereof, together with interest thereon at the statutory rate. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $241,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $241,000 serial bonds of the Town and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable. To the extent permitted by law, special assessments shall be levied against and collected from the several lots and parcels of land within the Town of Cheektowaga Drainage District

[illegible] authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 33 a. of the Law, is five (5) years.

(b) Current funds are not required to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00 d. 5 of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

This resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with.

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Item No. 17 Motion by Councilman Halicki, seconded by Supervisor Weber

RESOLVED that Percival G. Bixby & Co. be and hereby is retained during the year 1975 as Town Auditors and Financial Consultants.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Halicki, seconded by Councilman Wasielewski

BE IT RESOLVED that the regular Town Board meetings of the Town of Cheektowaga shall be held on the first and third Mondays of the month during the year 1975.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLUTION COVERING FACSIMILE SIGNATURE

RESOLVED that the Marine Trust Company (Cheektowaga Office), Liberty Bank and Trust Company (Harlem Road Office), Bank of Buffalo (Cheektowaga Office), Manufacturers and Traders Trust Company (Airport Plaza Office), Niagara Frontier Bank of New York (Cheektowaga Office), Chase Manhattan Bank of Western New York, N.A. (Depew Office), and Citibank of New York, N.A. (Airport Plaza Office), as designated depositories of the Town of Cheektowaga, be, and they hereby are requested, authorized and directed to honor checks, notes, and other instruments for the payment of money against town funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as signer, when bearing or purporting to bear the facsimile signature of Daniel E. Weber, Supervisor--

and the Marine Trust Company (Cheektowaga Office), Liberty Bank and Trust Company (Harlem Road Office), Bank of Buffalo (Cheektowaga Office), Manufacturers and Traders Trust Company (Airport Plaza Office), Niagara Frontier Bank of New York (Cheektowaga Office), Chase Manhattan Bank of Western New York, N.A. (Depew Office), and Citibank of New York, N.A. (Airport Plaza Office) shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes, and other instruments, regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen or specimens duly certified to or filed with the said banks by the Supervisor, the Town Clerk or other officer of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED, that the salaries of elected Town Officials for the year 1975 and thereafter, be established as follows:

Supervisor	$26,400.00
Councilmen (6) each	8,965.00
Town Clerk	16,800.00
Highway Superintendent	21,000.00

Item No. 20 Cont'd

Justices of Peace (2) each	$15,600.00
Receiver of Taxes	16,800.00

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki and Wasielewski
NAYES: Councilman Johnson
ABSENT: 0

Item No. 21 Motion by Councilman Halicki, seconded by Councilman Meyers

RESOLVED, that the salaries of appointed Town officials and employees for the year 1975 and thereafter, be established as follows:

Town Attorney	$21,900.00
First Deputy Town Attorney	15,000.00
Second Deputy Town Attorney	10,000.00
Executive Director of Youth Bureau	15,250.00
Chief of Police	23,000.00
Town Engineer	24,000.00
Assessor IV	15,700.00
Deputy Assessor	14,700.00
Working Foreman (Sanitation)	16,000.00
Deputy Superintendent of Highways	15,200.00
Bingo Inspectors (6) each	3,150.00
Bingo Inspector (1) Chairman	3,260.00
School Crossing Guards	3.00 per hour
Secretary to Civil Defense Director	2.48 per hour
Health Officer	15,200.00
Building & Plumbing Inspector	15,700.00
Planning Commission (5) each	1,180.00
Planning Commission (1) Secretary	1,760.00
Planning Commission (1) Chairman	2,100.00
Zoning Board (4) each	1,410.00
Zoning Board (1) Chairman	1,760.00
Police Matron (2) each	2,200.00
Election Inspectors	29.50 per day
Election Inspectors - Chairman	31.50 per day
General Parks Foreman	17,600.00
Parks Foreman	13,600.00
Director of Recreation	9,100.00
Part-time Clerical	22.00 per day
Civil Defense Director	1,600.00
Secretary to Councilmen - Part-time	4,620.00
Recreation Secretary - Part-time	2,110.00
Secretary to Supervisor	11,400.00
Mailman - Part-time	1,580.00

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki and Wasielewski
NAYES: Councilman Johnson
ABSENT: 0

Item No. 22 Motion by Supervisor Weber, seconded by Councilman Halicki

WHEREAS, the Town of Cheektowaga is presently engaged in three real property assessment legal proceedings, one entitled Marrano Enterprises vs. the Town of Cheektowaga and two separate proceedings entitled Benderson Development vs. the Town of Cheektowaga, and

WHEREAS, the services of qualified appraisers may be necessary during the course of said proceedings, therefore, BE IT

Item No. 22 Cont'd

RESOLVED that Walter Marcus of Hansen Appraisal Service be and hereby is retained by the Town of Cheektowaga in the Marrano case if his services become necessary therein, and BE IT FURTHER

RESOLVED that said Walter Marcus be paid the sum of not more than $1,500.00 for said services, and BE IT FURTHER

RESOLVED that Marvin Shrader be and hereby is retained by the Town of Cheektowaga in the two Benderson cases if his services become necessary therein, and BE IT FURTHER

RESOLVED that said Marvin Shrader be paid the sum of not more than $3,000.00 for said services.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 23 Authorization for Individuals to Attend Annual Association of Towns Convention.

Item Withdrawn; to be brought up at next scheduled Town Board Meeting of 1/20/75.

Item No. 24 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, Section 64, subdivision 17-b of the Town Law of the State of New York authorizes expenditure by the Town for the promotion of the performing arts by way of demonstrations, performances and exhibitions, and

WHEREAS, the Town has provided in its 1975 Budget sufficient sums for the purpose of allowing contractual expenses on behalf of cultural activities, therefore, BE IT

RESOLVED that the Town does hereby authorize the expenditure of the following sums for the promotion of the performing arts by way of demonstrations, performances and exhibitions pursuant to the provisions of Section 64, subdivisions 17-b of the Town Law of the State of New York; said sums to be paid to the following cultural associations:

Historical Society	$ 400.00
Art Guild	800.00
Community Chorus	4,000.00
Community Symphony Orchestra	4,400.00
Appletown Players	2,400.00
Master Chorale of Western New York	800.00
Coin and Stamp Club	320.00
Cheektowaga Cultural Society	1,000.00

and, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute any future agreements between the Town and said cultural associations providing for said services and payments.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Wasielewski, seconded by Supervisor Weber

RESOLVED that the following persons be and they hereby are hired as Seasonal (Part-time clerical) Employees to assist Ronald R. Norman, Receiver of Taxes and Assessments, in the 1975 Tax Collection and that their pay be fixed at the sum of twenty-two ($22.00) dollars per day:

Irene Lackemeyer	Marge Klager
Charlotte Nawrocki	Celia Urbanski
Eleanore Yantomasi	Delphine Kosmider
Angeline D'Agostino	Geraldine Glascott
Alice Nowicki	Nathalie Loga
Deborah Norman	Carol Palmiere
Sally Repec	Margaret Nagowski

and other persons that may be needed to complete the Collection duties in the office of the Receiver of Taxes and Assessments.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS the 93rd session of the Congress has passed and the President of the U.S. has signed into law the Housing and Community Development Act of 1974 for the purposes of developing better communities, and

WHEREAS the County of Erie desires to assist the cities, towns and villages of the county to gain a maximum share of any funds available under said Housing and Development Act, and

WHEREAS Erie County has been designated as an urban county by the Department of Housing and Urban Development entitled to a formula share of programmed funds provided said county enters into a cooperation agreement with included units of general local government having a combined population of 200,000 persons or more, and

WHEREAS the Town of Cheektowaga desires to undertake essential community development and housing assistance activities authorized by said act, now, therefore, be it

RESOLVED that the Supervisor of the Town of Cheektowaga is authorized to enter into a cooperation agreement with Erie County, New York, as requested by the Housing and Community Development Act of 1974, providing among other things that its 1970 census population of 94,236 (which we have been notified by Mr. Richard Kubiniec, Erie County State Aid Coordinator, excludes the Villages of Sloan and Depew) be included with that of said county and further providing for said county to undertake or assist in undertaking essential community development housing activities as defined by said act within its corporate bounds, and be it

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga is authorized to sign such additional forms and applications as requested by the

Item No. 26 Cont'd

Department of Housing and Urban Development in Erie County to further the purposes of this resolution.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Wasielewski, seconded by Councilman Meyers

WHEREAS funds are presently available under the Comprehensive Employment Training Act of 1973, Title II, now, therefore, be it

RESOLVED that the following persons be and hereby are hired under the Comprehensive Employment Training Act of 1973, under Title II, to the positions listed below, at a salary rate as specified, effective the 2nd day of January, 1975 starting dates to be established by the department head:

Laborers in Sanitation Department at the rate of $3.75 per hour

David Wass

John Kremelas

CharWoman in the Parks Dept. at the rate of $3.00 per hour

Patricia A. Robichaud

Clerk at Cheektowaga Central School District at $6,277.25 per year

Ann M. Reimer

Food Service Helper at Cheektowaga Central School District at $2.28 per hour

Violet Pangburn

Teacher Aide at Cheektowaga Central School District at the rate of $3.19 per hour

Eleanor Syracuse

Reading-Math Teacher Aide at Cheektowaga Central School District at $3.19 per hour

Mary Lou A. Tauriello

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Meyers, seconded by Councilman Halicki

WHEREAS, emergency sewer repairs were required on the force main at the Ceil Drive Pump Station and on the water main at the Police and Court Building, while repairs were ordered by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED, that the vouchers of Dorss Plumbing, 67 Schlenker Avenue, Cheektowaga, New York, in the amounts of $663.33, $465.00, $577.50 and $505.31, respectively to do the work and furnish the materials for the sewer repairs, be approved and ordered paid.

Item No. 28 Cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED, that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending December 31, 1974, be and hereby are approved and that Supervisor pay said warrants:

FUND	FROM	TO	AMOUNT
General	7365	7523	$1,517,067.19
Part Town	457	468	54,321.37
Highway	6661	6709	556,299.36
Special Districts	2265	2322	1,259,794.69
Federal Revenue Sharing	125	127	606,270.82
Trust and Agency	213	217	50,245.27
Construction & Improvement	457	461	56,067.01
			$4,100,065.71

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED, that the following transfer of funds in the Highway Fund be approved:

FROM		AMOUNT	TO	
DB 5120.402		$1,000.00	DM 5130.476	
DM 9010.810		2,000.00	DM 5130.476	
DB 5120.170		1,000.00	DS 5142.170	
DS 5140.173		4,500.00	DS 5142.170	
DS 5148.402		3,600.00	DS 5142.170	
DS 5148.170		500.00	DS 5142.170	
DR 5110.473	Ready Mix	4,000.00	DR 5110.416	Gas, Oil, Etc.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Motion by Councilman Swiatek, seconded by Councilman Wroblewski to Waive the Rules.

Item No. 31 Cont'd

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

Benedict T. Holtz
Town Clerk

DATED: January 2, 1975

* *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

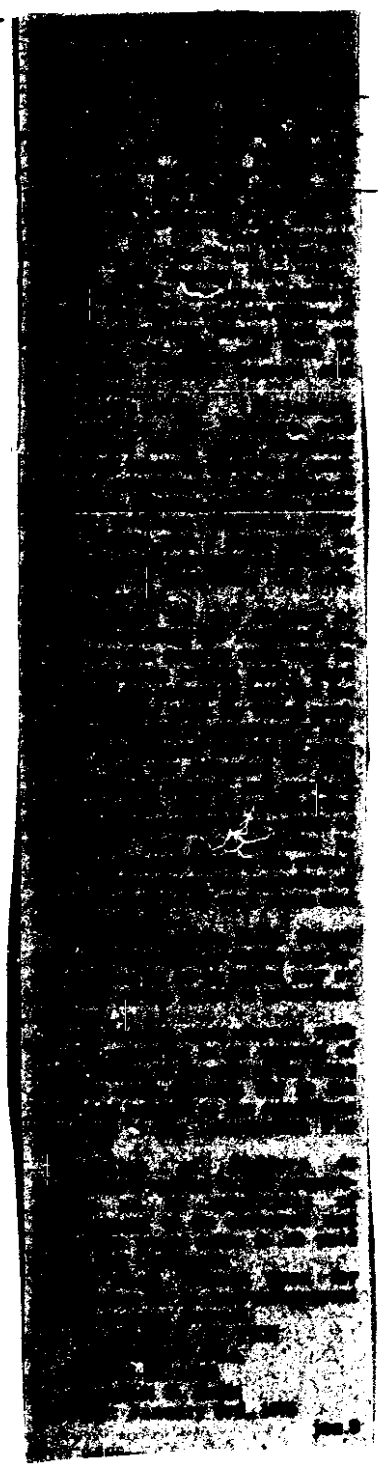
Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE }



George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 9 day of January 19 75, and the last insertion being on the same day of same, 19.....

George J. Measer

Subscribed and sworn to before me this 9 day of January 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County

Form No.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 9 1975; last publication .....; and that no more than six days intervened between publications.

Gladys M. Sechter

Sworn to before me this 10th

day of January, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

Heating, Ventilating and Conditioning Work; Plumbing Work; and Electrical Work

[illegible]

[illegible] by the Owaga Town Board

[illegible]

[illegible] remain open for inspection for 45 days subsequent to the opening thereof.

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD

Benedict T. Holtz
Town Clerk

DATED: January 3rd, 1975

Item No. 32 Cheektowaga Town Board Objection to the Special Election to be held February 4, 1975.

Motion by Supervisor Weber, seconded Unanimously

WHEREAS, Governor Malcolm Wilson, immediately prior to the end of his term as Governor of the State of New York, ordered a Special Election to fill the vacancy in the office of the State Senate for and in the 58th State Senatorial District, and

WHEREAS, said election is to be held on the 4th day of February, 1975, which would constitute a short notice for the Town Clerks of the various towns and districts to prepare for the said Election, and

WHEREAS, the Town of Cheektowaga will therefore be required to hold such election in each of its one hundred eleven (111) Election Districts at a heretofore unexpected and additional expense to the town taxpayers, which expense is estimated to exceed the sum of $20,000.00, and

WHEREAS, numerous other towns in the County of Erie, parts of the City of Buffalo, parts of Wyoming and Livingston Counties will also be required to prepare for such election at short notice and unanticipated expense, and

WHEREAS, such additional expense was not anticipated by the Town Board at its budget hearings and proceedings held in the year, 1974, and no provision was made for such additional expense in the year 1975 in the General Fund Budget of the Town, and therefore imposing a crucial burden upon the fiscal operations of the town government, THEREFORE, BE IT

RESOLVED that although there may be no legal means at the Town's disposal to reverse or void the order of ex-Governor Wilson calling for such special election, the Cheektowaga Town Board objects to such action because of its untimeliness and the resulting fiscal burdens placed upon the taxpayers of the Town of Cheektowaga and BE IT FURTHER

RESOLVED that the Town Board desires to bring to the attention of newly elected Governor Hugh Carey and the New York State Legislature for the unusual and unfair fiscal burden created by such action and respectfully request that if it is not possible to void this particular action, that such Honorable Board consider changes and or amendments to the State Laws and or the State Constitution which would prevent such unfair impositions upon town taxpayers, and BE IT FURTHER

RESOLVED that copies of this resolution be forwarded to the City Clerk of Buffalo, Clerks of Livingston and Wyoming Counties and the other towns in Erie County which are located in the 58th State Senatorial District.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES:	0
ABSENT:	0

Item No. 33 Motion by Supervisor Weber, seconded by Councilman Wasielewski to adjourn the meeting in memory of Norbert J. Mazurkiewicz, Flora Solmaine, John Trznadel, Franklin J. Schulte, Richard Zgoda and Anthony Polus.

MARY F. HOLTZ
First Deputy Town Clerk

MEETING NO. 2

CHEEKTOWAGA, NEW YORK
January 20, 1975

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of January, 1975 at 7:30 o'clock P.M., Eastern Standard Time there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson

ABSENT: 0

Also present were: Benedict T. Holtz, Town Clerk; John V. Rogowski, Town Attorney; Robert Miller, Deputy Town Attorney; Steve Marcynski, Senior Engineer Assistant; Benedict Kostrzewski, Chief of Police, Andrew Schwenk, Sole Assessor of the Town; Carl Trafalski, Building and Plumbing Inspector; Sal LaGreca, Chairman of Cheektowaga Planning Commission.

#2

I. BIDS

Item No. 2 Sporting Goods Shop at Cheektowaga Recreation Center
Referred to James Matecki, Acting General Foreman of the Parks Department to review the specifications, as no bids were received.

II. PUBLIC HEARINGS

#3

Item No. 3 Increase & Improvements of facilities of storm drainage District #1.
The hearing was held.

** See next few pages.

#4

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York.

January 20, 1975

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, corner of Broadway and Union Road, in said Town, on January 20, 1975, at 7:30 o'clock P. M. (E.S.T.).

There were present: Honorable Daniel E. Weber, Supervisor,
and Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Thomas M. Johnson
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski

There were absent:

Also present: Benedict T. Holtz, Town Clerk

John V. Rogowski, Town Attorney

* * *

At 7:30 o'clock P. M. (E.S.T.) the Town Clerk stated that a public hearing had been called for this meeting at the Town Hall, in said Town, at 7:30 o'clock P. M. (E.S.T.) to consider an increase and improvement of the facilities of Storm Drainage District No. 1 of the Town of Cheektowaga, and to hear all persons interested in the subject thereof concerning the same for such other action on the part of the Town Board with relation thereto as may be required by

law. The Town Clerk read, in full, the Order Calling Public Hearing duly adopted by said Town Board on January 2, 1975 and presented affidavits showing that certified copies of said Order had been duly published and posted pursuant to the provisions of Article 12 of the Town Law.

The Supervisor stated that the hearing in the said matter was now open and asked if there was any interested person present who desired to be heard. The following persons appeared in favor of the increase and improvement of the facilities of said Storm Drainage District: Godfrey C. Unrich, Elmer E. Fancher, Ronald Schifferle, Jacob Ledermann, Electra Klager, Fran State, Arthur Cross, Melvin A. Saile, Mrs. Robert Dahar, Mrs. Charles W. Wohlford, Bernard J. Mahoney, Royden H. Klager, Miriam A. Mahoney, Robert W. Clifford, Helen Zajkowski, Henry R. Kolk, Melvin E. Becker, Julian Reyner, Charles Pralow, Marie Pralow, Dolores Clifford

The following persons appeared in opposition to said increase and improvement of the facilities:

None.

The Town Clerk reported that the following pertinent communications had been received:

None.

He She then read such communications to the meeting.

On motion of Councilman Meyers duly seconded by Councilman Swiatek, the following resolution and order after public hearing was duly declared on the following roll call vote:

AYES: 7

NOES: 0

ABSENT: 0

At a regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town, on the 20th day of January, 1975.

PRESENT:

Honorable Daniel E. Weber, Supervisor
Donald A. Halicki, Councilman
Kenneth J. Meyers, Councilman
Thomas M. Johnson, Jr., Councilman
Frank E. Swiatek, Councilman
Raymond J. Wasielewski, Councilman
Felix T. Wroblewski, Councilman

- - - -

the State of New York, duly entered in the Supreme Court of the County of Erie, July 20, 1973 and thereafter filed in the Office of the County Clerk, County of Erie on July 25, 1973; and

WHEREAS, said Order and Judgment provides, in part, for the construction of a connecting sewer in Hastings Avenue, in the City, between the Authority's Kay Street sewer junction chamber and the District's Eggert Road sewer line, said Hastings Avenue sewer to be of adequate size and capacity as determined by the Town to accommodate the flow from the District and surroundings areas, if any, as determined by the Town and to be constructed in accordance with specifications and standards employed by the Authority in the construction of the Authority's own sewers at the time of entry of said Order and Judgment, at the sole expense of the Town on behalf of the District, said Hastings Avenue sewer to be used solely and exclusively in perpetuity for the storm waters and effluents from the District and surrounding areas, if any, as determined by the Town; and

WHEREAS, the Town has taken into consideration the potential future needs of the County of Erie and the Town has determined to provide excess capacity in the size of the Hastings Avenue sewer connection to meet such future needs of the County of Erie; and

WHEREAS, said engineers completed such map, plan and estimate and filed same with the Town Board and the Town Board Thereafter adopted an order describing in generam terms the proposed increase and improvement of the facilities, specifying the estimated expense thereof and stating that the Board would meet to hear all persons interested in said increase and improvement of the facilities on January 20, 1975, at 7:30 o'clock P.M. (E.S.T.) at the Town Hall, in the Town; and

WHEREAS, copies of such Order, certified by the Town Clerk, were duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 20th day of January, 1975, at 7:30 o'clock P. M. (E.S.T.), at the Town Hall, in the Town, and considerable discussion on the matter having been had and all persons desiring to be heard having been duly heard in favor of and in opposition to said increase and improvement of the facilities; now, therefore, upon the evidence presented at such hearing, and it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to, and it is hereby

ORDERED, that the facilities of the District be increased and improved consisting of the construction of a sewer main in Hastings Avenue, in the City of Buffalo, between the Buffalo Sewer Authority's Kay Street sewer junction chamber and the District's Eggert Road sewer line, and also including original furnishings, equipment, machinery and apparatus and acquisition of land, and rights in land, at an estimated cost of $150,000, as stated in the Order Calling Public Hearing; and, it is further

ORDERED, that Nussbaumer & Clarke, Inc., Consulting Engineers, duly licensed by the State of New York, heretofore retained by the Town Board, prepare definited plans and specifications for such

increase and improvement of the facilities and with the assistance of John V. Rogowski, Esq., Town Attorney, prepare a proposed contract therefor, which plans and specifications and proposed contract shall be presented to this Town Board as soon as possible, and, it is hereby further

ORDERED, that the Town Clerk record a certified copy of this resolution and order after public hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

DATED: JANUARY 20, 1975

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

SEAL

Members of the Town Board of the Town of Cheektowaga, in the County of Erie, New York

Councilman Meyers offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JANUARY 20, 1975, APPROPRIATING $150,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF STORM DRAINAGE DISTRICT NO. 1 OF SAID TOWN, AT AN ESTIMATED MAXIMUM COST OF $150,000, AND AUTHORIZING THE ISSUANCE OF $150,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, after a public hearing duly called and held on January 20, 1975, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, duly adopted a resolution and order determining that it is in the public interest to increase and improve the facilities of Storm Drainage District No. 1, in the Town (herein called "District"), as provided by the Order and Judgment and as hereinafter described and ordering such increase and improvement of facilities and it is now necessary and advisable to provide for financing same at a cost not to exceed $150,000 by the issuance of bonds;

now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of $150,000 for the increase and improvement of facilities of the District,

in the Town, consisting of the construction of a sewer main in Hastings Avenue, in the City of Buffalo, between the Buffalo Sewer Authority's Kay Street sewer junction chamber and the District's Eggert Road sewer line, and also including original furnishings, equipment, machinery and apparatus and acquisition of land, and rights in land, authorized pursuant to the resolution and order after public hearing duly adopted by the Town Board on January 20, 1975 and a final Order and Judgment, hereinabove referred to in the Recital hereof, pursuant to maps and plans heretofore prepared by Nussbaumer & Clarke, Inc., Consulting Engineers, duly licensed by the State of New York, and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $150,000. The plan of financing includes the issuance of serial bonds of the Town in the principal amount of $150,000 and the assessment, levy and collection of assessments on the several lots and parcels of land within the District to pay the principal of said bonds and the interest thereon so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same. Any amounts received pursuant to any contract with the County of Erie ("Public Corporation") are hereby authorized to, and shall be expended for the cost of constructing the improvements for which said funds are granted or redemption of said serial bonds or budgeted as an offset to such special assessments for the payment of principal of and interest on on said serial bonds.

Section 2. To finance said appropriation, serial bonds of the Town are hereby authorized to be issued in the principal amount of $150,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law").

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation thereof, pursuant to Section 107.00 d. 3 (i) of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any notes in anticipation thereof shall contain the recital of validity prescribed by §52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provisions shall be made in the budgets of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond

anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilman Swiatek and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

ABSENT: 0

The resolution was declared unanimously adopted.

****

Councilman Meyers offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby directed to publish the foregoing bond resolution, in full, in the "DEPEW HERALD AND CHEEKTOWAGA NEWS," and the "CHEEKTOWAGA TIMES," newspapers published in the Town of Cheektowaga, New York, and having a general circulation in said Town, which newspapers are hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk's statutory Notice substantially in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilman Swiatek and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

ABSENT: 0

The resolution was declared unanimously adopted.

****

General - No Veto 5/7/73 (2M)

CERTIFICATE

I, BENEDICT T. HOLTZ, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on January 20, 1975, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 20th day of January, 1975

Benedict T. Holtz

Town Clerk

(Seal)

FOR

AGAINST

[illegible]
[illegible] Fancher
Ronald Schaffner
[illegible]
[illegible] Mary (Elulia) Klaus
[illegible]
[illegible]
[illegible] Linde
[illegible]
[illegible] W. Workyard
Samuel Johnathoney
Roy Lewis
Miriam C. McKeller
Robert [illegible]
[illegible]
Henry R. Kolb
DELVIN E. BECKER
[illegible] REYNER
[illegible] Frabord
[illegible]

I HEREBY CERTIFY THAT I witnessed the above signatures during the hearing held on January 20th, 1975 at the Cheektowaga Town Board ~~Meeting~~ relative to the Increase & Improvement of Facilities of Storm Drainage District #1 of the Town of Cheektowaga.

x Benedict T. Holtz

BENEDICT T. HOLTZ, Town Clerk

Subscribed and sworn to before me this 20th day of January, 1975.

LINDA BAER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Linda Baer

Notary Public, Erie County, New York.

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PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

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George J. Measer

Notary Public in and for Erie

MYRNA ROSE
Notary Public, State of N
Qualified In Erie Cou
My Commission Expires March

Form No. 1

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George J. Measer

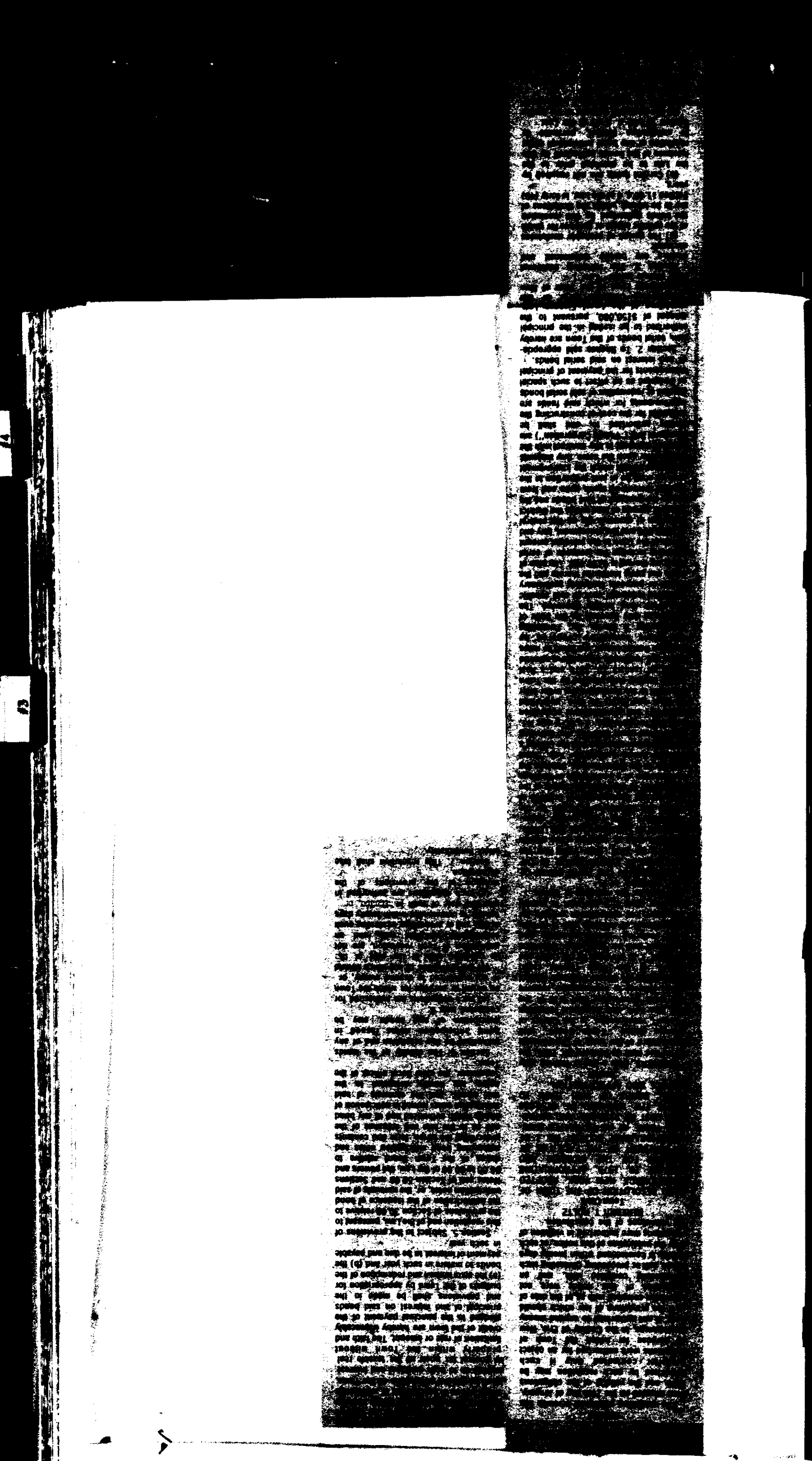
Subscribed and sworn to before me this 23 day of January, 19 75

Myrna Rosen
Notary Public in and for Erie County

Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

Form No. 1



III. GENERAL COMMUNICATIONS

Item No. 4 Erie County Department of Health - Notice of Public Hearing on Erie County Sanitary Code.
Referred to the Town Board.

Item No. 5 Doyle Fire District #1 - letter regarding removal of stop signs on certain streets and being replaced by Yield signs.
Referred to the Traffic Safety Commission; Referred to Benedict Kostrzewski, Chief of Police.

Item No. 6 SUMMONS - Vincenzo Incardona and Sarah Incardona vs Town of Cheektowaga and Paul Westphal.
Referred to John V. Rogowski, Town Attorney.

Item No. 7 IN the MATTER OF CLAIM - Losson Road Apartments, Inc. vs Town of Cheektowaga.
Referred to John V. Rogowski, Town Attorney.

Item No. 8 A.J. Thrun, Traffic Safety Commission - Wishes to speak on Snow Ban Amendment.
Referred to the Traffic Safety Commission.

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 9 Building Permits
Received and Filed.

Item No. 10 Town Clerk's Office - Call for public hearing on 30 Rossler

Motion by Councilman Wasielewski, seconded by Councilman Johnson

WHEREAS, Catherine M. Kasinski has made application and requested the rezoning of property located at 30 Rossler Avenue from R-Residential to C-Retail Busines, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 18, 1975 at 7:00 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

AFFIDAVITS-NEXT PAGE

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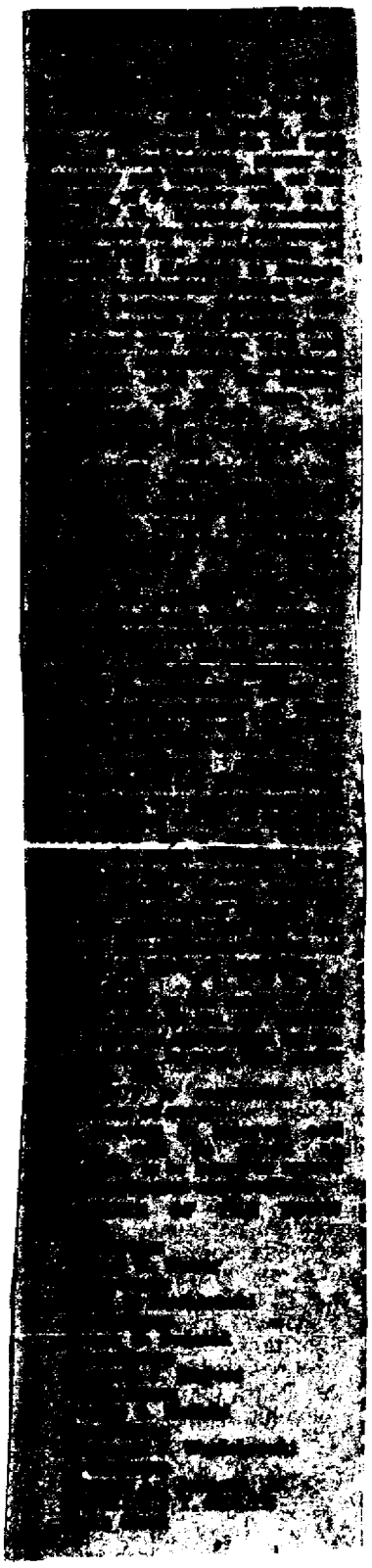
COUNTY OF ERIE } ss.



George J. Measer

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George J. Measer

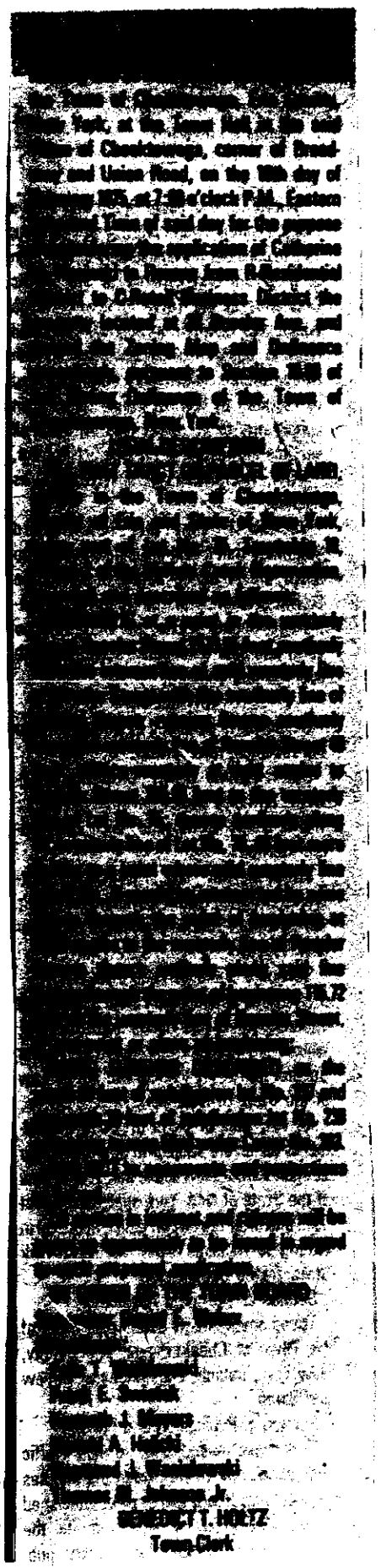
Subscribed and sworn to before me this 6 day of February, 75

RoseMarie Mularski

Notary Public in and for Erie County

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 75

Form No. 1



Item No. 11 *Town Clerk's Office - Call for public Hearing on 701 Cayuga Creek Road*

Motion by Councilman Wasielewski, seconded by Councilman Johnson

WHEREAS, Allan A. Nowak, has made application and requested the rezoning of property located at 701 Cayuga Creek Road from R-Residential to CM-General Commercial NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 18th, 1975 at 7:00 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

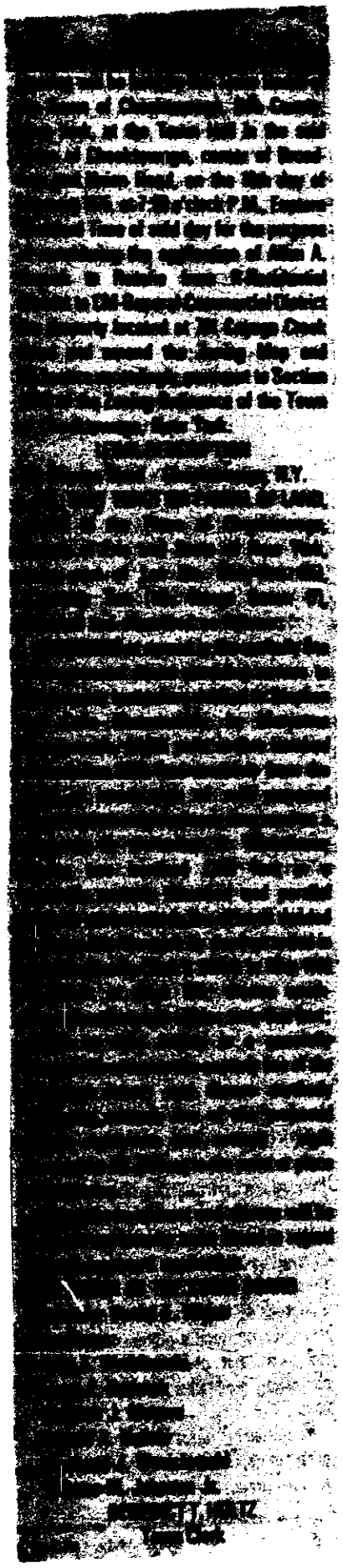
Upon Roll Call....

AYES: *Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson*

NAYES: *0*

ABSENT: *0*

AFFIDAVITS-NEXT PAGE



Item No. 12 **Town** *Clerk's Office - Call for public hearing on 2760 Union Road*

Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

WHEREAS, Buffalo Acoustical & Partitions Corp. (Robert Richter, Treasurer) has made application and requested the rezoning of property located at 2760 Union Road from RA-Apartment District to C-Retail Business, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 18th, 1975 at 7:00 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: *Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson*

NAYES: *0*

ABSENT: *0*

AFFIDAVITS-NEXT PAGE

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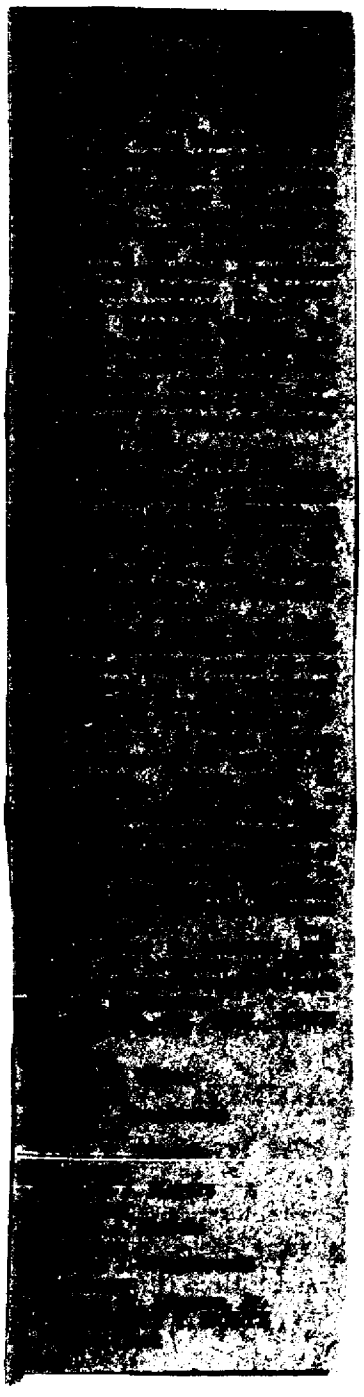

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6 day of February, 1975, and the last insertion being on the same day of same, 19.....

Subscribed and sworn to before me this 6 day of February 1975

Rose Marie Mularski

Notary Public in and for Erie County RoseMarie Mularski

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 75

Form No. 1

[redacted]

[redacted]

[redacted]

Item No. 13 Highway - Award of bid for Two (2) Self-Contained Hopper-Type Spreaders

Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

WHEREAS, bids were received by this Town Board at a meeting thereof held on January 2, 1975 for Two (2) Self-Contained Hopper-Type Spreaders for use in the Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report has been made, NOW, THEREFORE, BE IT

RESOLVED that the bid for Two (2) Self-Contained Hopper Type Spreaders be and hereby is awarded to P-D Service, Inc. located at 1869 Harlem Road, Buffalo, New York, in the amount of $2,970.00 each for a total amount of $5,940.00, said P-D Services, Inc. being the lowest responsible bidder.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 14 Highway - Notice to Bidders - purchase new equipment

Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

WHEREAS, the 1975 Budget of the Highway Department under Item 3 has funds to purchase certain equipment, NOW, THEREFORE BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of the following:

One (1) New 1975 Oldsmobile Delta "88" or equal with trade-in of one (1) 1972 Dodge Polara, power steering and brakes, 4 door sedan.

One (1) New 1975 Economy Step-Van, must be 3/4 ton with trade-in of one (1) 1957 Chevrolet Step-In-Van.

One (1) New 1975 3/4 Ton Pickup with no trade-in.

Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 2:30 p.m., Eastern Standard Time on February 3, 1975 for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * * *

L E G A L N O T I C E T O B I D D E R S

NOTICE IS HEREBY GIVEN that separate sealed proposals will be received and opened and read by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 2:30 P.M., Eastern Standard Time on February 3rd, 1975 for the furnishing of the following:

One (1) New 1975 Oldsmobile Delta "88" or equal with trade-in of One (1) 1972 Dodge Polara, power steering and brakes, 4 door sedan.

One (1) New 1975 Economy Step-Van, must be 3/4 ton with trade-in of one (1) 1975 Chevrolet Step-In-Van.

Item No. 14 cont'd

One (1) New 1975 3/4 Ton Pickup with no trade-in.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof. Information for bidders and specifications may be obtained from Alfred F. Wnek, Superintendent of Highways, at his office located at the Town Highway Garage, 3145 Union Road (near Broadway) S. Cheektowaga, New York.

Non-collusion forms must be signed and submitted with bids.

BENEDICT T. HOLTZ
Town Clerk

DATED: *January 15, 1975*
PUBLISHED: *January 23, 1975*

* * * * * * * * * * * * *

Upon Roll Call....
AYES: *Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, and Wasielewski*
NAYES: *Councilman Johnson*
ABSENT: *0*

AFFIDAVITS-NEXT PAGE

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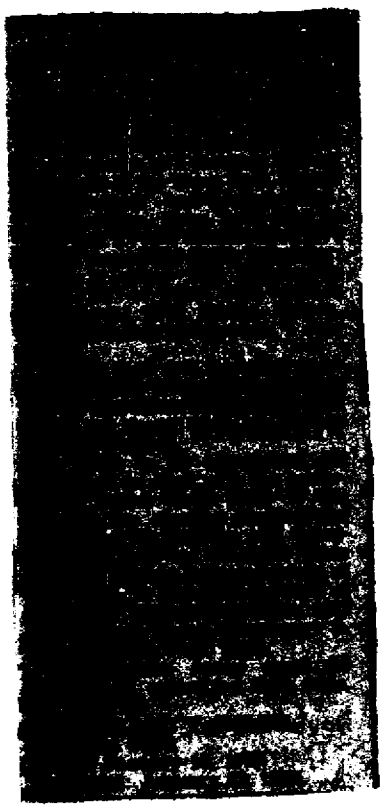
STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 2 weeks, the first insertion being on the 16 day of January, 19 75, and the last insertion being on the 23 day of January, 19 75.



Subscribed and sworn to before me this 23 day of January, 19 75

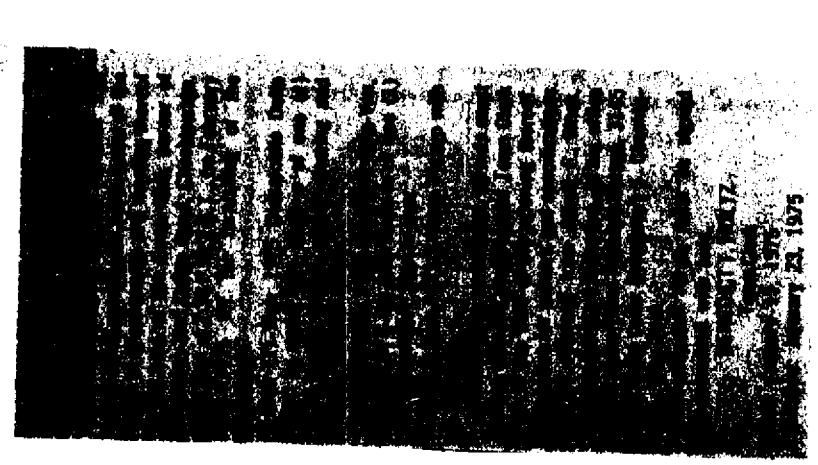
Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

George J. Measer

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

Form No. 1



Item No. 15 Highway - Notice to Bidders - purchase snow plow blades, wing blades, plow shoes, receiver grates, Inc.

Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of snow plow blades, wing blades, cutting edges, wing and front plow shoes, grades blades, receiver grates, receiver frames, curbboxes, extension rings and frames and covers for manholes, for use in the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 2:30 p.m., Eastern Standard Time on February 3, 1975 for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * *

L E G A L N O T I C E T O B I D D E R S

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Law, that separate proposals will be received and opened and read by the Town Board of the Town of cheektowaga at a meeeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 2:30 P.M., Eastern Standard Time on February 3rd, 1975 for Snow Plow Blades, Wing Blades, Cutting Edges, Wing and Front Plow Shoes, Grader Blades, Receiver Grates, Receiver Frames, Curboxes, Extension Rings and Frames and Covers for Manholes.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof. Information for bidders and specifications may be obtained from Alfred F. Wnek, Superintendent of Highways, at his office located at 3145 Union Road (Near Broadway), S. Cheektowaga, New York.

Non-collusion forms must be signed and submitted with bids.

BENEDICT T. HOLTZ
Town Clerk

DATED: January 16, 1975
PUBLISHED: January 23, 1975

* * * * * * * * * * * * *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

AFFIDAVITS-NEXT PAGE

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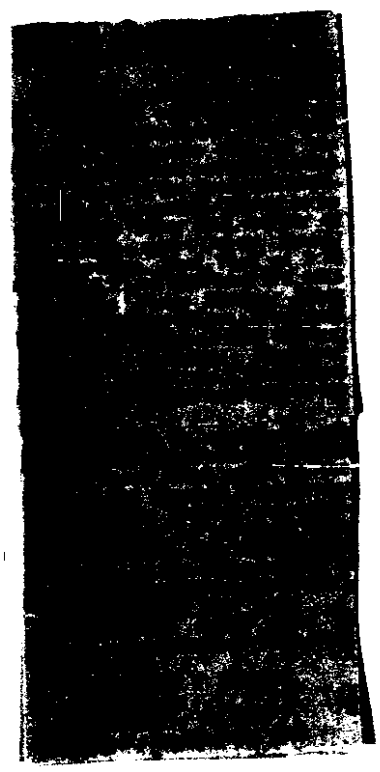

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Subscribed and sworn to before me this 23 day of January, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

Form No. 1

Item No. 16 Supervisor's Statement of Funds.
Received and Filed.

Item No. 17 Cheektowaga Traffic Safety Commission - request appointment of Anthony Osswald.

Referred to the Town Board.

Item No. 18 Health report for December, 1974.
Received and Filed.

V. RESOLUTIONS

Item No. 19 Decision on Rezoning - 812 Borden Road; Non-conforming to CM.
This item was withdrawn.

Item No. 20 Decision on Rezoning - 812 Borden Road; Non-conforming to M1.
This item was withdrawn.

Item No. 21 Decision on Special Permit - 812 Borden Road.
This item was withdrawn.

Item No. 22 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, bids were received by this Town Board at a meeting thereof held on January 2, 1975 for the operation of a Food Concession at the Cheektowaga Recreational Center, as a result of advertisement therefor, and such bids were referred to the Cheektowaga Recreation Committee for analysis, tabulation, and report, and

WHEREAS, such analysis, tabulation and report has been made, NOW, THEREFORE, BE IT

RESOLVED that the bid for the Food Concession at the Cheektowaga Recreational Center be and hereby is awarded to the Case Food Services, Inc., located at 1810 Dale Road, Cheektowaga, New York, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to prepare a licensing agreement incorporating as terms therein items as specified in the bid specifications for the Food Concession at the Cheektowaga Recreation Center and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute said agreement on behalf of the Town.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and JOhnson
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Halicki, seconded by Councilman Meyers

BE IT RESOLVED that this Town Board hereby approves the Agreement between the Town of Cheektowaga and the Cheektowaga Captains and Lieutenants Association which has resulted from extensive negotiations between this Town Board through its representative, Negotiation Consultants and Company and the said Cheektowaga Captains and Lieutenants Association, said Agreement to be effective as of January 1, 1975, and that the Supervisor and the Town Board be and hereby are directed to execute said Agreement on behalf of the Town of Cheektowaga and to affix thereto the corporate seal of said Town.

Item No. 23 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Halicki, seconded by Councilman Wasielewski

BE IT RESOLVED that the Town Board of the Town of Cheektowaga in accordance with the collective bargaining agreement reached with the Captains and Lieutenants Association of the Town of Cheektowaga does hereby adopt Section 375 I of the Retirement and Social Security Law provided, however, that any member who elects to take under this Section shall not also have the option under Section 384, Subdivision F of the Retirement and Social Security Law.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

BE IT RESOLVED that a Public Hearing on proposed amendments to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967, be held on the 3rd day of February, 1975 at 2:30 p.m., Eastern Standard Time at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES on January 23, 1975, the said proposed amendments being set forth in the Notice of Hearing.

* * * * * * * * * * * * *

N O T I C E O F H E A R I N G

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a Public Hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 3rd day of February, 1975 at 2:30 p.m., Eastern Standard Time, to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendments being as follows:

ARTICLE VIII

STOP AND YIELD INTERSECTIONS

Section 80 is amended by Adding thereto the following intersection:

STREET	DIRECTION	ENTRANCE STREET	TRAFFIC STOPS	SIGN LOCATION
Manlon Terr.	East-West	Ravenswood Terr.	Northbound	S. E. Corner
Manlon Terr.	East-West	Ravenswood Terr.	Southbound	N. W. Corner

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: January 20, 1975

Item No. 25 cont'd

Upon Roll Call....

AYES: *Supervisor Weber, Councilmen Wroblewski, Swiatrk, Meyers, Halicki, Wasielewski and Johnson*

NAYES: *0*

ABSENT: *0*

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Subscribed and sworn to before me this 23 day of January, 19 75

Myrna Rosen
Notary Public in and for Erie County

Myrna Rosen

George J. Measer

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Notary Public, State of New York
Qualified In Erie County
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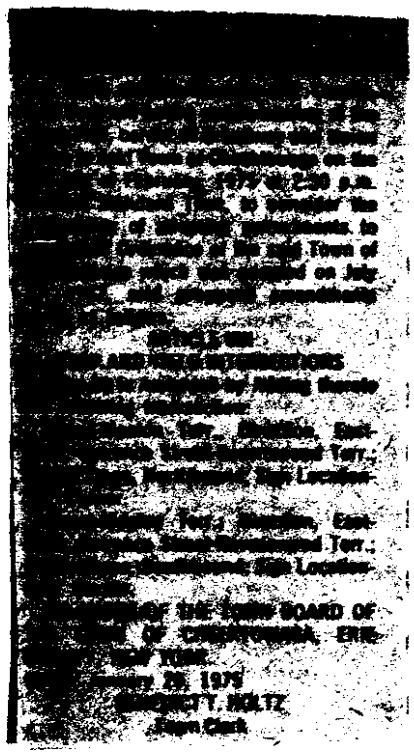

Item No. 26 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the Human Resources Committee of the Town of Cheektowaga has held various meetings and discussions jointly with the Maryvale School Board representatives regarding the purchase of real property known as 3409 Genesee Street, Cheektowaga, New York, and

WHEREAS, the Town Board has authorized an appraisal to be made of said property, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is authorized to commence the necessary proceedings to obtain an option for the purchase of said premises by the Town of Cheektowaga. Said purchase price not to exceed the sum of One hundred five thousand dollars and 00/100 ($105,000.00) being the same sum listed in the appraisal of said real property.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Wasielewski, seconded by Councilman Johnson

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Section 264 of the Town Law of the State of New York, a public hearing be held on the 18th day of February, 1975 at 7:00 o'clock P.M., Eastern Standard Time, at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES, newspapers published in the Town of Cheektowaga and having a general circulation therein, not less than 10 nor more than 20 days prior to the date of the hearing.

* *

NOTICE OF HEARING ON PROPOSAL TO AMEND

ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 20th day of January, 1975, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 18th day of February, 1974 at 7:00 o'clock P.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows (changes or additions in text are indicated by underline, deletions by ~~strikeouts~~):

ARTICLE II -- RESIDENCE DISTRICT REGULATIONS

Section 2-00 R-Residence District
2-01 Permitted Uses
A. Principal Uses

1. Single Family Dwellings
2. Two Family Dwellings

3. Church or similar place of worship, parish house, convent, rectory or parsonage.
4. Public or private non-profit, elementary or secondary school accredited by the New York State Department of Education.
5. Golf course catering exclusively to golfers provided that any building thereon shall be at least 75 feet from any lot line and no commercial activity shall be conducted except for an accessory "pro" shop, service building, or an accessory dining room with or without bar facilities.
6. By special permit authorized by Town Board. (see Section 6.01)
   (a) Cemetary
   (b) Home nursery for preschool children
   (c) Beauty Parlor as a home occupation, provided satisfactory proof is presented to the Town Board of compliance with the requirements of Article 27 of the General Business Law of the State of New York relating to the practice of Hairdressing and Cosmetology. (See Section 11-10 Definitions).

ARTICLE XI -- DEFINITIONS

Section 11-10 Definitions

Home Occupation. Any use customatily conducted entirely within a dwelling and carried on only by the ~~residents~~ resident owner-operator thereof, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

~~a. Only customary home appliances are used.~~
a. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B. 4 (a).
b. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.
c. Any use first permitted and as regulated in the RC, C, or M Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-10 -- RA-Apartment District

Section 2-11 Permitted Uses

A. Principal Uses

1. Principal uses permitted in the R District
2. Multi-family dwellings, dwelling groups, townhouses or garden apartments (See Section 2-15).

Section 2-15 Special Procedure for Approval of Multiple dwellings, dwelling groups, townhouses, or garden apartments

A. In order to improve ingress and egress and properly located open space for purposes of public safety; no building permit shall be issued until a Site Plan (see Section 11-00 Definitions) has been approved by the Town Board after recommendation by the Planning Board for any of the four housing types covered by this section. This shall include developments on private courts or streets as well as public streets.

B. The Planning Board shall make its report to the Town Board within 60 days following receipt of the proposed site plan and development. If no report has been received by the Town Board within the aforementioned period it shall be assumed that the Planning Board has no comment or recommendation to make on the subject.

Item No. 27 cont'd

ARTICLE XI -- DEFINITIONS

Section 11-10 Definitions

Site Plan. A map or plan showing the proposed development of an area. It shall be drawn to a scale of not less than one (1) inch equals fifty (50) feet and shall include the following:

A. Existing Conditions

(1) A boundary line survey of the property to be developed, bearing the seal of a licensed surveyor or engineer.

(2) Existing elevations of the property with a contour interval of not more than two (2) feet.

(3) The location of any buildings or structures to remain and/or to be removed.

(4) The location of all utilities, including sanitary and storm sewers, water, gas and electric serving the site.

(5) Streets and or adjacent to the tract with names, pavement widths, rights-of-way and pertinent elevations of such items as street pavement center line, curbs, walks, culverts, etc.

B. Proposed Improvements

(1) The location of all proposed buildings and structures showing ground floor elevations.

(2) The location of all proposed access drives, pedestrian walks and off-street parking and or loading areas.

(3) Location and description of any fences or signs.

(4) Lighting plan if required by the Town.

(5) Planting or landscape plan.

(6) Proposed sanitary sewage disposal plan approved by the appropriate town and/or county agency.

(7) Plan for storm water and surface drainage, including a revised grading plan to one-foot contour intervals.

ARTICLE III -- BUSINESS DISTRICT REGULATIONS

Section 3-00 C -- Retail Business District

3-01 Permitted Uses

A. Principal Uses

1. Any use permitted in the RC District

2. The following uses when conducted entirely within an enclosed building, but not including any use first permitted in the CM, M1, or M2 Districts:

(a) Retail Sales

(b) Personal service establishments, i.e. barber shop, beauty parlor, show or hat cleaning or repair.

(c) Laundromat, dry cleaning or laundry pick-up stations.

(d) Dry cleaning and pressing establishment limited to 2000 square feet of floor area per establishment

(e) Hotel or Motel.

(f) Full Service restaurant (as defined in Section 11) except that no sale of alcoholic beverages for consumption on the premises shall be permitted on any lot where a side lot abuts any R District boundary.

3. Drive-in banks provided that at least 10 reservoir spaces are provided on the lot for each drive-in tellers' window. Such reservoir space shall be exclusive of required parking spaces.

Item No. 27 cont'd

4. By special permit authorized by Town Board (See Section 6.01).
(a) Advertising Sign (as defined in Section 1-53).
(b) Indoor skating rink.

Section 3-10 CM -- General Commercial District
3-11 Permitted Uses
A. Principal Uses
11. The following uses by special permit authorized by the Town Board. Access drives, reservoir spaces, off-street parking spaces, and utilities where required shall be approved by the Town Board.

(h) Trailer and mobile home sales.

ARTICLE IV -- MANUFACTURING DISTRICT REGULATIONS

Section 4-00 M1 - Light Manufacturing District
4-01 Permitted Uses
A. Principal Uses.
3. Except in the case of a caretaker or owner's residence, no residential buildings shall be allowed in the M1 District.

Section 4-10 M2 - General Manufacturing District
4-11 Permitted Uses
A. Principal Uses.
1. Any use permitted in the CM or M1 District, without the requirement of being conducted within a completely enclosed building and subject to the limitations on uses provided in Section 4-12. Residences are prohibited except in the case of a caretaker or owner.

ARTICLE V -- OFF-STREET PARKING REGULATIONS

5-03 Places of Assembly - Parking Spaces
(e) Eating or drinking establishments, principal or accessory:
(1) Drive-in type
3 spaces for each ~~25~~ 100 square feet of gross floor area
(2) Other types
2 spaces for each 5 seats

5-04 Business or Industrial Uses - Parking Spaces
(f) Doctor, dentist or real estate office
~~5 spaces for each office~~
10 spaces for each practicing doctor or dentist
5 spaces for each real estate office

ARTICLE VI -- SUPPLEMENTAL REGULATIONS

6-32 -- Front Yard Modification
~~6-321 Front Yard Modification where there are existing principal buildings on adjoining lots on each side of a parcel of land less than 100 feet in width having a front yard setback or exterior side yard set back less than the required front yard depth for the zoning district in which said parcel is located, the required front yard depth of said parcel shall equal the average setback from the street line of such existing buildings on said adjoining lots. This modification, however, shall not permit any front yard depth less than 15 feet in any R District.~~

6-321 -- Front Yard Modification for Deeper Front Yards on Selected Streets

Item No. 27 cont'd

In order to improve residential quality the following Residential Collector Streets shall have a minimum front yard requirement of 50 feet.

(a) Losson Road - from the Penn Central Railroad on the West to Transit Road on the East.
(b) Borden Road - from the Depew Village line on the North to the Town limits on the South.
(c) Towers Boulevard (future extension) - from LeHarve Drive to Losson Road.
(d) Any future streets designated as Residential Collector Streets on the Master Plan and adopted as such by resolution of the Town Board.

ARTICLE X -- AMENDMENTS

Section 10-00 General Provisions -- The Town Board may from Time to time on its own motion, on a recommendation by the Zoning Board of Appeals, or the Planning Board or on petition from the property owner or owners, after proper public notice and public hearing, amend, supplement or repeal the regulations, provisions or boundaries of this ordinance as provided by Town Law.

In addition to publication of notice of zoning change in a newspaper as required by Section 264 of the Town Law, all owners of land either of the area included in such proposed change, or of that immediately adjacent extending ~~one-hundred~~ three hundred feet therefrom, or of that directly opposite thereto, extending ~~one-hundred~~ three hundred feet from the street frontage of such opposite land, shall be notified by registered mail at least five days prior to the date of public hearing on the proposed zoning change.

* *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

AFFIDAVITS-NEXT PAGE

** This resolution was not published.

Item No. 28 Motion by Supervisor Weber, seconded by Councilman Wroblewski

WHEREAS, the New York State Association of Towns is holding its annual meeting and conferences in New York City on February 10, 11, and 12, 1975, and

WHEREAS, said Association shall hold its annual reorganization meeting and has requested the Town of Cheektowaga to appoint its Delegate and Alternate to said meeting, NOW THEREFORE, BE IT

RESOLVED that Councilman Thomas M. Johnson be and hereby is appointed Delegate to the annual reorganization meeting of the New York State Association of Towns on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that Councilman Raymond J. Wasielewski be and hereby is appointed as Alternate Delegate.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Councilman Swiatek, seconded by Councilman Meyers

BE IT RESOLVED that Change Order RR-1 for the Town of Cheektowaga Recreation Center to Drake Construction Company for the: Omission of Perimeter edge angle at a deduction of $1,700.00 and the addition of a 600 amp disconnect as required by local building codes in the amount of $400.00, resulting in the amount of $1,300.00 credit applied to the contract sum be approved and the Supervisor is hereby authorized to sign same in behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Swiatek, seconded by Councilman Meyers

BE IT RESOLVED that Change Order G-4 for the Town of Cheektowaga Recreation Center to Balling Construction, Inc., for the omission of ceiling accessibility in the Lobby for a deduction of $160.00, and for additional painting of exposed piping in the rink area at a cost of $550.00, for a total of $390.00 in addition to the contract sum be approved and the Supervisor is hereby authorized to sign same in behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Councilman Swiatek, seconded by Councilman Meyers

BE IT RESOLVED that Change Order E-3 for the Town of Cheektowaga Recreation Center to Zablotny Electric Company for wiring changes due to toilet room enlargement and the installation of an AM-FM radio, antenna, and rink midrophone in the amounts of $227.30 and $1,025,70, respectively, for a total of $1,253.00 in addition to the contract sum be approved and the Supervisor is hereby authorized to sign same in behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Councilman Swiatek, seconded by Councilman Meyers

BE IT RESOLVED, that Change Order G-5 for the Town of Cheektowaga Recreation Center to Balling Construction, Inc. for the furnishing and installing of one (1) roof hatch and iron wrought ladder in the amount of $975.00 in addition to the contract sum be approved and the Supervisor is hereby authorized to sign same in behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, it is in order that bids be advertised to cover the purchase of Bleacher Seats for the Town Recreation Center, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of Bleacher Seats, notice to be published in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA NEWS and BE IT FURTHER

RESOLVED that the Town Board meet on the 3rd day of February 1975 at 2:30 P.M., Eastern Standard Time at the Town Hall, Broadway and Union Road, Cheektowaga, New York for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

* * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 3, 1975, at 2:30 p.m., local time at the Town Hall, corner of Broadway and Union Road for the furnishing and installation of Bleacher Seats.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) percent of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

BENEDICT T. HOLTZ
Town Clerk

DATED: January 20, 1975

* * * * * * * * * * * * *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

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5564 MAIN STREET,
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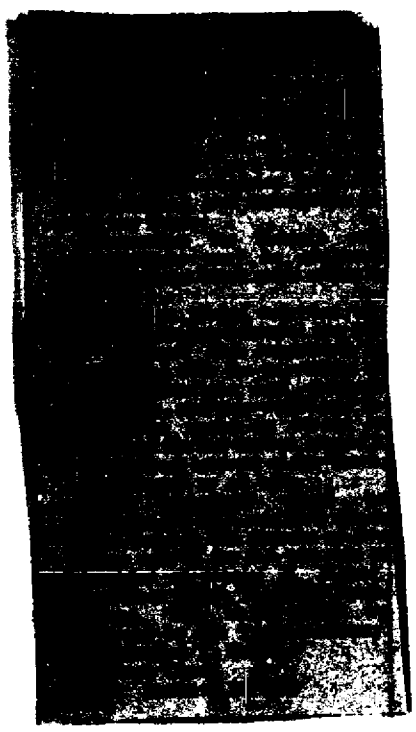
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.



George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 23 day of January, 1975, and the last insertion being on the same day of same, 19.....

Subscribed and sworn to before me this 23 day of January, 1975

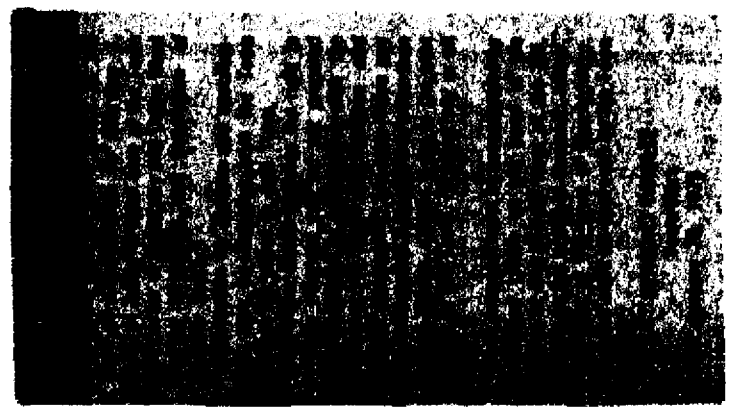
Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

George J. Measer

Form No. 1



Item No. 34 Motion by Councilman Swiatek, seconded by Councilman Meyers

RESOLVED that Anthony Pospichal, Steve Czajka, and George Schneider have their pay adjusted to $2.61 from $2.63 per hour, to standardize the pay rate in the Cheektowaga Parks Department - part time laborers.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Supervisor Weber, seconded by Councilman Swiatek

RESOLVED that Michael Rozak of , Sloan, New York be hired by the Recreation Department as a part-time recreation attendant at the rate of $2.50 per hour, and

BE IT FURTHER RESOLVED that Marilyn Lew, , Cheektowaga, New York be hired as a Basket Checker at the Ice Rink at the rate of $2.00 per hour.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Councilman Swiatek, seconded by Councilman Meyers

BE IT RESOLVED that Stanley Siejak of , Cheektowaga, New York, be and hereby is hired to work at the Cheektowaga Ice Rink part-time at the rate of $2.50 per hour, as a laborer.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 37 Motion by Councilman Wasielewski, seconded by Councilman Halicki

WHEREAS, the Police Department is in operation 24 hours with three (3) full shifts of personnel and with prisoners being admitted at all hours to Police cells, and

WHEREAS, janitorial services and supplies are needed in the evenings and weekends as well as during the day hours, and

WHEREAS, it is necessary that a caretaker provide janitorial services for the building and offices and to properly perform during the day hours, THEREFORE, BE IT

RESOLVED that after required time and rules of posting have been complied with, that James E. Torbicki of , Cheektowaga, New York be and hereby appointed as caretaker and to work an eight hour shift from 4 P.M. to 12 midnight and to include Saturday, Sunday and holidays at the rate of $3.97 per hour, effective January 21, 1975.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, and Wasielewski
NAYES: Councilman Johnson
ABSENT: 0

Item No. 38 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, funds are presently available under the Comprehensive Employment Training Act of 1973, Title II, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, effective the 20th day of January, 1975 starting dates to be established by the department head:

School Nurse (RN) at Cheektowaga Central School District at $6,500.00 per year

Russo, Irene M.

Teacher Aides at Cheektowaga Central School District at $3.19 pr hour

Peinkofer, Eleanor A.
Shaw, Elaine R.
Andrzejewski, Pamela

High School Monitor at Cheektowaga Central School District at $3.19 per hour

Kulpinski, Edmond C.

Laborer at Lancaster Central School District at $3.75 per hour

Habermann, Gerald W.
Math, Wayne L.
O'Connor, Donald E.

Clerk-typist at Lancaster Central School District at $6,488.25 per year

Weinstein, Joan J.
Lullia, Judith M.
Rogers, Kathleen A.

Laborer at Cheektowaga Central School District at $3.75 per hour

Pawlak, James R.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 39 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, funds are presently available under the Comprehensive Employment Training Act of 1973, Emergency Jobs Program Title VI, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, effective the 20th day of January, 1975, starting dates to be established by the department heads:

Administrative Trainee in Recreation Dept. at the rate of $8,518.64 per year

Pronobis, John M.

Cleaner in the Parks Dept. at the rate of $3.00 per hour

Brem, Lorraine A.

Laborer in the Parks Dept. at the rate of $3.75 per hour

Brezowski, Richard S.

Laborer in the Utility Dept. at the rate of $3.75 per hour

Gerlach, Richard W.
Sosnowski, Robert H.
Ruda, Michael T.

Item No. 39 cont'd

Laborer in Plant #5 at the rate of $3.75 per hour

Dembcewski, James D.
Dobmeier, Robert A.
Falk, Arthur J.

Laborer in the Police Garage at the rate of $3.75 per hour

Kowal, Lawrence E.

Laborer in Sanitation Dept. at the rate of $3.75 per hour

Bakowski, Albert A.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 40 Motion by Councilman Swiatek, seconded by Councilman Meyers

RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Board, is hereby authorized to attend the fourth annual Association of New York State Youth Bureaus Conference, to be held in Monticello, New York, January 28th to 31st, and BE IT

FURTHER RESOLVED that Kenneth J. Kopacz be reimbursed for his necessary and reasonable travel expenses in connection with said trip.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 41 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the Human Resources Committee is contemplating reviewing various capital, maintainance and remodeling projects for the year, 1975, and

WHEREAS, it is necessary to have various plans and studies made to assist the committee in preparing its program, NOW, THEREFORE, BE IT

RESOLVED that the firms of Foit & Maharan, 505 Delaware Avenue, Buffalo, New York, and Tryon, Schwartz & Associates, Inc. of 666 Main Street, East Aurora, New York be and hereby are retained for the purpose of implementing a program for the year 1975 under the direction of the Human Resources Committee, and BE IT

FURTHER RESOLVED that the reasonable and necessary expenses be paid by the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending January 20, 1975, be and hereby are approved and thatSupervisor pay said warrants:

Item No. 42 cont'd

FUND		FROM	TO	AMOUNT
General	1974	7524	7706	$ 52,741.36
	1975			217,954.90
Part Town	1975	471	479	249.97
	1975			3,968.76
Highway	1974	6715	6748	18,645.46
	1975			297,969.00
Special Districts	1974	2326	2379	111,713.03
	1975			467,434.13
Federal Revenue Sharing	1974	--	--	---
	1975	Investment Funds		600,000.00
Trust and Agency	1974	--	--	---
	1975	218	232	98,967.10
Construction & Improvement	1974	--	--	---
	1975	462	475	33,615.25
				$1,902,358.96

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meuers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 43 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED that the following transfer of funds in the Highway Fund be approved:

1974 Budget

FROM	AMOUNT	TO	
Surplus	$ 1,000.00	Item 3 DM5130.476	Parks & Supplies
Surplus	12,000.00	Item 4 DS5142.402	Supplies

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

VI. FROM THE TABEE

Item No. 44 Award of bid for furnishing of Chlorine

Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, bids were received by this Town Board on December 16, 1974, for the furnishing of chlorine for the Town Sewage Treatment Plants, and

WHEREAS, Jones Chemical Inc., 100 Sunny Sol Boulevard, Caledonia, New York 14423, was the sole bidder for the furnishing to the Town of chlorine for the year 1975, and

WHEREAS, the above mentioned corporation has met the requirements of the specifications, NOW, THEREFORE, BE IT

Item No. 44 cont'd

RESOLVED that the contract for the furnishing of the Town of chlorine for the year 1975 be awarded to Jones Chemicals Inc., the sole bidder, at the following quotations:

One-ton cylinders	$260.00
Plus	400.00 deposit for each cylinder
One hundred fifty pound (150) cylinders	$ 21.00 per cwt.
Plus	50.00 deposit for each cylinder

AND BE IT FURTHER

RESOLVED that said bidder, Jones Chemicals, Inc. shall be permitted to increase or decrease said prices in the amounts of price changes made by its suppliers and freight handlers over which said bidder has no control.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Motion by Councilman Swiatek, seconded by Councilman Meyers to waive the rules to include the following items:

V. SUSPENSION OF RULES

Item No. 45 Termination of lease between Victor Reinstein and Town of Cheektowaga

WHEREAS, the Town of Cheektowaga and Victor Reinstein entered into a lease on June 2, 1969 for premises located at the northeast corner of Walden Avenue and Nagel Drive, and

WHEREAS, said lease allowed the Town to use the premises rent-free, and

WHEREAS, the lease provides that the owner, Victor Reinstein, may terminate the lease upon notice to the Town, and

WHEREAS, said notice has been given to the Town, and

WHEREAS, the Town is not presently using said premises, NOW, THEREFORE BE IT

RESOLVED that the lease dated June 2, 1969 for use of the lot on the northeast corner of Walden Avenue and Nagel Drive be and hereby is cancelled.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 46 Pay Adjustment

Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, Thaddeus P. Brudz, Assistant Working Foreman in the Sewer Maintenance Department has completed his six (6) month probationary period on September 18, 1974, and

WHEREAS, Richard Godlewski, Assistant Working Foreman in the Building Maintenance Department has completed his six (6) month probationary period on October 15, 1974, NOW, THEREFORE, BE IT

Item No. 46 cont'd

RESOLVED that the salary of Thaddeus P. Brudz be adjusted to the rate of $5.658 per hour retroactive to September 18, 1974, and BE IT FURTHER

RESOLVED that the salary of Richard Godlewski be adjusted to the rate of $5.658 per hour retroactive to October 15, 1974, and BE IT FURTHER

RESOLVED that said adjustments are consistent with the Supervisory Union Contract said rate being the established rate for that position.

Upon Roll Call....
AYES: *Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson*
NAYES: *0*
ABSENT: *0*

Item No. 47 *Change Order G-2; Dingens Street Pool*

Motion by Councilman Swiatek, seconded by Councilman Meyers

BE IT RESOLVED that Change Order G-2 for the Dingens Street Swimming Pool to Balling Construction, Inc., for the omission of final touchup of the lawn area, resulting in the amount of $360.00 credit applied to the contract sum be approved and the Supervisor is hereby authorized to sign same in behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: *Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski, and Johnson*
NAYES: *0*
ABSENT: *0*

Item No. 48 *Authorization for R. Vallone & R. Bogacki, Senior Engineering Assistants to attend training course.*

Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, the Upstate New York Chapter of the American Public Works Association is sponsoring an in-service training course for public works construction inspectors on February 9 thru 14, 1975, in Buffalo, New York, AND

WHEREAS, attendance at this seminar will be beneficial to the Town of Cheektowaga in the training of inspectors for various construction projects anticipated, NOW, THEREFORE, BE IT

RESOLVED that Mr. Robert E. Vallone and Mr. Rudolph E. Bogacki, Senior Engineer Assistants in the Engineering Department be and hereby are authorized to attend same in-training course with all reasonable and proper expenses to be paid for by the Town of Cheektowaga.

Upon Roll Call....
AYES: *Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson*
NAYES: *0*
ABSENT: *0'*

Item No. 49 *Authorization for T.F. Wnuk, Patrolman to attend school.*

Motion by Councilman Halicki, seconded by Councilman Wroblewski,

BE IT RESOLVED that T.F. Wnuk, Patrolman in the Cheektowaga Police Department be authorized to attend Police School, beginning on February 3, 1975, and BE IT FURTHER

RESOLVED that all reasonable expenses incurred be reimbursed by the Town.

Item No. 49 cont'd

Upon Roll Call....
AYES: *Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson*
NAYES: *0*
ABSENT: *0*

Item No. 50 *Town Clerk's Office - Call for public hearing on 812 Borden Road*

Motion by Councilman Halicki, seconded by Councilman Johnson

WHEREAS, Edward Wojda of 38 Quincy Street, Lancaster, New York, 14086 has made application and requested a special permit and two rezonings for the property located at 812 Borden Road from Non-conforming use to CM-General Commercial and from Non-conforming use to Ml-Light Manufacturing District, said applicant being the owner of property mentioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said requests under the provisions of the Zoning Ordinance on February 18, 1975 at 7:00 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: *Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson*
NAYES: *0*
ABSENT: *0*

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

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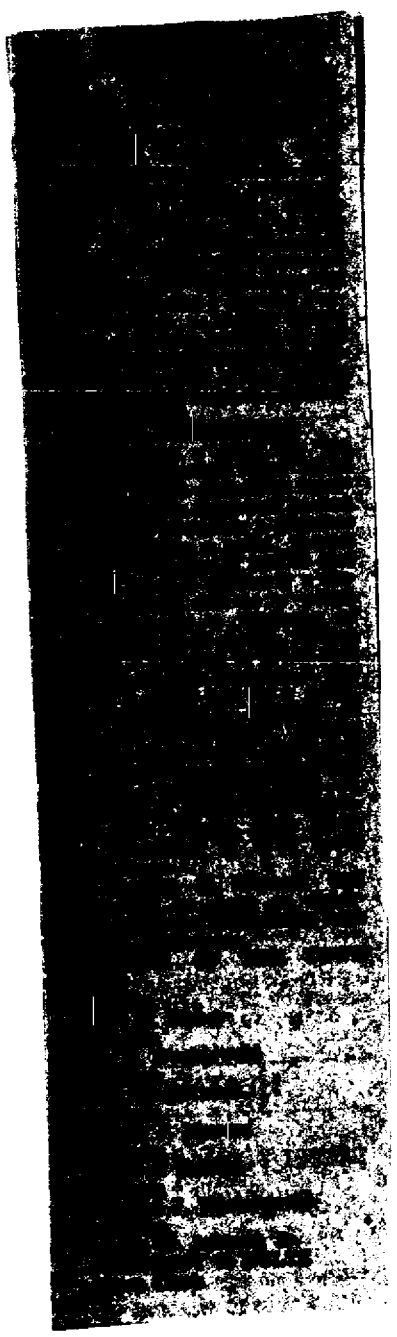
5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6 day of February, 19 75, and the last insertion being on the same day of same, 19.....



Subscribed and sworn to before me this 6 day of February, 19 75

George J. Measer

RoseMarie Mularski

Notary Public in and for Erie County RoseMarie Mularski

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 75

Form No. 1

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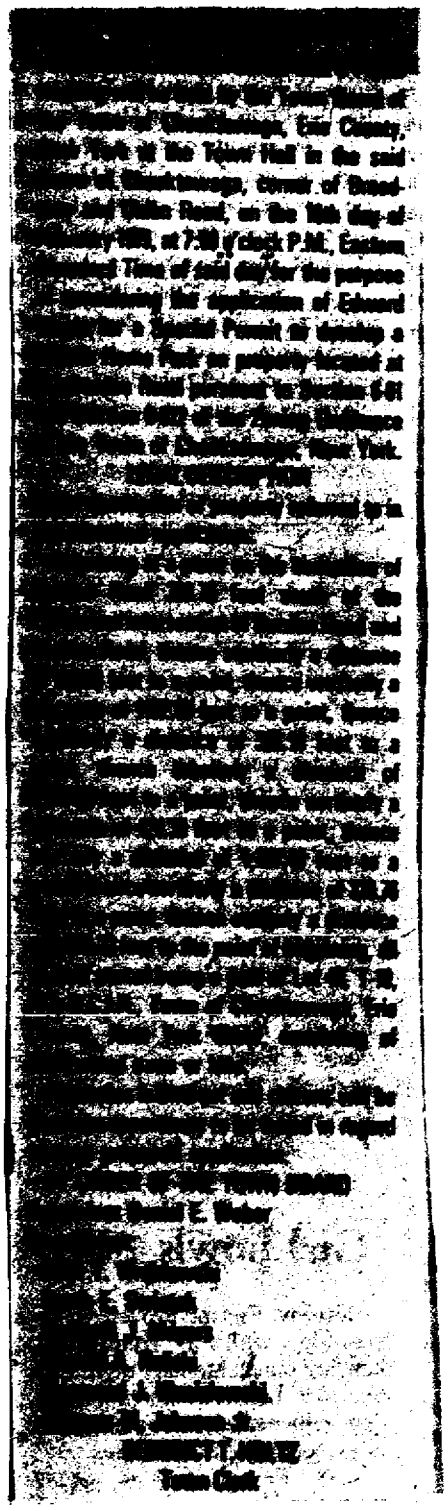

Sub

of February, 19 75

Rose Marie Mularski

Notary Public in and for Erie County RoseMarie Mularski

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
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Form No. 1

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York, at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 24th day of February 1975, at 7:00 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the applications of Sidney Wolin to rezone from Class-Cluster Commercial to Light Industry located at the Southeast corner of Union Road and Maple Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 28-63 of the Zoning Ordinances of the Town of Cheektowaga, New York.

LEGAL DESCRIPTION

Beginning at a point on the southerly line of Borden Road said point being the Northeast corner of lands of Sidney Wolin thence southerly a distance of 150.00 feet to a point, thence westerly a distance of 150.00 feet to a point, thence northerly a distance of 150.00 feet to a point on the southerly line of Borden Road, thence easterly a distance of 150.00 feet to the point or place of beginning.

Gladys M. Seckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 6, 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Seckter

Sworn to before me this 7th day of February, 1975

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

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NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York, at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 24th day of February 1975, at 7:00 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the applications of Sidney Wolin to rezone from Class-Cluster Commercial to Light Industry located at the Southeast corner of Union Road and Maple Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 28-63 of the Zoning Ordinances of the Town of Cheektowaga, New York.

LEGAL DESCRIPTION

Beginning at a point on the southerly line of Borden Road said point being the Northeast corner of lands of Sidney Wolin thence southerly a distance of 150.00 feet to a point, thence westerly a distance of 150.00 feet to a point on the southerly line of Borden Road, thence easterly a distance of 150.00 feet to the point or place of beginning.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6 day of February, 19 75, and the last insertion being on the same day of , 19 .

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sachs, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in

DEE PUBLICATIONS INC.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal
★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE } ss.

George J. Maser
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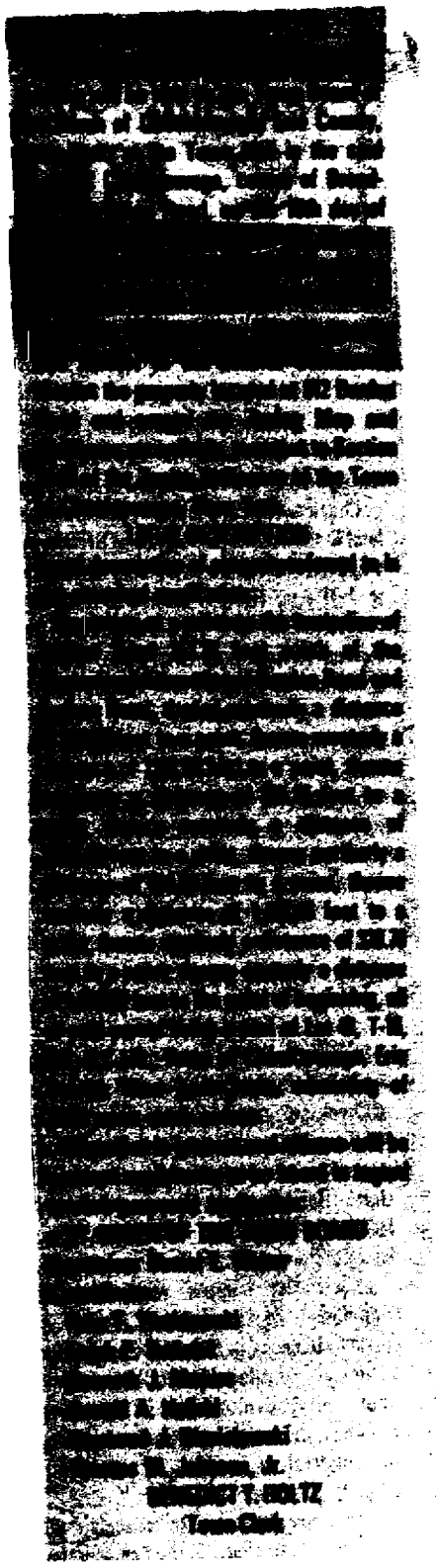
said newspaper, is a copy, was inserted and published
in said newspaper once a week for 1 weeks, the first
insertion being on the 6 day of February,
19 75, and the last insertion being on the
same, 19 .
day of

Subscribed and sworn to before me this 6 day
of February, 19 75

Notary Public in and for Erie County RoseMarie Mularski

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 74

Form No. 1



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of February, 19 75

Notary Public in and for Erie County

RoseMarie Mularski

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 75

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Leckstein, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 6, 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Leckstein

Sworn to before me this 7th day of February, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

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STATE OF NEW YORK } ss.
COUNTY OF ERIE

Gene Re J. Measer, being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6 day of February, 19 75, and the last insertion being on the same day of , 19 .

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York, at the Town Hall in said Town, on the Broadway and Union Road, on the 18th day of February 1975, at 8:00 o'clock P.M. Eastern Standard Time of said day for the purpose of considering the application of Edward Wojda to Rezone from Two-Dwelling to M1 — Light Manufacturing the property located on the Borden Road and zoned for Heavy Manufacturing, pursuant to Section 10-05 of the Zoning Ordinance of the Town of Cheektowaga, New York.

LEGAL DESCRIPTION

Application is Rezone Borden Road, Cheektowaga, New York from Two-Dwelling to M1—Light Manufacturing.

Beginning at a point on the southerly line of Borden Road said point being the intersection of Borden Road and [illegible] Road (Union Boulevard) a distance of 1,320.14 feet to a point, thence southerly a distance of 1,320.14 feet to a point, thence easterly a distance of 1,320.14 feet to a point, thence northerly a distance of 1,320.14 feet to a point on the southerly line of Borden Road, thence westerly along the southerly line of Borden Road a distance of 1,320.14 feet to the point or place of beginning.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

.....of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is .....of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in

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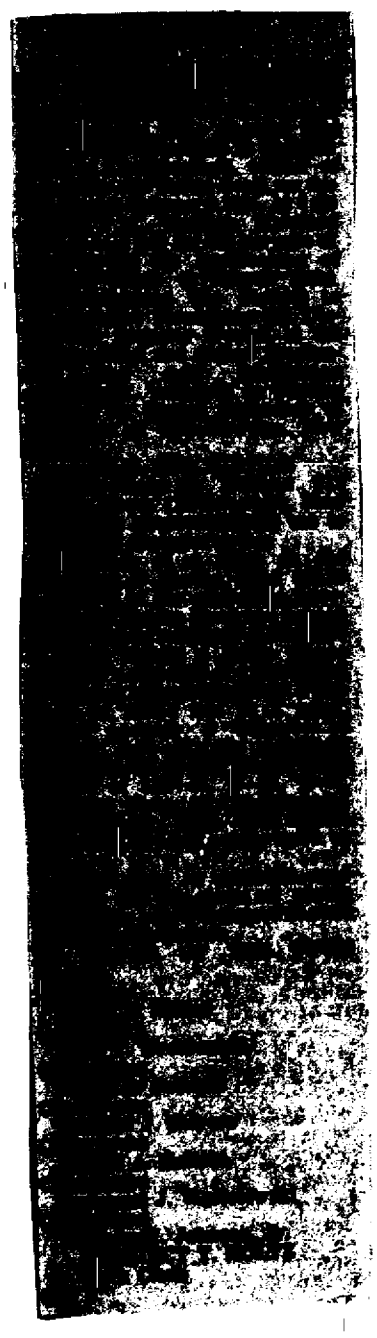
STATE OF NEW YORK
COUNTY OF ERIE } ss.



George J. Measer

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George J. Measer

Subscribed and sworn to before me this 6 day of February, 1975

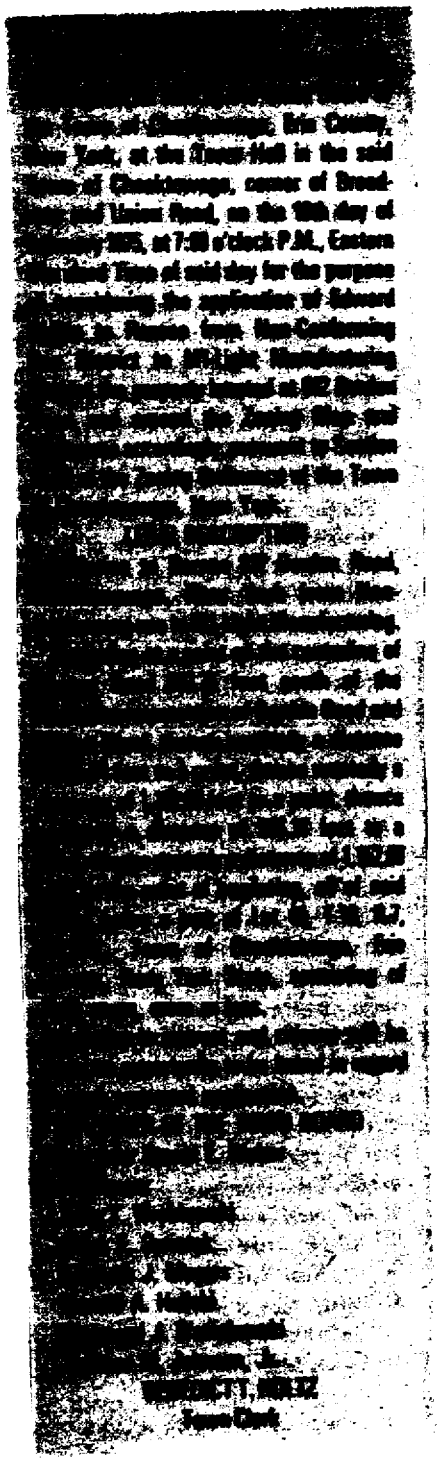
Rose Marie Mularski

Notary Public in and for Erie County

RoseMarie Mularski

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1975

Form No. 1



Item No. 51 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the next regular Town Board meeting date is February 17th, 1975, and

WHEREAS, said February 17, 1975 is a legal holiday, NOW, THEREFORE, BE IT

RESOLVED that the next regular Town Board meeting will be held on Tuesday, February 18th, 1975 at 7:30 p.m., Eastern Standard Time.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson

NAYES: 0

ABSENT: 0

Item No. 52 Motion by Councilman Wroblewski, seconded by Councilman Wasielewski to adjourn the meeting.

BENEDICT T. HOLTZ
Town Clerk

MEETING NO. 3

CHEEKTOWAGA, NEW YORK
February 3, 1975

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of February, 1975 at 2:30 o'clock P.M., Eastern Standard Time there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson

ABSENT: 0

Also present were: Benedict T. Holtz, Town Clerk; Robert Miller, Deputy Town Attorney; Chester L. Bryan, Town Engineer; Benedict L. Kostrzewski, Chief of Police; Carl Trafalski, Building & Plumbing Inspector; Alfred Wnek, Town Highway Superintendent; Andrew Schwenk, Town Assessor; Sal LaGreca, Town Planning Commission Chairman; Kenneth Kopacz, Executive Director of the Youth Board.

I. BIDS

Item No. 2 Construction of a new Community Building in Dartwood Park.
Referred to Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226.

Item No. 3 Furnishing and Installation of Bleacher Seats for the Cheektowaga Recreation Center.
Referred to Chester L. Bryan, Town Engineer.

Item No. 4 Highway Department - Furnishing of one (1) 1975 Oldsmobile; one (1) 1975 Economy Step-Van; one (1) 3/4 ton Pick-up.
Referred to Alfred Wnek, Cheektowaga Highway Superintendent.

Item No. 5 Highway Department - Furnishing of Snow Plow Blades, Wing Blades, Cutting Edges, Grates, Curboxes, etc.
Referred to Alfred Wnek, Cheektowaga Highway Superintendent.

II. PUBLIC HEARINGS

Item No. 6 Motion by Councilman Wroblewski, seconded by Councilman Johnson

WHEREAS, this Town Board duly held a Public Hearing on the 3rd day of February, 1975 to consider the advisablilty of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said Hearing being held in accordance with Notice thereof which was duly published as required by law, at which Hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Town Board determine that it is in the public interest to adopt the following amendments to the Traffic Ordinance of the Town of Cheektowaga, County of Erie, and State of New York, and said amendments are herewith adopted and enacted:

Item No. 6 Cont'd

ARTICLE VIII

Section 80 is amended by Adding thereto the following intersection:

STREET	DIRECTION	ENTRANCE STREET	TRAFFIC STOPS	SIGN LOCATION
Manlon Terr.	East-West	Ravenswood Terr.	Northbound	S. E. Corner
Manlon Terr.	East-West	Ravenswood Terr.	Southbound	N. W. Corner

Section 2. Time to Take Effect.

(a) These amendments shall take effect immediately except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

These amendments shall apply to all of the Town of Cheektowaga, Erie County, New York, outside of the villages of Depew and Sloan.

Section 4. Publication and Posting.

That these amendments to said Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES, newspapers published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of New York, and affidavits of such publication and posting shall be filed with the Town Clerk, and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson

NAYES: 0

ABSENT: 0

AFFIDAVITS-NEXT PAGE

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STATE OF NEW YORK
COUNTY OF ERIE } ss.

George J. Measer

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Subscri... 6 day

...75

...Marie Mularski

Notar... ...w York

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George J. Measer

Subscribed and sworn to before me this 6 day of February, 1975

Rose Marie Mularski

Notary Public in and for Erie County RoseMarie Mularski

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 75

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Deuchler, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is ..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 6, 1975; last publication .....; and that no more than six days intervened between publications.

Gladys M. Deuchler

Sworn to before me this 7th day of February, 19 75

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

[redacted] a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of February, 1995, at 2:30 o'clock P.M., Eastern Standard Time there were:

PRESENT:

Supervisor Daniel E. Walker

Councilmen:

Felix T. Wroblewski

Frank E. Sedziak

Kenneth J. Mayers

Edward A. Pietrzyk

Raymond J. Wroblewski

Dennis M. Johnson

[redacted]

WHEREAS, this Town Board duly held a [redacted] on the 2nd day of February, [redacted] in the Town of Cheektowaga, [redacted] on July 12, 1994, said [redacted] was duly published [redacted] in accordance with [redacted] a Public Hearing on [redacted] at which time all [redacted] in the matter thereof; [redacted] IT IS RESOLVED as [redacted]

[redacted] that this Town Board [redacted] to the public interest to [redacted] Ordinance of the Town of Cheektowaga, and Code of New [redacted] and

[redacted] by adding thereto [redacted]

[redacted] Section, East- [redacted] Twr.; [redacted] Sign Location- [redacted]

[redacted] Section, Sign Location, East- [redacted] Twr.; [redacted] Sign Location- [redacted]

Section 2. Time to Take Effect.

[redacted] These amendments shall take effect [redacted] except those parts, if any, which are subject to approval under Section 1644 of the Vehicle and Traffic Law of the State of New York.

[redacted] If any part or parts of these amendments require the approval under Section 1644 of the Vehicle and Traffic Law of the State of New York, shall take effect [redacted] the day on which approval is [redacted] is received from the New York State Traffic Commission.

Section 3. Territorial Application

These amendments shall apply to all of the Town of Cheektowaga, Erie County, New York, outside the villages of Depew and Sloan.

Section 4. Publication and Posting.

That these amendments to said Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the Cheektowaga News and in the Cheektowaga TIMES, newspapers published in this Town, and a printed copy [redacted] posted on the signboard maintained by the Town Clerk pursuant to [redacted] of Section 30 of the Town Law of New York, and affidavits of such publication and posting shall be filed with the Town Clerk, and the Town Clerk shall thereafter enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

Upon roll call ....

Supervisor Walker	Voting	AYE
Councilmen:		
Wroblewski	Voting	AYE
Sedziak	Voting	AYE
Mayers	Voting	AYE
Johnson	Voting	AYE
Pietrzyk	Voting	AYE
Wroblewski	Voting	AYE

[redacted]

[redacted] at the Town of Cheektowaga, a town located in the County of Erie, State of New York, were duly held on February 1, 1995, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at Item No. 5, inclusive, of said book.

2. I have compared the attached extract with said minutes as recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of February, 1995.

BENEDICT T. HOLTZ
Town Clerk

III. GENERAL COMMUNICATIONS

Item No. 7 Dennis T. Gorski, Assemblyman; N.Y.S. Public Service Commission - Acknowledging Receipt of Resolution dated 1/2/75 re: Rate Increases requested by the N.Y.S. Electric & Gas Corp. and National Fuel Gas Corp.
Received and Filed.

Item No. 8 Raymond T. Schuler, Commissioner of N.Y.S. Dept. of Transportation - Official Changes in the July 1, 1974 Manual of Uniform Traffic Control Devices.
Referred to Benedict L. Kostrzewski, Chief of Police; Cheektowaga Traffic Safety Commission.

Item No. 9 City Clerk's Office - Copy of Resolution adopted at the Common Council Session of 1/21/75 re: Interest in a County Refuse District.
Referred to Edward Banko, Working Foreman of the Sanitation Department.

Item No. 10 Robert N. Schwartz, Comax Telcom Corp. - Correspondence re: Rate Increase--Cheektowaga Cablevision, Inc.
Referred to John V. Rogowski, Town Attorney.

Item No. 11 L. A. Foy, Mobil Pipe Line Company - Correspondence re: Responsible Officials of Mobil Pipe Line Company to be contacted in the event of an Emergency in the State of New York.
Referred to Chester L. Bryan, Town Engineer.

Item No. 12 Kenneth L. Reitmeier, Deputy Commissioner of Highways - Certificate and Notice of Closing Highway.
Referred to the Cheektowaga Traffic Safety Commission.

Item No. 13 NOTICE OF CLAIM - Joseph Gartler, Sr. vs. Village of Depew, Town of Cheektowaga and County of Erie.
Referred to John V. Rogowski, Town Attorney.

Item No. 14 Joseph S. Gizinski, Superintendent of Sloan Public Schools - Correspondence re: Town Sanitation truck drivers' manner of entering and leaving the Community Disposal area.
Referred to Edward Banko, Working Foreman of the Sanitation Department.

Item No. 15 Residents of Starlite Street - Correspondence re: Drainage problem on Starlite Street caused by Construction of Library.
Referred to Chester L. Bryan, Town Engineer; Alfred Wnek, Cheektowaga Highway Superintendent.

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 16 Building Permits.
Received and Filed.

Item No. 17 Town Clerk's Office - Call for Public Hearing for Rezoning on Dingens Street, Sublots 1-4, at the corner of Crisfield Avenue.

Motion by Councilman Wroblewski, seconded by Supervisor Weber

WHEREAS, John Glian of , West Seneca, New York 14224 has made application and requested the rezoning of property located on Dingens Street, Sublots 1-4, at the corner of Crisfield Avenue from R-Residential to CM-General Commercial District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

Item No. 17 Cont'd

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 17, 1975, at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES:	0
ABSENT:	0

AFFIDAVITS-NEXT PAGE

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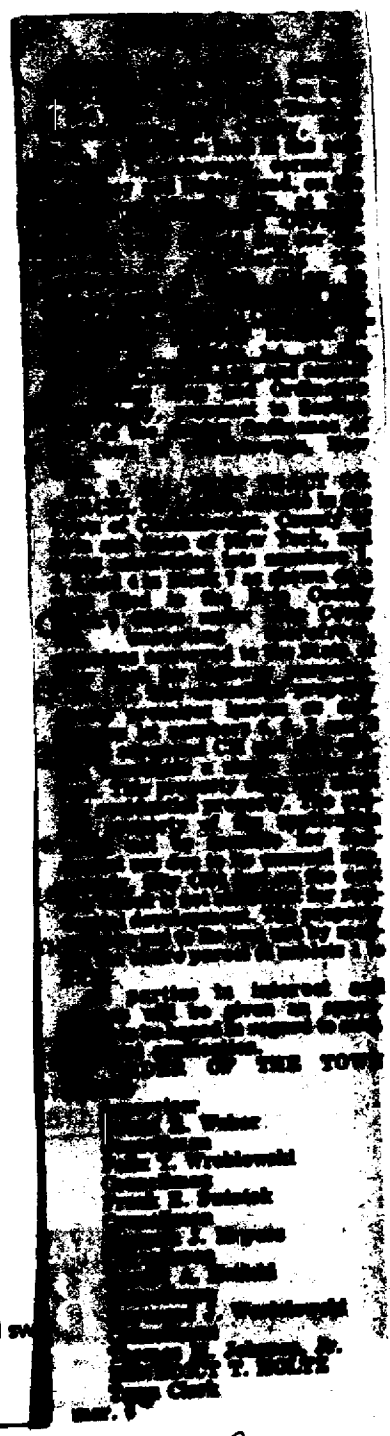

Subscribed and sworn to before me this day of

Myrna Rosen

Notary Public in and for Erie County
Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Form No. 1

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Subscribed and sworn to before me this 6th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County
Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
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My Commission Expires March 30, 1976

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Gladys M. Leachte

Sworn to before me this 7th day of March, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

Town of Cheektowaga, Erie County,
New York, at the Town Hall in the said
Town of Cheektowaga, corner of
Broadway and Union Road, on the 17th
day of March 1975, at 7:35 o'clock P.M.,
Eastern Daylight Savings Time of said
day, for the purpose of considering the
application of John Glass to Rezone from
Residential District to CM-General
Commercial District the property located
at the rear of 3000 Union Road, and
described as Section 74, of the current
Tax Map, and amend the Zoning
Map of the Town accordingly, pur-
suant to Section 10-30 of the Zoning
Ordinance of the Town of Cheektowaga,
New York.

DESCRIPTION

ALL THAT TRACT OR PARCEL OF
LAND situate in the Town of Cheekto-
waga, County of Erie and State of New
York, and being subdivision lots numbers
[illegible] and the Whole of Subdivision of map
filed in the Erie County Clerk's Office
under Map Cover 306, excepting there-
from, premises conveyed to the State of
New York by Highway Deeds
recorded in the Erie County Clerk's
Office in Liber 5127 of Deeds at Page
[illegible] and Liber 5127 of Deeds at Page
[illegible] and Liber 5127 of Deeds at Page
[illegible] and

Item No. 18 Engineering Department - Correspondence and Resolution re: Drainage Studies.

Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, drainage problems exist within the boundaries of the Town of Cheektowaga, AND

WHEREAS, federal revenue sharing funds are available for expenditure within the priority areas of environmental protection and health, AND

WHEREAS, it is the opinion of this Town Board that the long-range drainage program should include photo-mapping, surveying and drainage studies to benefit all areas of the Town of Cheektowaga, AND

WHEREAS, the Town Engineer, in his letter of January 30, 1975, outlined a program for such photo-mapping, surveying and drainage studies for the southeast portion of the Town of Cheektowaga, an area of approximately five thousand, three hundred (5,300) acres, NOW, THEREFORE, BE IT

RESOLVED, that an appropriation of $54,800.00 of federal revenue sharing funds be approved as an initial expenditure in this long-range program of Town-wide drainage improvement with the study to include the scope of work outlined in Nussbaumer & Clarke's letter of December 20, 1974 to the Town Engineer.

***SEE NEXT FEW PAGES

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

STER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

January 30, 1975

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Drainage Studies -
Southeast Cheektowaga

Gentlemen:

As requested by Councilman Meyers, Chairman of the Town's Capital Improvements Committee, we obtained from the firm of Nussbaumer and Clarke, Inc., an up-dated proposal for drainage studies of the southeast portion of the Town. This area of approximately five thousand three hundred (5,300) acres is bounded on the west by Union Road, on the north by Broadway and the southern boundary of the Village of Depew, on the east by Transit Road and on the south by the Town of West Seneca. As you will note from the attached copy of Nussbaumer and Clarke's letter of December 20, 1974, the study is proposed in three (3) parts:

1. Photo-mapping using aerial photographs. Nussbaumer and Clarke would hire Lockwood Mapping Inc, to do the work at a cost of $13,000 to $14,000.

2. Field surveying showing existing streams, ditches and culverts.

3. Report. This will include recommendations of proposed ditch improvements and trunk sewers needed for the as yet undeveloped area, notably along the Losson Road area where sanitary sewer availability is expected at the latter part of 1976. In addition the report will include a drainage study along Maderia Drive which receives storm waters flow from acreage to the south and from the Town of Lancaster on the east.

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

Supervisor and Town Board Members

January 30, 1975

RE: Drainage Studies - Southeast Cheektowaga

The total cost of the project as outlined in the Nussbaumer and Clarke letter is $54,800.00 Such mapping has been done by many communities and would help us to develop a sound drainage system during the further development in this part of our community.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan 1/31/75

Chester L. Bryan, P.E.
Town Engineer

CLB/mjj

enc-1

cc: John Rogowski,
Town Attorney

John Malloy,
Accountant

Item No. 18 Cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

Item No. 19 Cheektowaga Historical Association - Request use of facilities at the Bellevue Center.

Motion by Councilman Swiatek, seconded by Councilman Johnson

WHEREAS, the Cheektowaga Historical Association is growing very rapidly in members and acquisitions, and

WHEREAS, the Associations' files and various other equipment is presently located in several members homes, thus, causing a great inconvenience especially when something is needed in a hurry, NOW, THEREFORE, BE IT

RESOLVED that the members and executive board of the Cheektowaga Historical Association be granted the use of a room at the Bellevue Center on Indian Road for storage of equipment as well as for board and other special meetings.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: 0

*Councilman Swiatek excused himself from the meeting at this point.

V. RESOLUTIONS

Item No. 20 Motion by Councilman Halicki, seconded by Councilman Johnson

WHEREAS, various business matters are presently pending between the Town of Cheektowaga and a number of State agencies and departments in Albany, New York, and

WHEREAS, conferences, meetings and consultations are expected to be held between representatives of the State agencies and Town of Cheektowaga officials to transact business on behalf of the Town during the next several months, therefore, BE IT

RESOLVED that the Town Engineer, Town Attorney and Deputy Town Attorneys be and hereby are authorized to attend such meetings as are necessary to transact business on behalf of the Town for the period ending on July 1, 1975, and BE IT FURTHER

RESOLVED that their reasonable and necessary expenses to attend such meetings in Albany be reimbursed by the Town.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 21 Motion by Councilman Wasielewski, seconded by Councilman Johnson

WHEREAS, the Erie County Department of Environmental Quality has notified the Cheektowaga Town Board of a proposed plan for a comprehensive Erie County program for management of solid wastes within the County, and

Item No. 21 Cont'd

WHEREAS, a key part of the necessary phase of planning is to assess the economic feasibility of the proposed or similar project for the County and its constituent governments, and

WHEREAS, the said Erie County Department of Environmental Quality is applying for funds under the Environmental Quality Bond Act to plan, design, and ultimately construct a resource-recovery facility for management of solid wastes within the County and has requested a letter of intent by the Town of Cheektowaga to participate in the use of said facility, therefore, BE IT

RESOLVED that the Supervisor by and hereby is authorized to submit a letter of intent to the Erie County Department of Environmental Quality on behalf of the Town to participate in the use of the facility, provided that the detailed economic studies show that our use of the facility will be more economical for us than our present methods of disposal of our municipal wastes.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 22 Motion by Councilman Halicki, seconded by Supervisor Weber

WHEREAS, the Town of Cheektowaga has developed substantial additions to their plant and equipment during the last five (5) years, and

WHEREAS, a comprehensive inventory and appraisal of Town owned assets is not available, and

WHEREAS, the accounting consultant, Percival G. Bixby & Co., CPA's have recommended an equipment inventory be developed as an initial step in inventory control procedures, and

WHEREAS, current appraisal values will provide valuable data for insurance conditions, and

WHEREAS, current appraisal values will provide a data base for sophistication in developing program cost accounting, therefore, be it

RESOLVED that the Supervisor is authorized to enter into a contract with the national professional appraisal firm, Industrial Appraisal Company authorizing an appraisal as outlined in their proposal dated December 13, 1974 for a full first year cost of $11,680.00. This amount to be provided from the line item "A-1220.459 - Supervisor's Department - Asset Appraisal Service" which provides an appropriation of $12,000 for such services.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki and Wasielewski
NAYES: Councilman Johnson
ABSENT: Councilman Swiatek

Item No. 23 Motion by Councilman Halicki, seconded by Councilman Meyers

WHEREAS, the Town of Cheektowaga 1975 budgetary levies caused significant real property tax increases, and

WHEREAS, the current state of the economy in the Western New York area includes substantial unemployment and individual hardships, and

WHEREAS, the 1975 Town budgets included only minimal funding for overtime labor costs, and

WHEREAS, it is the desire of this Town Board to generate unexpended appropriation balances to assist in financing the 1976 Town budgets, it is hereby

Item No. 23 Cont'd

RESOLVED that all Town Heads cease in their authorization of overtime services with the sole exception being "emergency conditions", and BE IT FURTHER

RESOLVED that all such emergency authorizations made, be reported in detail to the full Town Board on a report form to be designed by the accounting consultants, Percival G. Bixby & Co., CPA's.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 24 Motion by Councilman Wasielewski, seconded by Supervisor Weber

WHEREAS, the next regular meeting of this Town Board would normally be held on Monday, February 17, 1975, and

WHEREAS, said Monday, February 17, 1975 is a legal holiday in celebration of Washington's Birthday, now, therefore, BE IT

RESOLVED that the next regular Town Board meeting will be held on Tuesday, February 18, 1975.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 25 Motion by Councilman Meyers, seconded by Councilman Johnson

WHEREAS, ITA BUFFALO LIMOUSINE, INC. has petitioned this Town Board for consent to operate a bus route in and along certain public streets in the Town of Cheektowaga as more particularly set forth in the following Notice of Hearing, to wit:

NOTICE OF HEARING

NOTICE is hereby given pursuant to Section 64, Subdivision 7 of the Town Law of New York, that a hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York, in the Council Chambers of the Town Hall, located at the corner of Broadway and Union Road in said Town, on Monday, March 3, 1975 at 2:30 o'clock p.m., Eastern Daylight Saving Time, for the purpose of considering and hearing all persons interested in the petition of ITA BUFFALO LIMOUSINE, INC. for consent to operate a bus route in and along the following highways in the Town of Cheektowaga, to wit:

ON	BETWEEN	AND
In the Town of Cheektowaga		
Genesee Street	Kensington Expressway	Entrance and exit of Greater Buffalo International Airport
Kensington Expressway	Genesee Street	Easterly Buffalo City Line

BY ORDER OF THE TOWN BOARD, TOWN OF CHEEKTOWAGA, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

Item No. 25 Cont'd

BE IT RESOLVED that the Town Clerk be and he hereby is directed to publish the foregoing notice in the CHEEKTOWAGA NEWS and CHEEKTOWAGA TIMES on February 20, 1975.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson

NAYES: 0

ABSENT: Councilman Swiatek

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

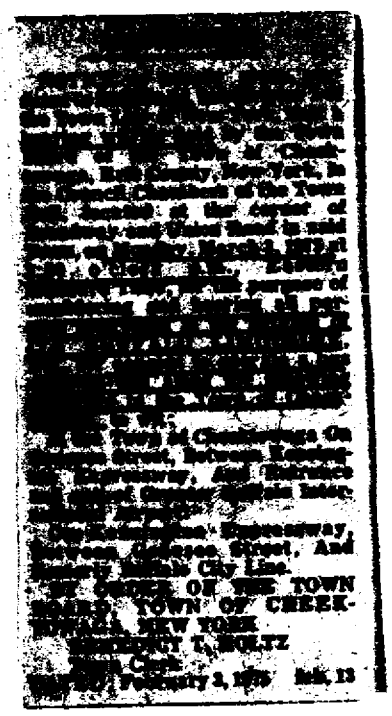
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 13 day of February, 19 75, and the last insertion being on the same day of same, 19 .


...ORDER OF THE TOWN
...TOWN OF CHEEK-
...NEW YORK
...ROBERT T. HOLTZ
...Clerk
...February 3, 1975 Adv. 13

Subscribed and sworn to before me this 13 day of February, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 19 76

George J. Measer

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Luckhaus, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 13, 1975; last publication ; and that no more than six days intervened between publications.

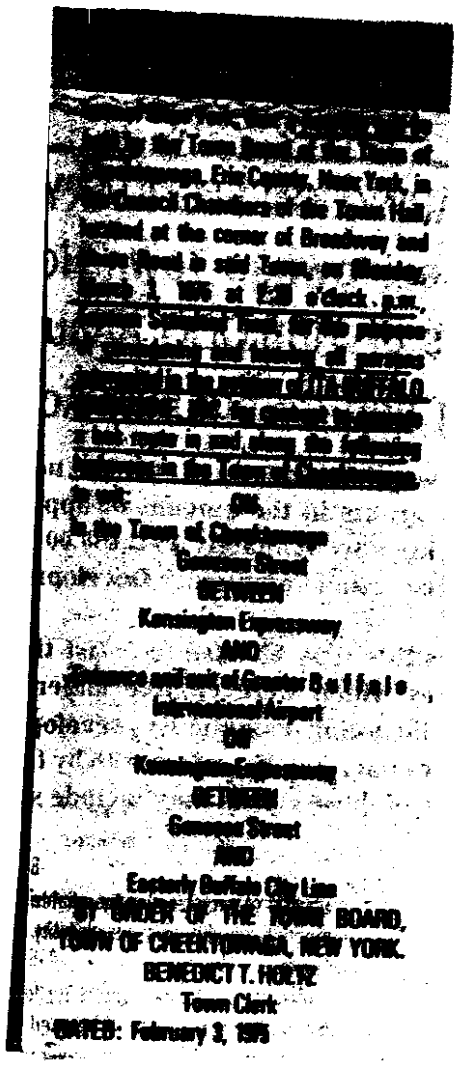
Gladys M. Luckhaus

Sworn to before me this 14th day of February, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975


In the Town of Cheektowaga
Genesee Street
BETWEEN
Kensington Expressway
AND
Easterly Buffalo City Line
BY ORDER OF THE TOWN BOARD,
TOWN OF CHEEKTOWAGA, NEW YORK.
BENEDICT T. HOEYE
Town Clerk
DATED: February 3, 1975

Item No. 26 Motion by Councilman Wroblewski, seconded by Councilman Johnson

RESOLVED that the following individuals be and hereby are authorized to attend the annual Association of Towns Convention, held in New York City on February 10th, 11th and 12th, 1975, and that their reasonable and proper travel expenses be reimbursed by the Town:

All Elected Officials
Town Attorney or Deputy
Town Engineer
Police Chief
Town Historian
Public Works Foreman
Planning Board Chairman
Acting Parks Director
Building Inspector or Deputy
Court Clerk
Town Clerk or Deputy
Tax Collector or Deputy
Chief Assessor or Deputy

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 27 Motion by Councilman Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is eligible for funds under the 1974 Housing and Community Development Act, and

WHEREAS, the Town of Cheektowaga has entered into a consortium with the County of Erie to better procure these funds, and

WHEREAS, the Town of Cheektowaga, as informed by the County of Erie and required by the rules and regulations governing the Community Development Block Grants, must hold a public hearing on or before the 14th of February, for the purpose of: (a) providing citizens with adequate information concerning the amount of funds available for proposed community development and housing activities, the range of activities that may be undertaken, and other important program requirements; and (b) providing citizens an adequate opportunity to participate in the development of the application and in the development of any revisions, changes, or amendments, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on Friday, the 14th day of February, at 6:30 P.M., Eastern Standard Time, at Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the above said purpose, and, BE IT

FURTHER RESOLVED that notice of such hearing be published in the CHEEKTOWAGA TIMES and the DEPEW HERALD, CHEEKTOWAGA NEWS on Thursday, the 6th of February, 1975.

* *

L E G A L N O T I C E

NOTICE is hereby given that a hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York, in the Council Chambers of the Town Hall, located at the corner of Broadway and Union Road in said Town, on Friday, February 14th, 1975 at 6:30 o'clock p.m., Eastern Standard Time, for the purpose of:

(a) providing citizens with adequate information concerning the amount of funds available under the 1974 Housing and Community Development Act for proposed community development and housing activities, the range of activities that may be undertaken, and other important program requirements; and

Item No. 27 Cont'd

(b) providing citizens an adequate opportunity to participate in the development of the application and in the development of any revisions, changes or amendments.

BY ORDER OF THE TOWN BOARD, TOWN OF CHEEKTOWAGA, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 3, 1975

* *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson

NAYES: 0

ABSENT: Councilman Swiatek

AFFIDAVITS-NEXT PAGE

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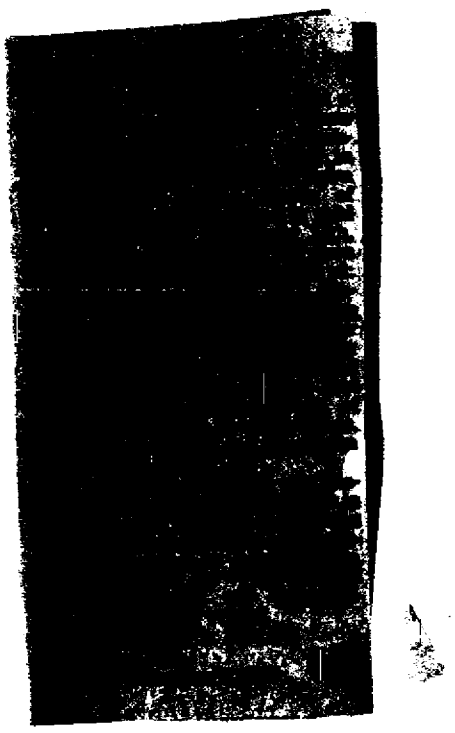
STATE OF NEW YORK }
COUNTY OF ERIE } ss.



George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6 day of February, 1975, and the last insertion being on the same day of same, 19.....

George J. Measer

Subscribed and sworn to before me this 6 day of February, 1975

RoseMarie Mularski

Notary Public in and for Erie County

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 75

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Seehuter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication February 6 1975; last publication ; and that no more than six days intervened between publications.

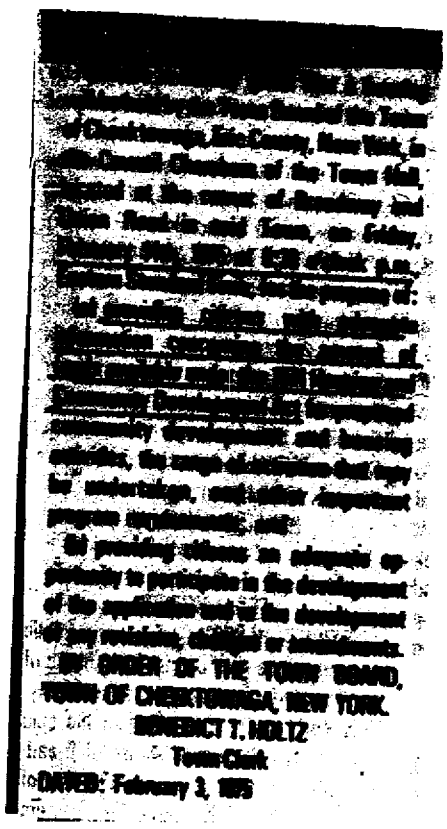
Gladys M. Seehuter

Sworn to before me this 7th day of February, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975



BY ORDER OF THE TOWN BOARD,
TOWN OF CHEEKTOWAGA, NEW YORK.
BENEDICT T. HOLTZ
Town Clerk
DATED: February 3, 1975

Item No. 28 Motion by Councilman Halicki, seconded by Councilman Meyers

WHEREAS, the American Management Association and the National Training and Development Service is conducting a two and a half day seminar, February 5th, 6th and 7th, 1975, in Washington, D.C., on the modern application of management for government, and

WHEREAS, the primary purpose of the seminar is to provide information on increasing the managerial effectiveness of local government, THEREFORE, BE IT

RESOLVED that Councilman Frank E. Swiatek be authorized to attend the said seminar and BE IT

FURTHER RESOLVED that the reasonable and necessary expenses be paid by the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki and Wasielewski
NAYES: Councilman Johnson
ABSENT: Councilman Swiatek

Item No. 29 Motion by Councilman Meyers, seconded by Councilman Johnson

WHEREAS, the Grantsmanship Training Program is an intensive, one-week small group workshop in the science of acquiring federal aid, and

WHEREAS, all aspects of federal aid will be covered, and

WHEREAS, Jerome J. Gabryszak is an Administrative Trainee under C.E.T.A. Program whose chief responsibility is the acquiring of federal and state aid for the Town of Cheektowaga, and

WHEREAS, his full expenses for the said seminar will be covered by the Comprehensive Employment Training Act, NOW, THEREFORE, BE IT

RESOLVED that Jerome J. Gabryszak is authorized to attend said seminar, to be held in New York City on February 24th, 25th, 26th, 27th and 28th.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 30 Motion by Councilman Meyers, seconded by Councilman Halicki

WHEREAS, the Cheektowaga Town Council has demonstrated a need for a full-time secretary, and

WHEREAS, the funds for a full-time secretary have been appropriated in the 1975 Town budget, NOW, THEREFORE, BE IT

RESOLVED that Diane Farugia, who is presently a clerk-stenographer in the Youth Board office, be transferred to the Town Council at her current rate of $7,738.43, annual salary.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 31 Motion by Councilman Meyers, seconded by Supervisor Weber

WHEREAS, the Cheektowaga Parks Department has demonstrated a need for a part-time secretary, and

Item No. 31 Cont'd

WHEREAS, Lorraine Stachewicz is presently serving as part-time secretary to the Town Council, NOW, THEREFORE, BE IT

RESOLVED that Lorraine Stachewicz be transferred to the Parks Department as a part-time secretary at her current rate of pay of $4,620.00, annual salary.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 32 Motion by Councilman Halicki, seconded by Supervisor Weber

WHEREAS funds are presently available under the Comprehensive Employment Training Act of 1973, Title II, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, established by the department head:

Laborer at Depew Central School District at a rate of $3.75 per hour

David L. Nowakowski

Clerk-Typist at Depew Central School District at a rate of $6,488.25 per year

Marie H. Manley
Dianne G. Mucha

Clerk-Typist at United Rubber Workers, 19 Pauline Street, Bflo., at a rate of $6,488.25 per year

Barbara A. Kominiarek

Laborer at the Village of Sloan at the rate of $3.75 per hour

Timothy E. Wyzykowski

Clerk-Typist at the Village of Sloan at the rate of $6,488.25 per year

Suzanne L. Tarnek

Laborer in the Sanitation Department at a rate of $3.75 per hour

Bradley W. Colgrove
Paul J. Stallone

Laborer in the Erie County Division of Sewage Management, Department of Environmental Quality at a rate of $3.75 per hour

Edward S. Pastewski

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 33 Motion by Councilman Meyers, seconded by Councilman Wroblewski

WHEREAS funds are presently available under the Comprehensive Employment Training Act of 1973, Emergency Jobs Program Title VI, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the

Item No. 33 Cont'd

positions listed below, at a salary rate as specified, effective the 3rd day of February, 1975 starting dates to be established by the department head:

Laborer in the Maintenance Department at a rate of $3.75 per hour

Richard Rogalski
Warren A. Ahl

Laborer in the Parks Department at a rate of $3.75 per hour

Ronald W. Lease
David C. Tarapacki

Laborer in the Highway Department at a rate of $3.75 per hour

Kenneth J. Dojka

Laborer in the Utility Department at a rate of $3.75 per hour

Stanley Hinca

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 34 Motion by Councilman Meyers, seconded by Councilman Wroblewski

RESOLVED that Gregory Zadrozny of , Cheektowaga and Gary Grote of , Cheektowaga be and are hereby hired as Recreation Attendants at the rate of $2.50 per hour, to be called when needed, by the Recreation Department.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 35 Motion by Councilman Meyers, seconded by Supervisor Weber

RESOLVED that Barbara Jo Staebell, residing at , Cheektowaga, be hired to take the place of Pamela Andrzejewski in the Cleveland Hill Recreation Program (C.A.T.C.H.) at the rate of $2.15 per hour, effective immediately.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 36 Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

WHEREAS, there is a need for a Caretaker in the Cheektowaga Building Maintenance Department, and

WHEREAS, the necessary "PO-17" forms required by the Erie County Personnel Department have been completed and received by the Town, NOW, THEREFORE, BE IT

RESOLVED that the position of Caretaker, full time, be and hereby is created in the Cheektowaga Building Maintenance Department, and be it further

Item No. 36 Cont'd

RESOLVED that said position be posted in accordance with Article 18, Section 1 (b - d inclusive) of the Agreement between the Town of Cheektowaga and Local 1026, American Federation of State, County and Municipal Employees AFL-CIO, prior to the naming of appointment to said position.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 37 Motion by Councilman Meyers, seconded by Councilman Wroblewski

WHEREAS, there is need for a second ice resurfacer for use at the Town Recreation Center, such need outlined in the letter dated January 31, 1975 from Mr. James Matecki, Acting Parks Director, NOW, THEREFORE, BE IT

RESOLVED that this request is granted and that the Town Clerk is directed to publish a Notice to Bidders for the furnishing of an ice resurfacer, notice to be published in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA NEWS, and BE IT FURTHER

RESOLVED, that the Town Board meet on the 3rd day of March, 1975, at 2:30 P.M. Eastern Daylight Saving Time at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publically opened by the Town Board at a public meeting called for that purpose.

* *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 3, 1975, at 2:30 P.M. at the Town Hall, corner of Broadway and Union Roads, for the furnishing of an ice resurfacer.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 3, 1975

* *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

AFFIDAVITS-NEXT PAGE

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STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

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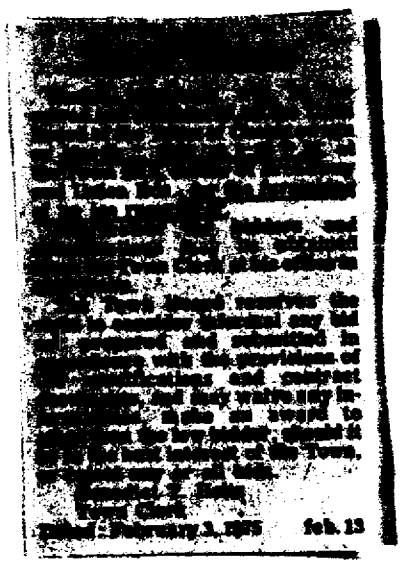


Subscribed and sworn to before me this 13 day of February, 1975

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sackett, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 13, 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Sackett

Sworn to before me this 14th day of February, 1975

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public State of New York
Qualified in Erie County
My Commission Expires March 30, 19 75

Item No. 38 Motion by Councilman Meyers, seconded by Councilman Wasielewski

WHEREAS, bids were to be opened at regular Town Board Meetings held on January 2, 1975 and January 20, 1975 relative to a Sporting Goods Shop Concession to be located in the Cheektowaga Recreation Center, and

WHEREAS, no bids were received for this specific item at either of the Town Board Meetings, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk of the Town of Cheektowaga be and hereby is directed to republish a Notice to Bidders relative to a Sporting Goods Shop Concession to be located in the Cheektowaga Recreation Center, Cheektowaga Town Park, Cheektowaga, New York. Specifications may be obtained at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York; said Notice to be republished in the CHEEKTOWAGA NEWS and CHEEKTOWAGA TIMES on the 6th day of February, 1975.

* *

N O T I C E | T O B I D D E R S

Sealed bids will be received and considered by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 7:30 p.m. Eastern Standard Time, on February 18th, 1975, and said bids will be opened at said time and place, for the operation of a Sporting Goods Shop Concession to be located in the Cheektowaga Recreation Center, Cheektowaga Town Park, Cheektowaga, New York. Information for bidders and specifications may be obtained from the Town Clerk's Office located in the Town Hall, Broadway and Union Road, Cheektowaga, New York.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 3rd, 1975

* *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

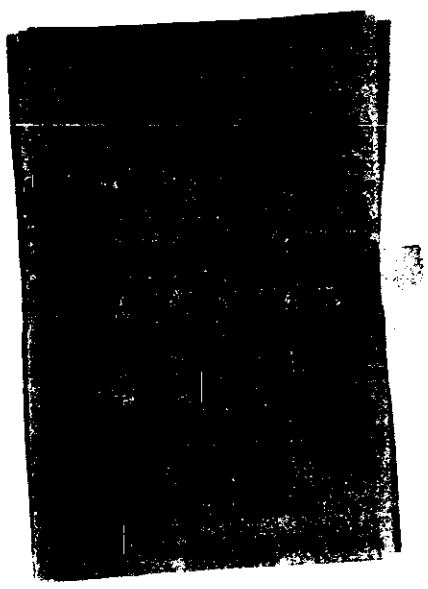
Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE } ss.



George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6 day of February, 19 75 and the last insertion being on the same day of same, 19 .

Subscribed and sworn to before me this 6 day of February, 19 75

George J. Measer

Rose Marie Mularski

Notary Public in and for Erie County RoseMarie Mularski

ROSE MARIE MULARSKI
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1974

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Leubner, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 6, 1975; last publication ; and that no more than six days intervened between publications.

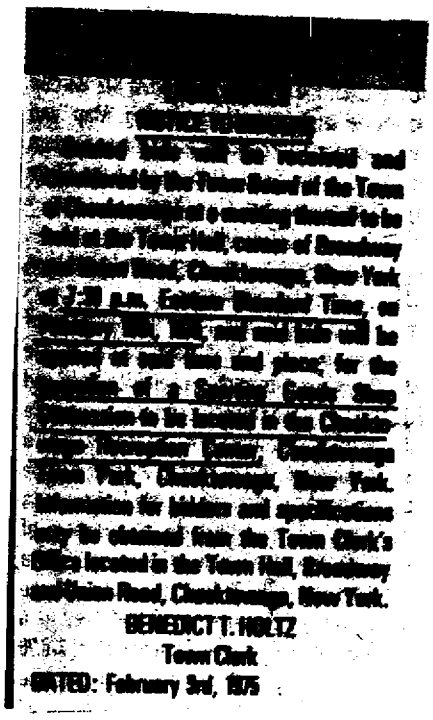
Gladys M. Leubner

Sworn to before me this 7th day of February, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public State of New York
Qualified in Erie County
My Commission Expires March 30, 1975



BENEDICT T. HOLTZ
Town Clerk
DATED: February 3rd, 1975

Item No. 39 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED, that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending February 3, 1975, be and hereby are approved and that Supervisor pay said warrants:

FUND	FROM	TO	AMOUNT
General	7707	7717	$ 899,677.08
	1	143	46,164.36
Part Town	480	483	4,681.97
	1	6	171.98
Highway	6749	6750	387,074.97
	1	43	12,218.74
Special Districts	2380	2384	427,225.03
	1	46	66,650.53
Federal Revenue Sharing	--	--	300,000.00
Trust and Agency	233	244	935,543.27
Construction & Improvement	476	--	250,000.00
	1	4	14,562.70
			$3,343,974.63

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

* * * * * * * * * * *

Motion by Councilman Meyers, seconded by Supervisor Weber to Waive the Rules.

* * * * * * * * * * *

VI. SUSPENSION OF RULES

Item No. 40 Request Congress of U.S. to support impoundment resolution to restore $50 million to "701 Comprehensive Planning & Management Assistance Program".

Motion by Councilman Meyers, seconded by Councilman Johnson

WHEREAS, the Erie and Niagara Regional Planning Board has been designated as the areawide agency for conducting studies and preparing plans promulgated by Federal law, and in fulfilling the areawide review requirements described in the Office of Management and Budget Circular Number A-95, and

WHEREAS, this Regional Planning Board has fulfilled these requirements through the use of funds provided under the United States Department of Housing and Urban Development "701 Comprehensive Planning and Management Assistance Program," and

WHEREAS, should these funds be cut back in the magnitude of $50 million for fiscal year 1975 as proposed by the President of the United States, it would seriously jeopardize, and possibly cause to be discontinued, areawide planning efforts, NOW, THEREFORE, BE IT

Item No. 40 Cont'd

RESOLVED, that the Cheektowaga Town Board would respectfully request that the Congress of the United States, at its earliest opportunity, support an impoundment resolution to restore the $50 million to the 701 Comprehensive Planning and Management Assistance Program for fiscal year 1975, and BE IT

FURTHER RESOLVED that a copy of this resolution be transmitted to Senator James L. Buckley, Senator Jacob K. Javits, Congressman Jack E. Kemp, Congressman John J. LaFalce, and Congressman Henry J. Nowak.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 41 Advertise for bids for furnishing of baseballs & bats for the Town of Cheektowaga Recreation Department.

Motion by Councilman Meyers, seconded by Councilman Wroblewski

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of baseballs and bats to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of Benedict T. Holtz, Town Clerk; said notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 2:30 P.M., Eastern Daylight Saving Time on March 3, 1975 for the purpose of properly opening and reading the sealed bids.

* *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 3, 1975, at 2:30 P.M. Eastern Daylight Saving Time at the Town Hall, corner of Broadway and Union Road, for Baseballs and Bats.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 3, 1975

* *

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

AFFIDAVITS-NEXT PAGE

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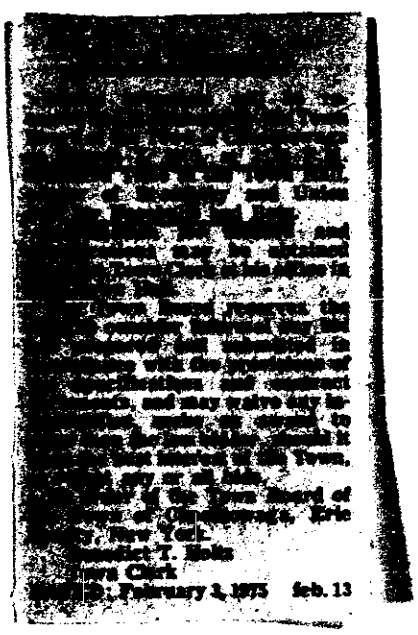
5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 13 day of February, 19 75, and the last insertion being on the same day of same, 19.....


...February 3, 1975 feb. 13

Subscribed and sworn to before me this 13 day of February, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
Expires March 30, 1976

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sackett of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 13, 1975;
last publication ;
and that no more than six days intervened between publications.

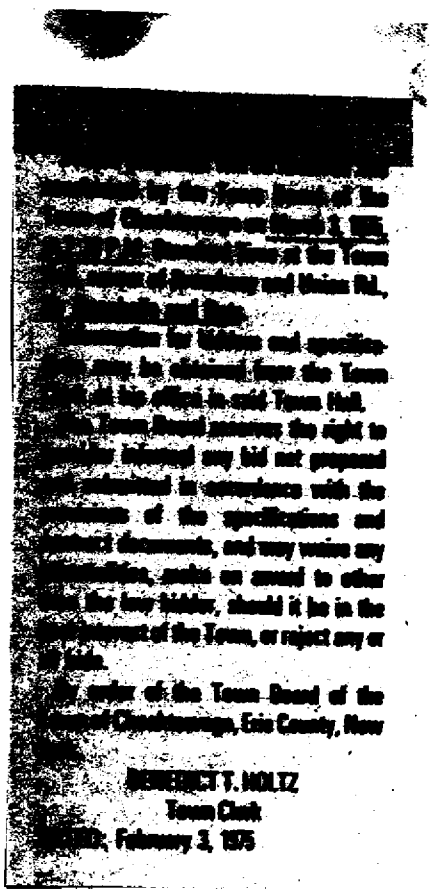
Gladys M. Sackett

Sworn to before me this 14th
day of February, 1975

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975



[illegible] by the Town Board of the
[illegible] Cheektowaga on March 3, 1975,
[illegible] the proposed lease of the Town
[illegible] premises at the Town
[illegible] Maintenance and Storage Bldg.,
[illegible] Broadway, and that
[illegible] bidders and that
[illegible] proposals by bidders and specifica-
[illegible] may be obtained from the Town
[illegible] at his office in said Town Hall.
[illegible] Town Board reserves the right to
[illegible] reject any bid not prepared
[illegible] submitted in accordance with the
[illegible] provisions of the specifications and
[illegible] contract documents, and may waive any
[illegible] informalities, and to award to other
[illegible] than the low bidder, should it be in the
[illegible] best interest of the Town, or reject any or
[illegible] all bids.

By order of the Town Board of the
Town of Cheektowaga, Erie County, New
York.

ROBERT T. HOLTZ
Town Clerk
Dated: February 3, 1975

Item No. 42 Memorialize U.S. Postal Service & Congressman Kemp to intervene in our behalf for the purpose of obtaining an additional post office station & mail drop boxes.

Motion by Supervisor Weber, seconded by Councilman Wasielewski

WHEREAS, the United States Postal Service has only one Post Office Station located within the Town of Cheektowaga, and

WHEREAS, the need of an additional Post Office station is apparent in view of inquiries made to the Town and in view of the large population within the Town, and

WHEREAS, requests have been made for additional mail drop boxes within the Town, and

WHEREAS, the Town of Cheektowaga is one of the largest towns in Erie County and deserving of specific identity, recognition and consideration in the United States Postal Service, therefore, BE IT

RESOLVED that the Town Board hereby requests and demands that all mail dispatched from within the Town boundaries and to be delivered to persons residing within the Town boundaries outside the Village of Depew, be permitted to use a Town of Cheektowaga post office address to avoid confusion and delay, and BE IT FURTHER

RESOLVED that the Town Board hereby memorializes the United States Postal Service and Congressman Jack F. Kemp to intervene on behalf of the Town with the proper postal authorities and committees for the purpose of obtaining an additional Post Office Station and additional mail drops within the township, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Congressman Jack F. Kemp.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Councilman Swiatek

Item No. 43 Memorialize U.S. Corps of Engineers & Congressman Kemp to intervene in our behalf to get the Cayuga Creek Project started.

Motion by Councilman Meyers, seconded by Councilman Johnson

WHEREAS, the residents of the Town of Cheektowaga have been plagued by constant flooding, and

WHEREAS, one of the main sources of flooding is Cayuga Creek, and

WHEREAS, the U.S. Army Corps of Engineers has made a study of the problems involved in correcting the flooding conditions arising out of Cayuga Creek, and

WHEREAS, no date has been set for the project that would alleviate the flooding conditions, therefore, BE IT

RESOLVED that the Town Board hereby memorializes the U.S. Army Corps of Engineers and Congressman Jack F. Kemp to intervene on behalf of the Town with the proper authorities and take such action as is necessary to have the U.S. Army Corps of Engineers start the Cayuga Creek project, and, BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to the U.S. Army Corps of Engineers and Congressman Jack F. Kemp.

Item No. 43 Cont'd

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Wroblewski, Meyers, Halicki, Wasielewski and Johnson

NAYES: 0

ABSENT: Councilman Swiatek

Item No. 44 Motion by Councilman Halicki, seconded by Councilman Wasielewski to adjourn the meeting.

BENEDICT T. HOLTZ
Town Clerk

SPECIAL MEETING NO. 4

TOWN OF CHEEKTOWAGA
February 14, 1975

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 14th day of February, 1975 at 6:30 o'clock P.M., Eastern Standard Time there were:

PRESENT: Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson

ABSENT: Supervisor Daniel E. Weber

Also present were: Benedict T. Holtz, Town Clerk; John V. Rogowski, Town Attorney; Jim Kirisits, Deputy Town Attorney; Robert Miller, Deputy Town Attorney; Chester L. Bryan, Town Engineer.

Item No. 1A Motion by Councilman Swiatek, seconded by Councilman Wasielewski

BE IT RESOLVED that in the absence of Supervisor Daniel E. Weber, Councilman Felix T. Wroblewski will act as chairman of this special meeting.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 2 This was the time and place advertised for a public hearing on the amount of funds available under the 1974 Housing and Community Development Act. The Chairman directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Chairman, such proof was duly filed.

The Chairman announced that the Town Board would hear all persons interested in the subject of the hearing. After providing citizens with adequate information concerning the amount of funds available for proposed community development and housing activities and providing adequate opportunity for citizens to participate in the development of the application and in the development of any revisions, changes or amendments, the Chairman declared the hearing closed.

Item No. 3 Call for Public Hearing on Environmental Assessment as required by the Federal Environmental Protection Agency.

Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga has approved Part E of the Wastewater Facilities Report for abating pollution in service area served by the Town's Water Pollution Control Plant No. 5, said Part E dated February 1974, AND

WHEREAS, the Federal Environmental Protection Agency on February 23, 1973 promulgated rules and regulations pertaining to such pollution abatement programs requiring an environmental assessment hearing to be held during the preparation of said statement, AND

WHEREAS, by letter of May 22, 1973, to the Supervisor and Town Board the Erie Niagara County Regional Planning Board has advised the Town of such requirements and has indicated that their planning material is available to the Town for its

Item No. 3 Cont'd

use, NOW, THEREFORE, BE IT

RESOLVED, that the Consulting Firm of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202, is hereby authorized and directed to prepare the required environmental assessment statement and to assist the Town in receiving and reviewing input at the required environmental assessment hearing with compensation for such work hereby authorized on a per diem schedule basis, AND BE IT FURTHER

RESOLVED that a public hearing be held on the environmental assessment as required by said Federal Environmental Protection Agency on March 21, 1975, at 7:30 P.M. Eastern Daylight Saving Time at the Cheektowaga Town Hall, AND, BE IT FURTHER

RESOLVED that the Town Clerk is hereby directed to publish in the Buffalo Evening News, the Buffalo Courier Express, the Cheektowaga Times and the Cheektowaga News a Notice for Public Hearing not less than 30 days prior to the date of the hearing and that the Town Clerk post conspicuously or cause to be posted conspicuously said Notice for a Public Hearing on the signboard of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law not less than 30 days prior to the date fixed for such hearing.

* *

P U B L I C N O T I C E

PLEASE TAKE NOTICE THAT, in complaince with the United States Environmental Protection Agency's Rules and Regulations, the Town of Cheektowaga acting on behalf of the Town of Cheektowaga's Sewer Districts 2, 4, 5, 6, 7, 7 Ext. 1 and 2, including the Buffalo International Airport, and a portion of the Village of Depew affected, has called for a public hearing, on the proposed Sewage Disposal System in District 5 with related sewer work, to be held on March 21, 1975 at 7:30 P.M. at the Town Hall, Broadway and Union Road, Cheektowaga, New York.

This project shall provide sewage service for the residents, industry, commercial establishments to the north half of the Town of Cheektowaga, the Niagara Frontier Transportation Authority facilities including the Buffalo International Airport, and the westerly portion of the Village of Depew.

Briefly, the project consists of discontinuing the treatment of sewage at Water Pollution Control Plant No. 5 and conveying the untreated municipal wastes, by pumping, to the Buffalo Sewer Authority for treatment.

The existing facilities at Water Pollution Control Plant No. 5 will be converted into a pump station and an overflow retention facility for wet weather flows.

In addition, the project will involve the construction of trunk and interceptor sewers, relief sewers and sewer rehabilitation work.

This hearing is open to all. The public, all interested organizations, Municipalities, Environmental and Conservation groups, Planning agencies and other, are encouraged to speak for or against the project. One of the purposes of this hearing is to discuss the environmental effects of the project.

Documents and plans are available for inspection to all interested parties at the Town Engineer's Office, Town Hall, Broadway and Union Road, Town of Cheektowaga, Monday through Friday from 9:00 A.M. to 4:30 P.M.

If additional information is required, please contact the Town Engineer of Cheektowaga whose telephone number is 683-2200.

Written statements are welcome; however, verbal presentations will be noted and given equal consideration, since all persons will be given an opportunity to be heard at this hearing.

Item No. 3 Cont'd

Please mail all statements to:

Mr. Chester L. Bryan, P.E.
Town Engineer
Town of Cheektowaga, Town Hall
Broadway and Union Road
Cheektowaga, New York 14227

BENEDICT T. HOLTZ
Town Clerk

DATED: February 14, 1975

* *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

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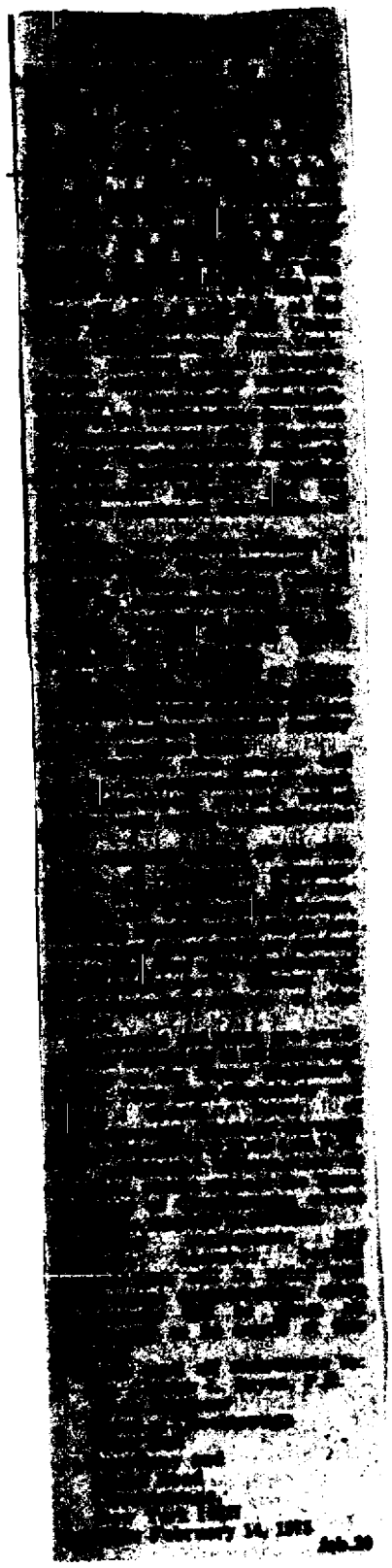
STATE OF NEW YORK }
COUNTY OF ERIE } ss.



George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20 day of February, 1975, and the last insertion being on the same day of same, 19.....

George J. Measer

Subscribed and sworn to before me this 20 day of February, 1975

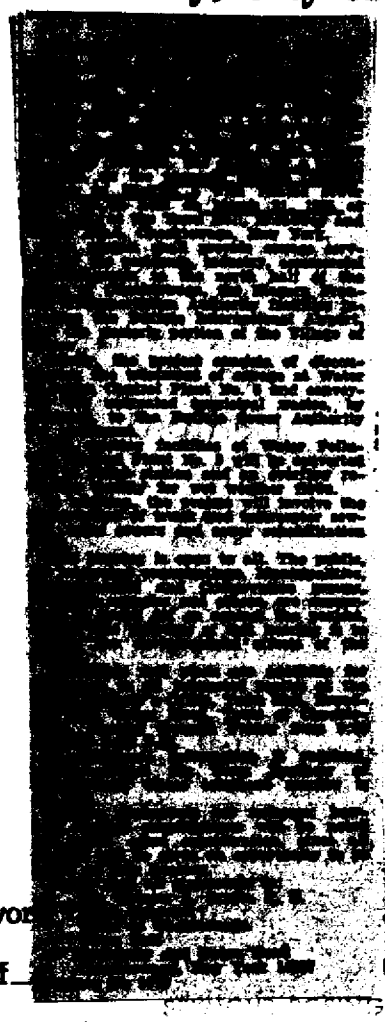
Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

Form No. 1

STATE OF NEW YORK
Erie County, City of Buffalo, } ss.



Alice Anderson

of the City of Buffalo, being duly sworn, deposes and says, that he is chief clerk in the office of BUFFALO COURIER-EXPRESS, a daily newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ____ weeks the first insertion being on the 19 day of February 19 75 and the last insertion being on the ____ day of ____, 19 , and not more than ____ days intervened between any two publications thereof.

Alice Anderson

Swor[illegible] day
of [illegible] 75

[illegible] New York

Notary Public, Erie County, N.Y.
My [illegible] March 30, 19[illegible]

Form 45-69

Sworn to before me this 20th day
of February 1975

Robert L. Moore

ROBERT L. MOORE
Notary Public, State of N[illegible]
Qualified in Erie County
Notary Public, Erie County, N.Y.
My Commission Expires March 30, 1975

Addyston Mill Co. Advertising

Sworn to before me this 21st
day of February, 1975

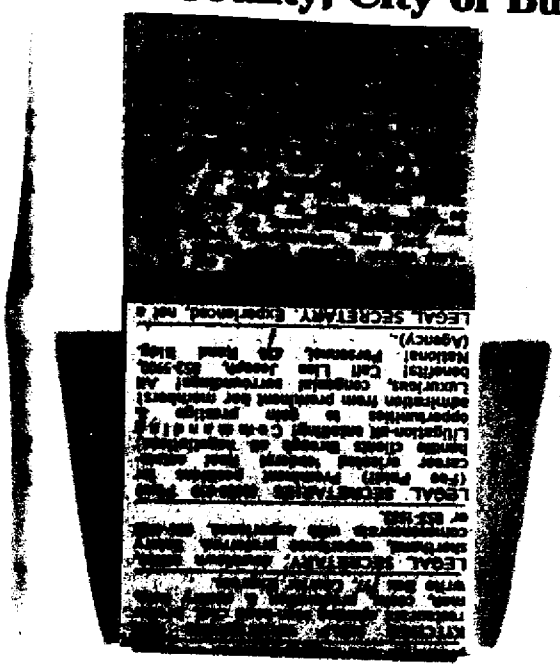
Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

STATE OF NEW YORK

Erie County, City of Buffalo, } ss.



Alice Anderson

of the City of Buffalo, being duly sworn, deposes and says, that he is chief clerk in the office of BUFFALO COURIER-EXPRESS, a daily newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for _____ weeks the first insertion being on the 19 day of February 19 75 and the last insertion being on the _____ day of _____, 19 , and not more than _____ days intervened between any two publications thereof.

Sworn before me this 20 day of February 19 75

Alice Anderson

SEYMOUR ROSING
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Notary Public, Erie County, N.Y.

Form 43-GP

Sworn to before me this 20th day of February 19 75

Robert L. Moore

ROBERT L. MOORE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30 1975

Notary Public, Erie County, N.Y.

Madelyn M. Schaller

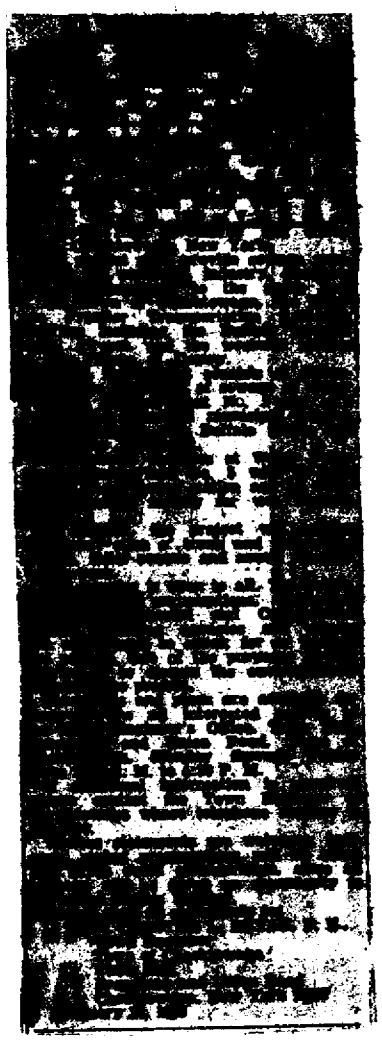
Sworn to before me this 21st day of February, 19 75

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

State of New York
ERIE COUNTY
CITY OF BUFFALO } ss.



Ronald F. Baron

of the City of Buffalo, New York, being duly sworn, deposes and says that he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~xxxx

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

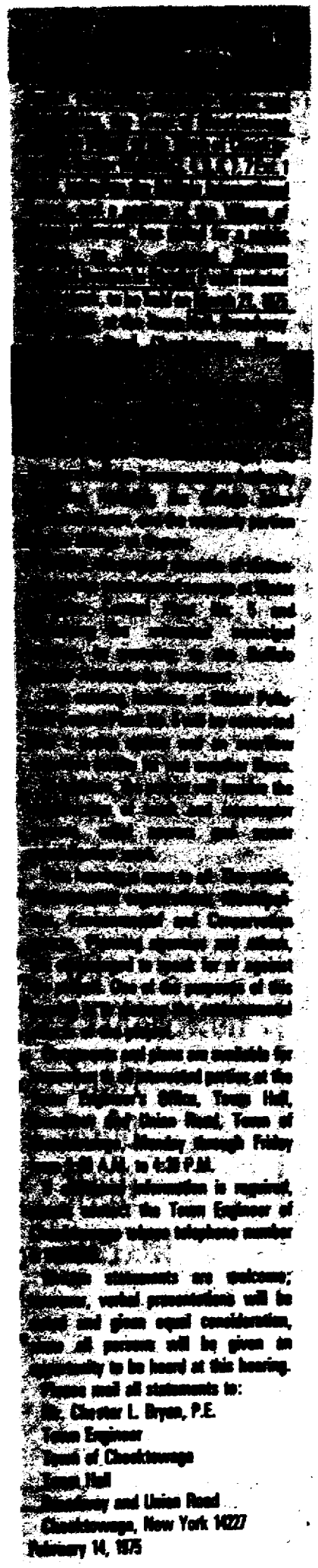
Gladys M. Sechster, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 20, 1975;
last publication ;
and that no more than six days intervened between publications.

Gladys M. Sechster

Sworn to before me this 21st
day of February, 1975
Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975



[redacted] and plans are available for
[redacted] at the
[redacted] Office, Town Hall,
[redacted] Union Road, Town of
[redacted], Monday through Friday
[redacted] A.M. to 4:30 P.M.

[redacted] information is required,
[redacted] the Town Engineer of
[redacted] whose telephone number
[redacted].

[redacted] statements are welcome;
[redacted], verbal presentations will be
[redacted] and given equal consideration.
[redacted] all persons will be given an
[redacted] to be heard at this hearing.
[redacted] mail all statements to:

[redacted] Chester L. Bryan, P.E.
Town Engineer
[redacted] of Cheektowaga
[redacted] Hall
[redacted] and Union Road
Cheektowaga, New York 14227

[redacted], 1975

Item No. 4 Create Post of Deputy Supervisor.

Motion by Councilman Halicki, seconded by Councilman Johnson

BE IT RESOLVED that the office of Deputy Supervisor of the Town of Cheektowaga is hereby created pursuant to the provisions of Section 42 of the Town Law of the State of New York, effective immediately, and to expire on December 31, 1975, and BE IT FURTHER

RESOLVED that the salary of said Deputy Supervisor is the sum of $500.00, per annum.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 5 Appointment of Patrolman in the Cheektowaga Police Department.

Motion by Councilman Halicki, seconded by Councilman Wroblewski

WHEREAS, the Town Board, at its regular Town Board meeting on February 3, 1975, adopted a resolution authorizing Thomas F. Wnuk to attend the Police School as of February 3, 1975, and

WHEREAS, said resolution failed by inadvertence and error to appoint said Thomas F. Wnuk as Patrolman to the Cheektowaga Police Force, and

WHEREAS, it was the intent of the Police Chief to request the Town Board to make said appointment and also to send him to school as of February 3, 1975, and in fact said Thomas F. Wnuk has been attending school since February 3, 1975, NOW, THEREFORE, BE IT

RESOLVED that Thomas F. Wnuk, residing at 4C Windwood Courts, Cheektowaga, New York, be and hereby is appointed Patrolman in the Cheektowaga Police Department, effective February 3, 1975, at a salary of $10,529.00.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 6 Motion by Councilman Swiatek, seconded by Councilman Wasielewski to adjourn the meeting.

BENEDICT T. HOLTZ
Town Clerk

Item No. 4 Create Post of Deputy Supervisor.

Motion by Councilman Halicki, seconded by Councilman Johnson

BE IT RESOLVED that the office of Deputy Supervisor of the Town of Cheektowaga is hereby created pursuant to the provisions of Section 42 of the Town Law of the State of New York, effective immediately, and to expire on December 31, 1975, and BE IT FURTHER

RESOLVED that the salary of said Deputy Supervisor is the sum of $500.00, per annum.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 5 Appointment of Patrolman in the Cheektowaga Police Department.

Motion by Councilman Halicki, seconded by Councilman Wroblewski

WHEREAS, the Town Board, at its regular Town Board meeting on February 3, 1975, adopted a resolution authorizing Thomas F. Wnuk to attend the Police School as of February 3, 1975, and

WHEREAS, said resolution failed by inadvertence and error to appoint said Thomas F. Wnuk as Patrolman to the Cheektowaga Police Force, and

WHEREAS, it was the intent of the Police Chief to request the Town Board to make said appointment and also to send him to school as of February 3, 1975, and in fact said Thomas F. Wnuk has been attending school since February 3, 1975, NOW, THEREFORE, BE IT

RESOLVED that Thomas F. Wnuk, residing at 4C Windwood Courts, Cheektowaga, New York, be and hereby is appointed Patrolman in the Cheektowaga Police Department, effective February 3, 1975, at a salary of $10,529.00.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 6 Motion by Councilman Swiatek, seconded by Councilman Wasielewski to adjourn the meeting.

BENEDICT T. HOLTZ
Town Clerk

****
BIDS
****

#5

NO.	ITEM	PAGE
	Meeting No. 5 February 18, 1975	
2	Sporting Goods Shop Concession.	1
	Meeting No. 6 March 3, 1975	
2	Furnishing of an Ice Resurfacer for the Cheektowaga Recreation Center.	1
3	Baseballs and Bats for the Cheektowaga Recreation Center.	1
4	3/4 ton, four (4) wheel drive pick-up truck for Town Garage.	1
5	Highway Department - one (1) new 1975 -- 4 door sedan service car.	1
6	One (1) automobile, two (2) station wagons and one (1) one-ton van.	1
	Meeting No. 8 March 17, 1975	
2	Highway - Street Sweeper brooms and push brooms.	1
3	Highway - purchases of 1400 new trees.	1
4	Sanitation - three (3) Garbage trucks and two (2) truck chassis.	1

****
PUBLIC HEARINGS
****

#5

NO.	ITEM	PAGE
	Meeting No. 6 March 3, 1975	
7	Petition of ITA, Buffalo Limousine, Inc. for consent to operate a Bus Route in the Town of Cheektowaga.	1
	Meeting No. 8 March 17, 1975	
5	Street Lighting - Croydon & Cromwell.	1-2
6	Traffic Ordinance - Parking, Stopping and Standing on Lydia Lane.	2-3

****
GENERAL COMMUNICATIONS
****

NO.	ITEM	PAGE
	Meeting No. 5 February 18, 1975	
3	Richard A. Slisz, Erie County Legislator - letter regarding signal on Kelly Drive.	1
	Meeting No. 6 March 3, 1975	
8	Congressman Jack Kemp - Acknowledging receipt of resolution relative to the impoundment of Section 701 Comprehensive Planning Assistance funds.	2
9	Kenneth L. Reitmeier, Deputy Commissioner-Highways - Certificate and Notice of Closing Highway.	2
10	N.Y.S. Dept. of Transportation - Notice of Order re: Traffic Signals exiting and entering the Kensington Expressway at Eggert Road.	2
11	N.Y.S. Dept. of Transportation - Copy of Letter concerning the need for a Traffic Control Signal at 3409 Genesee Street.	2
12	SUMMONS AND COMPLAINT - John Testa vs. Town of Cheektowaga, Police Dept. and Jerry Imiola.	2
13	Chktg. Traffic Safety Commission - Correspondence re: Traffic needs on French Road.	2
14	Chktg. Traffic Safety Commission - Correspondence re: "No Parking" signs on South Creek Drive.	2
	Meeting No. 8 March 17, 1975	
7	Letter from Senator Jacob Javits, U.S.S. - Thank you for communication expressing concern over President Ford's proposal to reduce appropriation for Comprehensive Planning and Management Program.	3
8	Erie County Health Department - letter regarding public hearing on Erie County Sanitary Code.	3
9	South Line Fire District #10 - letter supporting action to replace obsolete Fire Prevention Code.	3
10	Petition with seventy (70) signatures from residents of French Road area regarding opposition to installation of sidewalks on French Rd.	3

****
DEPARTMENTAL COMMUNICATIONS
****

NO.	ITEM	PAGE
	Meeting No. 5 February 18, 1975	
4	Building Permits.	1
5	Highway - Notice to Bidders for one (1) new 1975 4-door Sedan Service Car.	1-2
6	Highway - Award of bid for snow plow blades, wing blades, cutting edges, etc.	3-4
7	Highway - Award of bid for 3/4 ton pick-up truck.	4
8	Engineering - Notice to bidders for autos and trucks for various departments.	4-6
9	Sub-appropriation of Revenue Sharing Funds.	7
9a	Engineering - Award of bid for Bleacher Seats at Cheektowaga Recreation Center.	7
10	Health report for January, 1975.	7
	Meeting No. 6 March 3, 1975	
15	Building Permits.	2
16	Town Clerk's Office - Call for Public Hearing for Rezoning at 1375 Harlem Road.	2
17	Town Clerk's Office - Call for Public Hearing for Street Lighting on Croydon and Cromwell Drive.	3
18	Highway Department - Advertise for Bids for the purchase of Sweeper Brooms and Push Brooms.	4
19	Highway Department - Advertise for Bids for the purchase of new trees for 1975 planting.	5
20	Benedict L. Kostrzewski, Chief of Police - Authorization for Patrolman to attend Traffic Safety Conference.	6
	Meeting No. 8 March 17, 1975	
11	Building Permits.	3
12	Town Clerk's Office - Call for public hearing for street lighting on Parwood Drive.	3-4
13	Engineering - Advertise for bids for Work Uniforms.	5
14	Engineering - Advertise for bids for Corrugated Metal Pipe.	6
15	Engineering - Advertise for bids for Fencing for Parks Department.	7

NO.	ITEM	PAGE
	Meeting No. 8 March 17, 1975 Cont'd	
15a	Engineering - Advertise for bids for 2 movable tennis surfaces, protective padding & portable stage.	8
16	Engineering - Advertise for bids for tools, equipment, materials and labor for construction of Concrete Curbs at the Cheektowaga Town Hall.	9
17	Engineering - Award of bid for two (2) station wagons for Parks & Engineering.	9-10
18	Engineering - Award of bid for (1) One ton van for Plumbing Dept.	10-11
19	Engineering - Award of bid for pick-up truck for Town Garage.	11
20	Engineering - Award of bid for (1) automobile for Sanitation Dept.	11
21	Highway - Award of bid for service car.	11-12
22	Highway - Advertise for bids for stone, asphalt, winter mix, road oil, etc.	12
23	Highway - Advertise for bids for mobile radios and truck equipment.	13
24	Health report for February, 1975.	14

****
RESOLUTIONS
****

#5

NO.	ITEM	PAGE
	Meeting No. 5 February 18, 1975	
11	Rescind resolution of January 20, 1975 re: Call for public hearing on proposed amendment to Zoning Ordinance.	7-8
12	Call for public hearing for proposed amendment to Zoning Ordinance.	8-12
13	Residency Requirement.	13
14	Agreement with Niagara Mohawk Power Co. on flat rate charges on damaged lightpoles.	13
15	Retain law firm re: Prior Aviation vs. Town of Cheektowaga.	13
16	Call for Public Hearing on Fire Code.	13-14
17	Call for Public Hearing on building code re: electrical inspections.	15
18	Sub-appropriation of Revenue Sharing Funds.	15
19	Re-appointment of Richard Moleski.	15
20	Appointment of Employees under Comp. Employment Training Act, Title II.	15
21	Appointment of Employees under Comp. Employment Training Act, Title VI.	15-16
22	Warrant List.	16-17
23	Lighting survey on Treehaven Road.	17
24	Authorize retaining of counsel to proceed further in Losson Road Condemnation Matter.	17
25	Re-appointment of Edward Ziarnowski.	17
26	Request for French Road Traffic Study.	17-18
27	Decision on Rezoning - 551 Dingens Street.	18
	Meeting No. 6 March 3, 1975	
21	Request County of Erie to issue a permit for the Town of Cheektowaga to change signal located at Kelly Dr. and French Rd.	6
22	Request for restoration of Fire Training Center funds from the State of New York.	7
23	Town of Cheektowaga enter into negotiations to acquire land on the northwest corner of French Road and Towers Blvd.	7
24	Resolution of thanks to Assemblyman Dennis T. Gorski for sponsoring bill on behalf of residents of Sewer District No. 1.	7-8
25	Subappropriation of Revenue Sharing Funds for Parks and Recreation.	8

NO.	ITEM	PAGE
	Meeting No. 6 March 3, 1975 Cont'd	
26a	Award of Bid for General Construction for Dartwood Dr. Community Center.	8-9
26b	Award of Bid for Electrical Work for Dartwood Dr. Community Center.	9
26c	Award of Bid for Plumbing Work for Dartwood Dr. Community Center.	9
26d	Award of Bid for Heating & Ventilating for Dartwood Dr. Community Center.	10
27	Resolution and Public Notice re: Central Registry of Operators of Underground Facilities.	10-11
28	Call for Public Hearing on Proposed Amendments to the Traffic Ordinance - "No Parking" on Lydia Lane.	12
29	Decision on Rezoning - 701 Cayuga Creek Road.	13
30	Call for Public Hearing re: Building Code.	13-14
31	Authorization for Accounting Dept. to start compiling information on Special Districts with a view to taxing under a new formula.	15
32	Raise salary of Traffic Safety Commission Executive Secretary.	15
33	Appointment of Anthony Osswald to the Traffic Safety Commission.	15
34	Option to purchase property located at 3409 Genesee Street.	15-16
35	Supervisor and Deputy Supervisor Bonds.	16
36	Authorizations re: Bank procedures for Deputy Supervisor.	16-17
37	Street Name Changes on Marywood Farms Subdivision - Part II.	17
38	Direct Town Planning Consultant to prepare and submit grant application to the State Bureau of Outdoor Recreation re: Nob Hill Park Site.	17
39	Direct Town Planning Consultant to prepare and submit grant application to the State Bureau of Outdoor Recreation re: Preservation of Flood Plains.	17
40	Youth Board - Request Authorization to attend Public Executive Seminar.	17
41	Authorization for Deputy Supervisor to sign application for Youth Bureau Project.	17-18
42	Authorization for Deputy Supervisor to sign application for Youth Service Project.	18
43a	Hiring of Employees under Comprehensive Employment Training Act (Title II).	18
43b	Location Change of Employee under CETA (Title II).	19
44	Hiring of Employees under Comprehensive Employment Training Act (Title VI).	19
45	Approval of Town Board to provide benefits of the Retirement and Social Security Law.	19-20

NO.	ITEM	PAGE
	Meeting No. 6 March 3, 1975 Cont'd	
46	Approval of Town Board to provide additional pension benefits of the Policemen's and Firemen's Retirement Law.	20
47	Approval of Town Board to provide the Career Retirement Plan of the Retirement and Social Security Law.	20
48	Warrant List.	20-21
	Meeting No. 8 March 17, 1975	
25	Losson Road Library Plot Plan.	14
26	Two (2) resolutions calling for public hearing on French Rd. & Kelly Dr.	
	a. Delete Old Ordinance	14-15
	b. Put in New Light	16-17
27	Notice to Bidders - installation of windows in Town Hall.	18
28	Appointment of appraisers for real property on Genesee Street.	19
29	Call for public hearing regarding Curbing on Toelsin Road.	19
30	Traffic Signal at French and Towers Boulevard.	19
31	Request State Legislature to pass enabling legislation regarding Borden Road.	19
32	Advertise for bids for Voting Machines.	19-20
33	Fire application for construction of Water Pollution Control Plant No. 5.	21-22
34	Assurance by Town that an Industrial Cost Recovery System will be applied in the event that the Town of Cheektowaga receives Federal Grant to Sewer District No. 5.	22
35	Permission for Liberty Tree Planting.	22
36	Lighting arrangement with Sloan School District.	22-23
37	Hiring of employees under C.E.T.A., Title II.	23
38	Hiring of employees under C.E.T.A., Title VI.	23
39	Hiring of employees under E.E.A. Program of 1971.	24
40	Recreation - Advertise for catchers helmets, batters helmets, etc.	24
41	Recreation - Award of bid for baseballs and bats.	25
42	Appointment to Youth Board.	25
43	Agreement between Youth Board and Contract Agency.	25-26
44	Permission for N.Y.S. Electric & Gas Corp. to remove and upgrade street light on Willowlawn Pkwy.	27-28
45	Warrant List.	28

****
SUSPENSION OF RULES
****

NO.	ITEM	PAGE
	Meeting No. 5 February 18, 1975	
28	Sanitation - Notice to Bidders for (3) Garbage trucks and (2) truck chassis.	18-19
29	Gerald J. O'Reilly, Town Attorney, West Seneca - copy of resolution re: rezoning hearing.	20
30a	SUMMONS & COMPLAINT - Manufacturers and Traders Trust Co. vs. Town of Cheektowaga and Brown-Devlin Associates.	20
30b	NOTICE OF CLAIM - Custom Top Soil, Inc. vs. Town of Cheektowaga.	20
30c	NOTICE OF CLAIM - Harold Doran, Harold Goldman, Simon Jacobs, Robert Scheu, and Walden Heights Village - Cheektowaga Industrial Park, Inc. vs. County of Erie and Town of Cheektowaga.	20
	Meeting No. 6 March 3, 1975	
49	Decision on Rezoning - 2760 Union Road.	21-22
50	Request Dept. of Environmental Conservation to take field survey of William Street, Union Road area.	23
51a	Transfer of Funds from the Contingency Fund.	23
51b	Authorization for Town Engineer to order test borings for proposed Losson Road library site.	23
52	Authorization for Assessor and Deputy Assessor to attend a one-day meeting.	23
	Meeting No. 8 March 17, 1975	
46		28

****
SPECIAL MEETINGS
****

NO.	ITEM	PAGE
	Meeting No. 7 March 10, 1975	
1a	Appointment of Chairman.	1
2	Cancellation of Heating & Ventilating Bid re: Dartwood Drive Community Center.	1
3	Cancellation of Plumbing Bid re: Dartwood Drive Community Center.	1-2
4	Award of Heating & Ventilating Bid for Dartwood Drive Community Center.	2
5	Award of Plumbing Bid for Dartwood Drive Community Center.	2
	Meeting No. 9 March 21, 1975	
*2	Public Hearing on proposed Sewage Disposal System in District #5 with related Sewer Work.	1
	* 23 Supplemental Pages Follow - Minutes of Public Hearing.	
	Meeting No. 10 March 24, 1975	
2	Public Hearing on Fire Prevention Code.	1
3	Transfer of monies from General Fund to satisfy payment of money judgment and cost of improvements in Storm Drainage District #1.	1
4	Resolution authorizing Deputy Supervisor to sign Agreement with Nussbaumer and Clarke regarding Sewer District No. 5.	1-3
5	Resolution to appoint Fiscal Officer on behalf of the Town regarding joint venture between Sewer District No. 5 and Buffalo Sewer Authority.	3
	SUSPENSION OF RULES	
6	Authorization for Reynders Electric Co. to install new traffic signals on French and Kelly.	3-4
7	Warrant List.	4
8	Hiring of employees under the E.E.A. Act of 1971.	4
9	Authorization for John V. Rogowski and Benedict T. Holtz to appear in New York City regarding certain Bond Anticipation Notes.	5

MEETING NO. 5

CHEEKTOWAGA, NEW YORK
February 18, 1975

#5

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of February, 1975 at 7:30 P.M., Eastern Standard Time there were:

PRESENT: Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson

ABSENT: Supervisor Daniel E. Weber

Also present were: Benedict T. Holtz, Town Clerk; Robert Miller, Deputy Town Attorney; James Kirisits, Deputy Town Attorney; Carl Trafalski, Building and Plumbing Inspector; Andrew Schwenk, Sole Assessor of the Town, Ken Kopacz, Executive Director of the Youth Bureau.

John V. Rogowski, Deputy Supervisor, presiding.

I. BIDS

Item No. 2 Sporting Goods Shop Concession.
No bids were received.

II. GENERAL COMMUNICATIONS

Item No. 3 Richard A. Slisz, Erie County Legislator - letter regarding signal on Kelly Drive.
Referred to the Traffic Safety Commission.

III. DEPARTMENTAL COMMUNICATIONS

Item No. 4 Building Permits
Received and Filed.

Item No. 5 Highway - Notice to Bidders for One (1) new 1975 4-door Sedan Service Car

Motion by Councilman Halicki, seconded by Councilman Wroblewski

BE IT RESOLVED that the Town Clerk be direcred to publish a Notice to Bidders for the purchase of one (1) New 1975 - 4 Door Sedan Service Car with trade-in of one (1) 1972 Dodge Polara, power steering and brakes, 4-door sedan for use in the Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 2:30 p.m., Daylight Savings Time on March 3, 1975 for the purpose of properly opening and reading the sealed bids.

Item No. 5 cont'd

* * * * * * * * * * * * * * * *

L E G A L N O T I C E T O B I D D E R S

NOTICE IS HEREBY GIVEN that separate sealed proposals will be received and opened and read by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 2:30 P.M., Eastern Daylight Saving Time, on March 3, 1975 for the furnishing of the following:

One (1) New 1975 - 4 Door Sedan Service Car with a trade-in of one (1) 1 1972 Dodge Polara, power steering and brakes, 4 Door Sedan.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof, Information for bidders and specifications may be obtained from Alfred F. Wnek, Superintendent of Highways, at his office located at the Town Highway Garage, 3145 Union Road (near Broadway), S. Cheektowaga, New York.

Non-collusion forms must be signed and submitted with bids.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 18, 1975
PUBLISHED: February 20, 1975

* * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski
NAYES: Councilman Johnson
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

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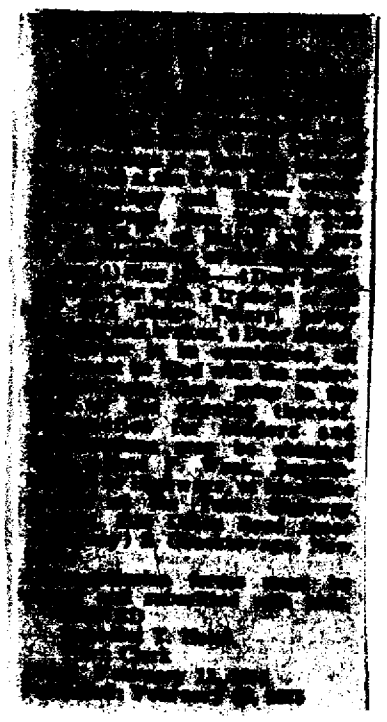
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE } ss.



George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20 day of February, 1975, and the last insertion being on the same day of same, 19.....

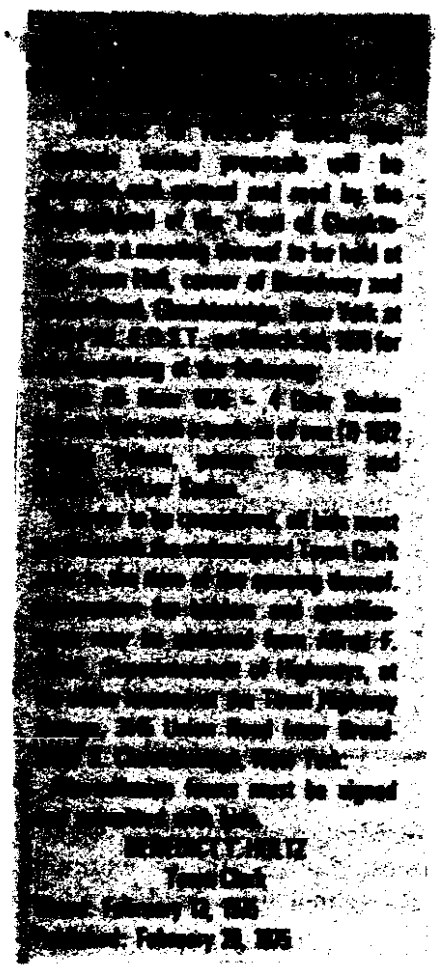
Subscribed and sworn to before me this 20 day of February, 1975

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Form No. 1



Item No. 6 Highway - Award of bid for snow plow blades, wing blades, cutting edges,etc.

Motion by Councilman Halicki, seconded by Councilman Wasielewski

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on February 3, 1975 for Snow Plow Blades, Wing Blades, Cutting Edges, Wing and Snow Blow Shoes, Grader Blades, Receiver Grates, Frames, curboxes for Storm Receivers, Extension Rings, Frames and Covers for the Town of Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report is hereto attached and made a part hereof, THEREFORE BE IT

RESOLVED that bids be awarded to the lowest responsible bidders meeting specifications as shown on the tabulation attached hereto and made a part hereof.

* See next few pages

LFRED F. WNEK
SUPERINTENDENT
OFFICE: 683-4775

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

February 10, 1975

Honorable Daniel E. Weber, Supervisor
Honorable Town Board
Town Hall, Cheektowaga, New York

Gentlemen:

Bids were opened at the Town Board meeting of February 3rd, 1975 for Snow Plow Blades, Wing Blades, Cutting Edges, Wing and Snow Blow Shoes, Grader Blades, Receiver Grates, Frames, Curboxes for Storm Receivers, Extension Rings, Frames and Covers. After careful checking and tabulation, I recommend awarding the bid to the lowest responsible bidders as follows:

TO:
Chemung Supply Corp.
P.O. Box 527, Elmira, N.Y.

REVERSIBLE BLADES FOR ONE WAY PLOWS	Per Unit	Per Six	Per Dozen
Frink #501-40 - 17 holes	62.24	373.44	746.88
Frink #501-30 - 15 holes	56.59		
Ross FNR-295 - 12 holes	54.86	329.16	658.32
Ross 20176B - (9½'x½)	54.86	329.16	658.32
Ross 3204B - (8½'x½)	37.69	226.14	452.28
WING BLADES			
Viking #80028 - 15 holes	41.98	251.88	503.76
Ross 13280B - 11 holes	35.98	215.88	431.76
Viking Model 140 - 17 holes	49.89	299.34	598.68
Frink Model 11AR - 15 holes	41.73	250.38	500.76
SHOES			
#17206B (For Wings)	31.94	191.64	383.28
Wing - Ross #1341-C	11.67	70.02	140.04
One Way Plow - WF3232	20.42	122.52	245.04
Frink WF3027-1A Mold Board Shoe	14.69	88.14	176.28
Viking 70200 Mold Board Shoe	14.69	88.14	176.28
Frink 2184x3 Wing Shoe	18.89	113.34	226.68
#41 Wing Shoe 45 degree bevel	19.68	118.08	236.16
Frink 541-R Nose Piece	11.66	69.96	139.92
V-Plow, Frink 21048M Nose Piece Shoe	17.95	107.70	215.40
SA 17887B Nose Piece	29.42	176.52	353.04

LFRED F. WNEK
SUPERINTENDENT
OFFICE: 683-4775

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

Lowest responsible bidders continued:
TO:
Chemung Supply Corp. (Con't)

	Per UNIT	Per SIX	Per DOZEN
GRADER BLADES			
5/8"x6"x6'	23.94	143.64	287.28
5/8"x6"x7'	27.93	167.58	335.16
RUBBER SNOW PLOW BLADES AND CUTTING EDGES ONE WAY PLOW			
Ross 20176B (9½'x1½"x10') 5/8" dia.	168.93	1013.58	2027.16
WING BLADES			
Ross Plow 13280B (8½"x1½"x8")5/8" dia.	126.72	760.32	1520.64

TO:
Walter M. Roberts Enterprises, Inc.
629 Sheridan Dr., Tonawanda, N.Y.

REVERSIBLE BLADES FOR ONE WAY PLOW			
Frink #501-30 - 15 holes		312.00	600.00
SHOES			
Viking 80200 - Nose Piece	16.45	92.10	172.20

TO:
H. K. NUTTALL EQUIPMENT CO., INC.
128 E. Main St. Sherman, NY

RUBBER SNOW PLOW BLADES AND CUTTING EDGES ONE WAY PLOW			
Frink 501-40 - 17 slotted holes	132.00	786.00	1560.00
Frink 501-30 - 15 slotted holes	116.00	690.00	1368.00
WING BLADES			
Viking 80028 (1½"x8"x118")	114.46	680.76	1349.52
Frink Model 11FHR - 13 slotted holes	100.88	599.28	1186.56
Viking Model 140 - 17 slotted holes	129.98	773.88	1535.76
Frink Model 11AR - 15 slotted holes	112.52	669.12	1326.24

...RED F. WNEK
SUPERINTENDENT
OFFICE: 683-4775

ERIE COUNTY, NEW YORK
OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

Lowest responsible bidders continued:

In reference to Receiver Grates, Frames, Curboxes, Extension Rings, Frames and Covers for Manholes, Jamestown Iron Works, Inc. of 909 Allen St.Ext., Falconer, New York 14733, was the only bidder and therefore I recommend awarding the above to Jamestown Iron Works, Inc.

Trusting this meets with your approval.

Respectfully yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
Superintendent of Highways

AFW/mss
Copies: Town Board Members
Ben Holtz, Town Clerk
John Rogowski, Town Attorney
Files

Item No. 6 cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielwski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 7 Highway - Award of bid for 3/4 ton pick-up truck

Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

WHEREAS, bids were received by this Town Board at a meeting thereof held on February 3, 1975 for One (1) 3/4 Ton Pick-Up Truck for use in the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report has been made, NOW, THEREFORE, BE IT

RESOLVED that the bid for One (1) 3/4 Ton Pick-Up Truck be and hereby is awarded to Mernan Chevrolet, Inc., located at 2751 Bailey Avenue, Buffalo, New York in the amount of $3,964.93; said Mernan Chevrolet, Inc. being the lowest responsible bidder meeting specifications.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, & Wasielewski
NAYES: Councilman Johnson
ABSENT: Supervisor Weber

Item No. 8 Engineering - Notice to Bidders for autos and trucks for various depts

Motion by Councilman Meyers, seconded by Councilman Halicki

WHEREAS, various departments are in need of new vehicles, NOW, THEREFORE, BE IT

RESOLVED that the requests be granted for receipt of bids for an automobile for the Sanitation Department, a station wagon for the Engineering Department, a station wagon for the Parks Department and a one (1) ton van for the Plumbing Department, and that the Town Clerk be directed to publish a Notice to Bidders in connection with said vehicles, Notice to be published in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA NEWS, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 3rd day of March, 1975 at 2:30 P.M., Eastern Daylight Saving Time, for the purpose of received sealed bids at which time they will be publicly opened by the Town Board at a public meeting held for that purpose.

* * * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 3, 1975 at 2:30 P.M., Eastern Daylight Saving Time at the Town Hall, corner of Broadway and Union Road, for one (1) automobile, Two (2) station wagons and one (1) One-ton van.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

Item No. 8 cont'd

Upon Roll Call....

AYES:	***Councilman** Wroblewski, Swiatek, Meyers, Halicki, and Wasielewski*
NAYES:	*Councilman Johnson*
ABSENT:	*Supervisor Weber*

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

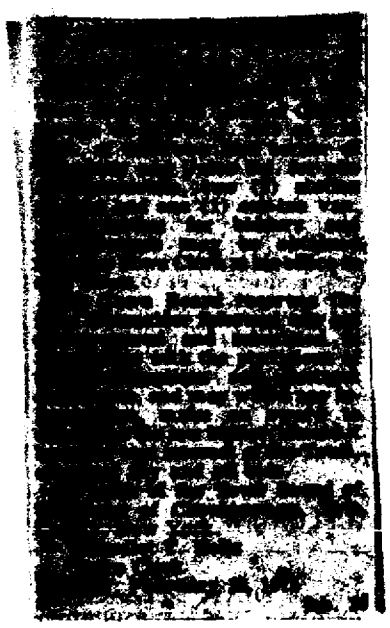
Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.



George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20 day of February, 19 75, and the last insertion being on the same day of same, 19.....

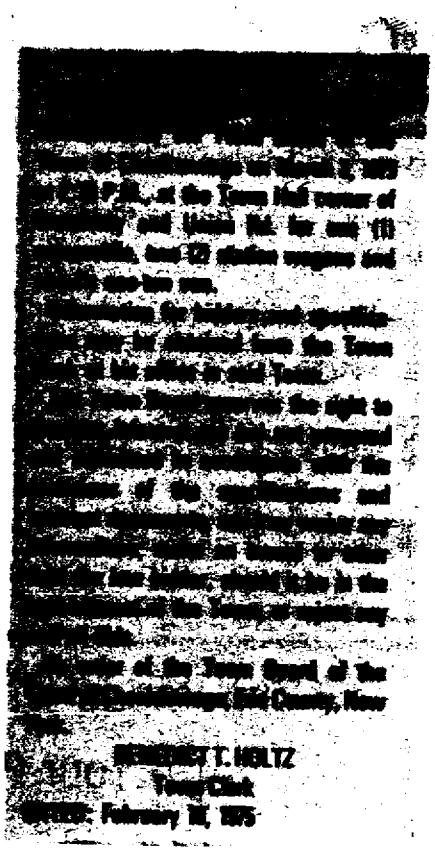
Subscribed and sworn to before me this 20 day of February, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Form No. 1



Item No. 8 cont'd

Motion by Councilman Meyers, seconded by Councilman Halicki

WHEREAS, the Town Garage is in need of a new four-wheel drive pick-up truck to replace its present model, NOW, THEREFORE, BE IT

RESOLVED that the request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said vehicle, Notice to be published in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA NEWS, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 3rd of March, 1975 at 2:30 P.M., Eastern Daylight Saving Time for the purpose of received sealed bids at which time they will be publicly opened by the Town Board at a public meeting held for that purpose.

* * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 3, 1975 at 2:30 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road for a 3/4 ton, four (4) wheel drive pikc-up truck.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 18, 1975

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, and Wasielewski
NAYES: Councilman Johnson
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

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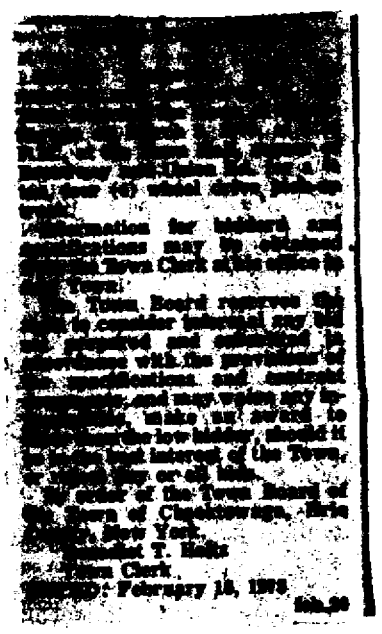

George J. Measer

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Subscribed and sworn to before me this 20 day of February, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

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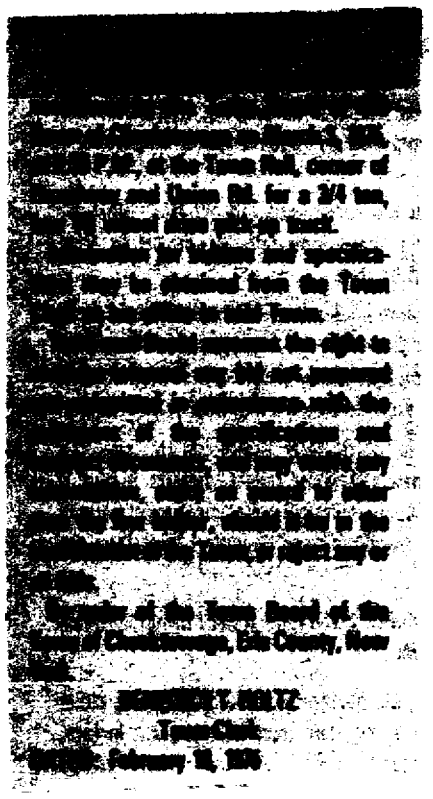
Form No. 1



Item No. 9 Sub-appropriation of Revenue Sharing Funds

Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the Town Board of the Town of Cheektowaga has previously authorized $450,000.00 of general revenue sharing funds for use in Parks and Recreation for fiscal year 1975, NOW, THEREFORE, BE IT

RESOLVED that the Town Board sub-appropriate $29,000,00 of these funds for the purpose of providing bleachers and seating in the Cheektowaga Community Center.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 9A Engineering - Award of bid for Bleacher Seats at Cheektowaga Rec. Center

Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, bids were duly received on February 3, 1975 as a result of advertisement therefor, for the furnishing of bleacher seating at the Town of Cheektowaga Recreation Center and said bids were referred to the Town Engineer for analysis, tabulation, and report which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 14, 1975, AND

WHEREAS, a report is hereto attached and contained in a letter from the Acting Parks Director dated February 14, 1975, with recommendations as to the bleacher seating needs for said Recreation Center, AND

WHEREAS, federal revenue sharing funds are available for such expenditures, NOW, THEREFORE, BE IT

RESOLVED that an appropriation of $28,529.00 of federal revenue sharing funds be approved for this prupose and that the contract for the furnishing of the aforesaid bleacher seating on the north side of the Recreation Center as recommended by the Acting Parks Director be and the same is hereby awarded to W.K. Sauer School Equipment, Inc. 94 Benbro Drive, Cheektowaga, New York 14225, for the bid price of $22,421.00 and for the additional alternate bid plating price of $6,108.00 said being the lowest responsible bidder meeting the requirements of the specifications.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 10 Health report for January, 1975
Received and Filed.

IV. RESOLUTIONS

Item No. 11 Motion by Councilman Johnson, seconded by Councilman Halicki

WHEREAS, the Cheektowaga Town Board at its regular Town Board meeting on January 20, 1975 duly adopted a resolution calling for a public hearing relative to amendments to Zoning Ordinance related to Article II - Residence District Regulations, Article XI, Definitions, Article III - Business District Regulations, Article IV - Manufacturing District Regulations, Article V - Off-Street Parking Regulations, Article VI - Supplemental Regulations and Article X - Amendments, and

WHEREAS, the required publication was not published pursuant to Section 264 of the Town Law, THEREFORE, BE IT

RESOLVED that said resolution adopted at the Town Board meeting on the 20th day of January, 1975, be and hereby is rescinded.

Item No. 11 cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 12 Motion by Councilman Johnson, seconded by Councilman Wroblewski

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Section 264 of the Town Law of the State of New York, a public hearing be held on the 17th day of March, 1975 at 7:00 o'clock p.m., Daylight Saving Time, at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New YOrk; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES, newspapers published in the Town of Cheektowaga and having a general circulation therein, not less than 10 nor more than 20 days prior to the date of the hearing.

* * * * * * * * * * * * * * * * *

NOTICE OF HEARING ON PROPOSAL TO AMEND

ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 18th day of February, 1975, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 17th day of March, 1975 at 7:00 o'clock p.m., Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows (changes or additions in text are indicated by underline, deletions by ~~strikeouts~~):

ARTICLE II -- RESIDENCE DISTRICT REGULATIONS

Section 2-00 R-Residence District
2-01 Permitted Uses
A. Principal Uses

1. Single Family Dwellings
2. Two Family Dwellings
3. Church or similar place of worship, parish house, convent, rectory or parsonage.
4. Public or private non-profit, elementary or secondary school accredited by the New York State Department of Education.
5. Golf course catering exclusively to golfers provided that any building thereon shall be at least 75 feet from any lot line and no commercial activity shall be conducted except for an accessory "pro" shop, service building, or an accessory dining room with or without bar facilities.

Item No. 12 cont'd

6. By special permit authorized by Town Board
(See Section 6.01)
(a) Cemetery
(b) Home nursery for preschool children
(c) Beauty Parlor as a home occupation, provided satisfactory proof is presented to the Town Board of compliance with the requirements of Article 27 of the General Business Law of the State of New York relating to the practice of Hairdressing and Cosmetology.
(See Section 11-10 Definitions).

ARTICLE XI -- DEFINITIONS
Section 11-10 Definitions
Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the ~~residents~~ resident owner-operator thereof, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

~~a. Only customary home appliances are used.~~
a. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B. 4 (a).
b. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.
c. Any use first permitted and as regulated in the RC, C, or M Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation

Section 2-10 -- RA-Apartment District
Section 2-11 Permitted Uses

A. Principal Uses

1. Principal uses permitted in the R District
2. Multi-family dwellings, dwelling groups, townhouses, or garden apartments (See Section 2-15).

Section 2-15 Special Procedure for Approval of Multiple Dwellings, dwelling groups, townhouses, or garden apartments

A. In order to improve ingress and egress and properly located open space for purposes of public safety; no building permit shall be issued until a Site Plan (see Section 11-00 Definitions) has been approved by the Town Board after recommendation by the Planning Board for any of the four housing types covered by this section. This shall include developments on private courts or streets as well as public streets.

B. The Planning Board shall make its report to the Town Board within 60 days following receipt of the proposed site plan and development. If no report has been received by the Town Board within the aforementioned period it shall be assumed that the Planning Board has no comment or recommendation to make on the subject.

ARTICLE XI -- DEFINITIONS
Section 11-10 Definitions
Site Plan. A map or plan showing the proposed development of an area. It shall be drawn to a scale of not less than one (1) inch equals fifty (50) feet and shall include the following:

Item No. 12 cont'd

A. Existing conditions
(1) A boundary line survey of the property to be developed, bearing the seal of a licensed surveyor or engineer.
(2) Existing elevations of the property with a contour interval of not more than two (2) feet.
(3) The location of any buildings or structures to remain and/or to be removed.
(4) The location of all utilities, including sanitary and storm sewers, water, gas and electric, serving the site.
(5) Streets on or adjacent to the tract with names, pavement widths, rights-of-way and pertinent elevations of such items as street pavement center line, curbs, walks, culverts, etc.

B. Proposed improvements
(1) The location of all proposed buildings and structures showing ground floor elevations.
(2) The location of all proposed access drives, pedestrian walks and off-street parking and/or loading areas.
(3) Location and description of any fences or signs.
(4) Lighting plan if required by the Town.
(5) Planting or landscape plan.
(6) Proposed sanitary sewage disposal plan approved by the appropriate town and/or county agency.
(7) Plan for storm water and surface drainage, including a revised grading plan to one-foot contour intervals.

ARTICLE III -- BUSINESS DISTRICT REGULATIONS

Section 3-00 C -- Retail Business District
3-01 Permitted Uses
A. Principal Uses
1. Any use permitted in the RC District
2. The following uses when conducted entirely within an enclosed building, but not including any use first permitted in the CM, M1, or M2 Districts.

(a) Retail sales
(b) Personal service establishments, i.e. barber shop, beauty parlor, show or hat cleaning or repair.
(c) Laundromat, dry cleaning or laundry pick-up stations
(d) Dry cleaning and pressing establishment limited to 2000 square feet of floor area per establishment.
(e) Hotel or Motel
(f) Full Service restaurant (as defined in Section 11) except that no sale of alcoholic beverages for consumption on the premises shall be permitted on any lot where a side lot abuts any R District boundary.

3. Drive-in banks provided that at least 10 reservoir spaces are provided on the lot for each drive-in teller's window. Such reservoir space shall be exclusive of required parking spaces.
4. By special permit authorized by Town Board (See Section 6.01).
(a) Advertising Sign (as definted in Section 1-53)
(b) Indoor Skating Rink

Section 3-10 CM -- General Commercial District
3-11 Permitted Uses
A. Principal Uses

Item No. 12 cont'd

11. The following uses by special permit authorized by the Town Board. Access drives, reservoir spaces, off-street parking spaces, and utilities where required shall be approved by the Town Board.

(h) Trailer and mobile home sales

ARTICLE IV -- MANUFACTURING DISTRICT REGULATIONS

Section 4-00 M1 - Light Manufacturing District
4-01 Permitted Uses
A. Principal Uses
3. Except in the case of a caretakers or owner's residence, no residential buildings shall be allowed in the M1 District.

Section 4-10 M2 - General Manufacturing District
4-11 Permitted Uses
A. Principal Uses
1. Any use permitted in the CM or M1 Dis-rict, without the requirement of being conducted within a completely enclosed building and subject to the limitations on uses provided in Section 4-12. Residences are prohibited except in the case of a caretaker or owner.

ARTICLE V -- OFF-STREET PARKING REGULATIONS

5-03 Places of Assembly - Parking Spaces
(e) Eating or drinking establishments, principal or accessory:
(1) Drive-in type
3 spaces for each ~~25~~ 100 square feet of gross floor area
(2) Other types
2 spaces for each 5 seats.

5-04 Business or Industrial Uses - Parking Spaces
(f) Doctor, dentist or real estate office
~~5 spaces for each office~~
10 spaces for each practicing doctor or dentist
5 spaces for each real estate office

ARTICLE VI -- SUPPLEMENTAL REGULATIONS

6-32 -- Front Yard Modification
~~6-321 Front Yard Modification -- where there are existing principal buildings on adjoining lots on each side of a parcel of land less than 100 feet in width having a front yard setback or exterior side yard set back less than the required front yard depth for the zoning district in which said parcel is located, the required front yard depth of said parcel shall equal the average setback from the street line of such existing buildings on said adjoining lots. This modification, however, shall not permit any front yard depth less than 15 feet in any R District.~~

6-321 - Front Yard Modification for Deeper Front Yards on Selected Streets
In order to improve residential quality the following Residential Collector Streets shall have a minimum front yard requirement of 50 feet.

(a) Losson Road - from the Penn Central Railroad on the West to Transit Road on the East
(b) Borden Road - from the Depew Village line on the North to the Town limits on the South.
(c) Towers Boulevard (future extension) - from Leharve Drive to Losson Road.

Item No. 12 cont'd

(d) Any future streets designated as Residential Collector Streets on the Master Plan and adopted as such by resolution of the Town Board.

ARTICLE X -- AMENDMENTS

Section 10-00 General Provisions -- The Town Board may from time to time on its own motion, on a recommendation by the Zoning Board of Appeals, or the Planning Board or on petition from the property owner or owners, after proper public notice and public hearing, amend, supplement or repeal the regulations, provisions or boundaries of this ordinance as provided by Town Law.

In addition to publication of notice of zoning change in a newspaper as required by Section 264 of the Town Law, all owners of land either of the area included in such proposed change, or of that immediately adjacent extending ~~one-hundred~~ three hundred feet therefrom, or of that directly opposite thereto, extending ~~one-hundred~~, three hundred feet from the street frontage of such opposite land, shall be notified by registered mail at least five days prior to the date of public hearing on the proposed zoning change.

BENEDICT T. HOLTZ
Town Clerk

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

UBLICATION

ations Inc.

ms Of:

★ Lancaster Enterprise Journal
and Cheektowaga News

Amherst B
★ D

STREET,
E, N.Y. 14221
532-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

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George J. Measer

Form No. 1

Sub

Not

ARTICLE XI — DEFINITIONS
Section 11-10 Definitions

Section 2-10 — RA — Apartment District
Section 2-11 Permitted Uses
A. Principal Uses
1. Principal uses permitted in the R District
2. Multi-family dwellings

ARTICLE X — AMENDMENTS
Section 10-00 General Provisions — The Town Board may from time to time on its own motion, on a recommendation by the Zoning Board of Appeals, or the Planning Board, or on petition from the property owner or owners, after proper public notice and public hearing, amend, supplement or repeal the regulations, provisions or boundaries of this ordinance as provided by Town Law.

In addition to publication of notice of zoning change in a newspaper as required by Section 264 of the Town Law, all owners of land either of the area included in such proposed change, or of that immediately adjacent extending [illegible] feet therefrom, or of that directly opposite thereto, extending [illegible] feet from the street frontage of such opposite land, shall be notified by registered mail at least five days prior to the date of public hearing on the proposed zoning change.

BENEDICT T. HOLTZ
Town Clerk
mar. 6

NOTICE IS HEREBY GIVEN THAT: pursuant to a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 18th day of February, 1975, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 17th day of March, 1975 at [illegible] P.M., Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity [illegible] to be heard on the question of whether [illegible] the Town Board whether [illegible] ordinance of the Town of [illegible] New York [illegible] changed, etc. (Deletions or additions in text are indicated by underline, deletions by parentheses):

ARTICLE II — RESIDENCE DISTRICT REGULATIONS

Section 2-09 R Residence District

2-01 Permitted Uses

A. Principal Uses

1. Single Family Dwellings

2. Two Family Dwellings

3. Church or similar place of worship, parish house, convent, rectory or parsonage.

4. Public or private non-profit, elementary or secondary school accredited by the New York State Department of Education.

5. [illegible]

6. [illegible]

7. [illegible]

8. [illegible]

9. [illegible]

10. [illegible]

11. [illegible]

12. [illegible]

13. [illegible]

14. [illegible]

15. [illegible]

16. [illegible]

17. [illegible]

18. [illegible]

19. [illegible]

20. [illegible]

21. [illegible]

22. [illegible]

23. [illegible]

24. [illegible]

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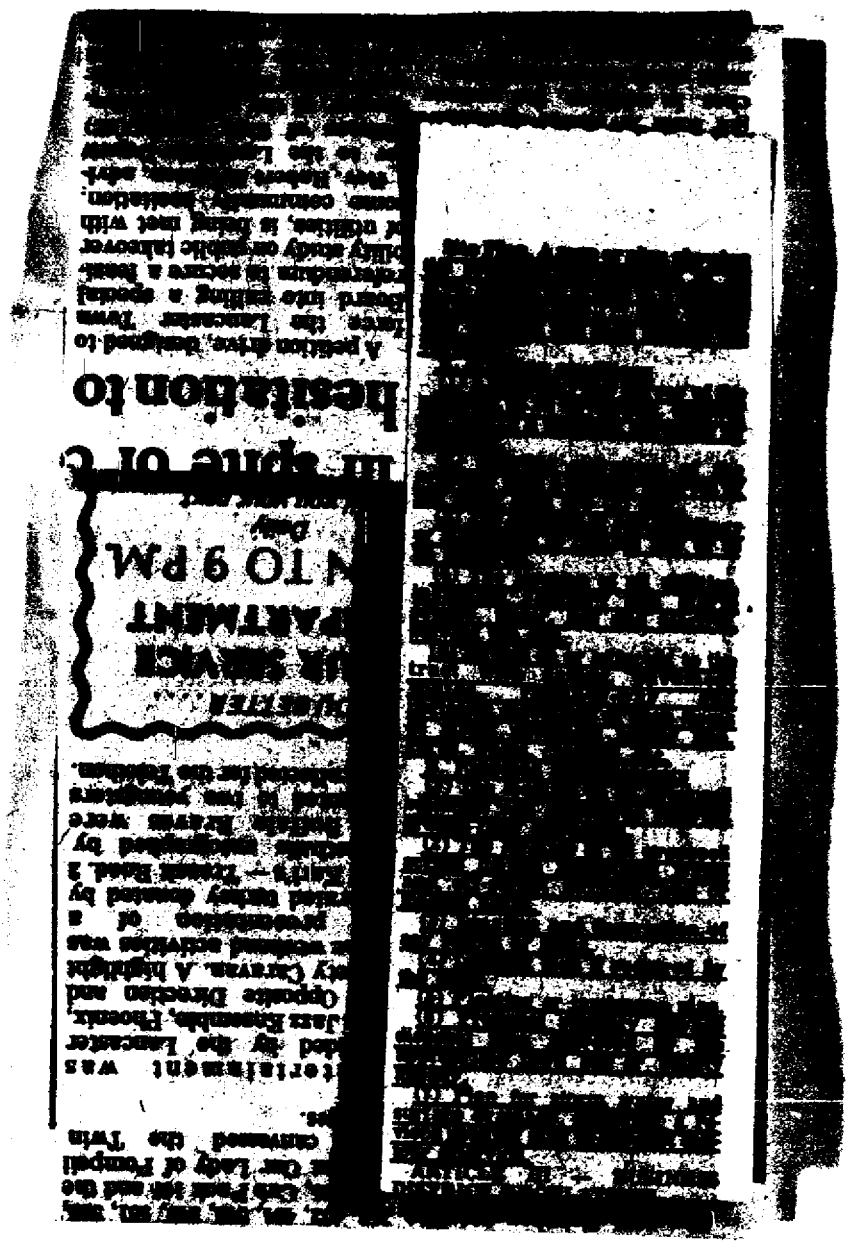

George J. Measer

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Subscribed and sworn to before me this 6 day of March, 19 75

George J. Measer

Myrna Rosen

Notary Public in and for Erie County

Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No. 1

NOTICE OF HEARING ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in accordance with a Resolution of the Town Board of the Town of Chautauqua, duly passed on the 16th day of February, 1976, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 17th day of March 1976 at 7:30 o'clock p.m., Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, Chautauqua, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Chautauqua, New York" shall be amended and changed as follows, (deletions or additions are underlined by dots), (brackets by [ ]), as follows:

ARTICLE II – RESIDENCE DISTRICT REGULATIONS

Section 2-10 Residence District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RC District

2. Single family dwellings.

3. Churches or similar places of worship, parish houses, convent, rectory or parsonage.

4. Public or private non-profit, elementary and/or secondary schools offering general education, approved by the New York State Department of Education.

5. Any private community recreation facility or non-profit membership club, except those the chief activity of which is customarily carried on as a business, for profit, including golf courses, but excluding miniature golf courses, golf driving ranges, or any accessory building, use or enterprise operated in connection with any of the foregoing uses.

6. Public parks, playgrounds approved by the Town Board, Section 1010 Subdivision 2 of the Town Law.

7. Cemetery.

8. Water towers for municipal water supply.

9. Library, Museum or Art Gallery.

10. Home occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-20 – RA Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the R District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-30 – RB Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RA District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-40 – RC Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RB District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-50 – RD Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RC District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-60 – RE Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RD District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-70 – RF Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RE District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-80 – RG Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RF District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-90 – RH Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RG District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-100 – RI Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RH District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-110 – RJ Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RI District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-120 – RK Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RJ District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-130 – RL Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RK District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-140 – RM Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RL District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-150 – RN Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RM District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-160 – RO Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RN District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

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c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-170 – RP Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RO District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

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a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-180 – RQ Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RP District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

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a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-190 – RR Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RQ District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

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a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

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d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-200 – RS Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RR District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

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a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-210 – RT Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RS District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

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a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-220 – RU Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RT District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-230 – RV Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RU District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-240 – RW Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RV District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

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b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-250 – RX Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RW District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-260 – RY Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RX District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-270 – RZ Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RY District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-280 – RAA Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RZ District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-290 – RBB Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RAA District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-300 – RCC Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RBB District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-310 – RDD Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RCC District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-320 – REE Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RDD District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-330 – RFF Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the REE District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible]

Section 10-02 DEFINITIONS

Section 11-02 Definitions

Home Occupation. Any use customarily conducted entirely within a dwelling and carried on only by the resident thereof or member of his family, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

a. Only customary home appliances are used.

b. There is no exterior evidence of such home occupation other than a permitted identification sign as defined under 2-01 B.4 (a).

c. No article is sold or offered for sale except as may be produced by members of the family residing on the premises.

d. Any use not specifically permitted and as regulated in the RC, C, or MI Districts shall not be interpreted as being a home occupation unless specifically listed as a home occupation.

Section 2-340 – RGG Apartment District

2.01 Permitted Uses

A. Principal Uses.

1. Any use permitted in the RFF District

2. Multi-family dwellings, housing [illegible] or more families, [illegible] for [illegible] Family Units in a Home [illegible], provided satisfactory proof [illegible] is submitted to the Town Board of [illegible] and the Commissioner of [illegible] of the General Business Law [illegible] State of New York stating to the [illegible] of Abandonment and Conversion [illegible] Section 352-eeee Subdivision [illegible

CERTIFICATE OF LIMITED PARTNERSHIP OF THE LINWOOD GROUP

This CERTIFICATE, signed and sworn to as this 1st day of October 1974, by the undersigned persons:

WHEREAS, the undersigned persons and parties do agree to form a limited partnership, to be known as THE LINWOOD GROUP pursuant to the Uniform Limited Partnership Act of the State of New York.

WITNESSETH:

The undersigned persons do hereby certify that:

I. The name of the Partnership is THE LINWOOD GROUP

II. The business of the Partnership consists of (i) acquiring and owning certain parcels of real property (hereafter "the Property") located in Buffalo, New York; (ii) making such Property suitable as sites for the rehabilitation for either current or alternate uses (iii) borrowing money, issuing evidences or indebtedness, and securing any such indebtedness by mortgage, pledge, or other lien; (iv) entering into contracts with suitable lenders for mortgage loans; (v) entering into any necessary agreement with the lender, or other persons, regarding the Project; (vi) operating and managing the Project; (vii) negotiating for and concluding agreements for the sale, exchange or other disposition of the Project or for refinancing any mortgage loan on the property of the Partnership; and (viii) carrying on any and all activities related thereto.

III. The principal office and place of business of the Partnership is located at 282 Franklin St., Buffalo, New York 14202. The Partnership may have such additional offices as UPDEV, Inc. the Managing General Partner of the Partnership, may hereafter determine.

IV. The General Partner of the Partnership, and its address, is as follows:

UPDEV, Inc. (A New York Corporation)
282 Franklin Street
Buffalo, New York 14202

The Limited Partners of the Partnership, and their addresses, are as follows:

Lawrence E. White
184 Irving Terrace
Buffalo, New York 14223

Mr. Jacob W. Hoechst
137 Depew Avenue
Buffalo, New York 14214

V. The term of the partnership commences on October 1, 1974, and shall continue until December 31, 2022. The Partnership may be terminated earlier, however, upon the occurrence of any of the following:

(i) Upon the death, withdrawal, resignation or adjudication of incapacity, legal incompetency, insolvency or bankruptcy of a General Partner who is not

any part of the real property of the Partnership or all or substantially all of the assets of the Partnership; or (iii) the Partnership is dissolved.

VIII. The Limited Partners will be entitled to receive ninety-nine percent (99%) of the profits or other compensation by way of income of the Partnership by reason of its contributions.

IX. The interests of the Limited Partners shall be assignable with the written consent of the General Partner. Upon the filing and recording of an amended Certificate of Limited Partnership, the assignee of a Limited Partnership interest shall become a substitute Limited Partner of the Partnership.

Any incoming Partner shall, as a condition of receiving an interest in the Partnership property, agree to be bound by any agreements and other documents required in connection with the mortgage loan to the same extent and on the same terms as the other Partners. Upon any dissolution, no title or right to possession and control of the Project, and no right to collect rents therefrom, shall pass to any person who is not bound by such agreements.

X. An assignee of the assigning Limited Partner may, as more fully set forth in Paragraph IX hereof, become a substitute Limited Partner. Further, additional Limited Partners may be admitted to the Partnership upon receiving approval of the General Partner.

XI. No Limited Partner has priority over any other Limited Partner as to contributions or as to compensation by way of income.

XII. Upon the death, retirement or insanity of a General Partner, the remaining General Partners shall continue the business of the Partnership.

XIII. No right is expressly given to the Limited Partner to demand and receive property other than cash in return for its contribution.

IN WITNESS WHEREOF, the undersigned parties have hereunto affixed their signatures as of the day and year first above written.

GENERAL PARTNER

UPDEV, Inc.
By Lawrence E. White
Vice - President

LIMITED PARTNERS

Lawrence E. White
Jacob W. Hoechst

State of New York)
:ss
County of Erie)

On the 1st day of October, 1974 before me personally came Lawrence E. White, as Vice-President of UPDEV, Inc. the General Partner, and Lawrence E. White and Jacob W. Hoechst, as Limited Partners, to me known as the persons described in the foregoing instrument,

PROCEEDINGS OF [illegible] BOARD

[illegible] Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall corner of Broadway and Union Road, in said Town on the 3rd day of March, 1975 at 7:30 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

Councilmen:
Felix T. Wasilewski
Frank E. Sawicki
Donald A. Halicki
Raymond J. Wasielewski
Kenneth J. Meyers
Thomas M. Johnson

ABSENT: Supervisor Daniel E. Weber

Item No. 17 Councilman Johnson presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 3rd day of March, 1975.

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway
Croydon Drive

From
Como Park Blvd. southerly on both sides

To
the intersection of Cromwell Dr. or the south property line of sublot 183.

Name of Highway
Cromwell Drive

From
the intersection of Croydon Dr. westerly on the north side thence southerly on both sides thence easterly on both sides

To
the east property lines of sublot 188 and sublot 58.

TYPE OF STREET LIGHTING INSTALLATION

Eighteen (18) 7000 lumen electrical post top type mercury units. Estimated cost per year for two years - $6.30 (per lot)

and

WHEREAS Andrew H. Schwenk and Casimir A. Kozminski, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is situated entirely in said Town outside of any incorporated village or city therein; NOW, THEREFORE,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and [illegible]

Mr. Jacob W. Hoechst
337 Depew Avenue
Buffalo, New York 14214

V. The term of the partnership commences on October 1, 1974, and shall continue until December 31, 2002. The Partnership may be terminated earlier, however, upon the occurrence of any of the following:

(i) Upon the death, withdrawal, resignation or adjudication of incompetency, legal incompetency, insolvency or bankruptcy of a General Partner who is at that time the sole General Partner;

(ii) When all or substantially all of the tangible property and assets of the Partnership shall have been disposed of and it shall have been determined by all of the Partners not to reinvest the tangible assets of the Partnership in other tangible property;

Vice - President

LIMITED PARTNERS:

Lawrence E. White

Jacob W. Hoechst

State of New York)

:ss

County of Erie)

On the 1st day of October, 1974 before me personally came Lawrence E. White as Vice-President of UPDEK, Inc. the General Partner, and Lawrence E. White and Jacob W. Hoechst, as Limited Partners, to me known as the persons described in the foregoing instrument, and who executed the foregoing instrument, and acknowledged that they executed the same.

Kathleen A. Heilbein

Notary Public

State of New York, County of Erie

Reg. # 4518908

My Commission Expires 3/30/76

Partnership under the laws of the State of New York.

VI. The amount of the cash contributed to the Partnership by the Limited Partners is $100 each. No other property or additional contributions have been or are to be contributed by the original Limited Partners. It is contemplated, however, that additional Limited Partners will be admitted to the Partnership.

VII. The contribution of the Limited Partner is to be returned if (i) there are excess funds over Partnership debts and liabilities generated from a refinancing of any loan secured by a mortgage on the property of the Partnership; (ii) there are excess funds over Partnership debts and liabilities arising out of the sale of all or

county that I have compared the annexed copy with the original Agreement and Certificate of Limited Partnership filed in my office, and that the same is a correct transcript therefrom and of the whole of said original.

WITNESS my hand and seal of said County and Courts on 20 day of Dec. 1974.

/s/ Robert W. Gibson

County Clerk

(FEB.27, MR. 6, 13)

ELECTRICAL
Wiring and Repairs
LICENSED CONTRACTOR
LOUISIANA SUPPLY

in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or boundary on both sides of said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is situated entirely in said Town outside of any incorporated village or city therein; NOW, THEREFORE,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 17th day of March, 1975, at 7:30 o'clock P.M., Eastern Daylight Savings Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk,

twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to Subdivision six of Section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Seconded by Councilman Wadolowski and duly put to a vote which resulted as follows:

Supervisor Walker Voting AGAINST

Councilmen:

Wadolowski Voting AYE

Dziubek Voting AYE

Kochut Voting AYE

Wroblewski Voting AYE

Mazur Voting AYE

Johnson Voting AYE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sechrist, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is .....Clerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ....1..... weeks: first publication.....March 6, 1975.....; last publication.....; and that no more than six days intervened between publications.

Gladys M. Sechrist

Sworn to before me this .....7th.....
day of .....March....., 1975.
Naidine C Williams
Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30 1977

Item No. 13 Motion by Councilman Halicki, seconded by Councilman Wroblewski

WHEREAS, Town employees are paid by the residents of the Town through taxes, and

WHEREAS, the villages and towns of Erie County have a rule that employment opportunities in the village or town governments should be confined to the geographical subdivision of said town or village, and

WHEREAS, most of the towns and villages in Erie County have passed resolutions setting forth that employment in the governmental subdivision should be confined to residents only, and

WHEREAS, such an employment is normally confined to residents of the Town, BE IT HEREBY

RESOLVED that all present and/or future employees of the Town of Cheektowaga must be residents of the Town before they can be employed by the Town.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 14 Motion by Councilman Johnson, seconded by Councilman Halicki

WHEREAS, an agreement has been reached between the Town of Cheektowaga and Niagara Mohawk Power Corporation relative to flat rate charges for repair of damaged light poles, THEREFORE, BE IT

RESOLVED that the Deputy Supervisor be and hereby is authorized to sign said agreement between the Town of Cheektowaga and Niagara Mohawk Power Corporation in connection with flat rate charges for repair of damaged light poles.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 15 Motion by Councilman Halicki, seconded by Councilman Swiatek

BE IT RESOLVED that the law firm of Kavinoky, Cook, Hepp, Sandler, Gardiner and Wisbaum, located at 120 Delaware Avenue, Buffalo, New York, be and hereby is retained to represent the Town of Cheektowaga in pending assessment review proceedings (Prior Aviation), and BE IT FURTHER

RESOLVED that their reasonable fees and expenses be paid by the Town.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wroblewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 16 Motion by Councilman Johnson, seconded by Councilman Wasielewski

WHEREAS, the Cheektowaga Fire Chiefs Mutual Aid Organization has recommended that the existing "FIRE PREVENTION CODE" of the Town of Cheektowaga, enacted August 20, 1956, be repealed, and the "FIRE PREVENTION CODE RECOMMENDED BY THE AMERICAN INSURANCE ASSOCIATION," being particularly the 1970 edition thereof be enacted;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Section 130 of the Town Law of the State of New York, a public hearing be held on the 24th day of March, 1975 at 7:00 o'clock p.m., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "FIRE PREVENTION CODE" of the

Item No. 16 cont'd

Town of Cheektowaga, enacted August 20, 1956, shall be repealed, and the "FIRE PREVENTION CODE RECOMMENDED BY THE AMERICAN INSURANCE ASSOCIATION," being particularly the 1970 edition thereof, be enacted; and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of the hearing.

* * * * * * * * * * * * * * * * *

N O T I C E O F H E A R I N G

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 18th day of February, 1975 and in accordance with the provisions of Section 130 of the Town Law of the State of New York, a Public Hearing will be held on the 24th day of March, 1975 at 7:00 p.m., Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "FIRE PREVENTION CODE" of the Town of Cheektowaga enacted August 20, 1956, shall be repealed, and whether the "FIRE PREVENTION CODE RECOMMENDED BY THE AMERICAN INSURANCE ASSOCIATION," being particularly the 1970 edition thereof, shall be adopted and enacted, which Code generally prescribes regulations governing conditions hazardous to life and property from fire or explosion. A copy of the "FIRE PREVENTION CODE RECOMMENDED BY THE AMERICAN INSURANCE ASSOCIATION, 1970 edition, is on file in the Town Clerk's Office where the same may be examined during regular business hours.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 18, 1975

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

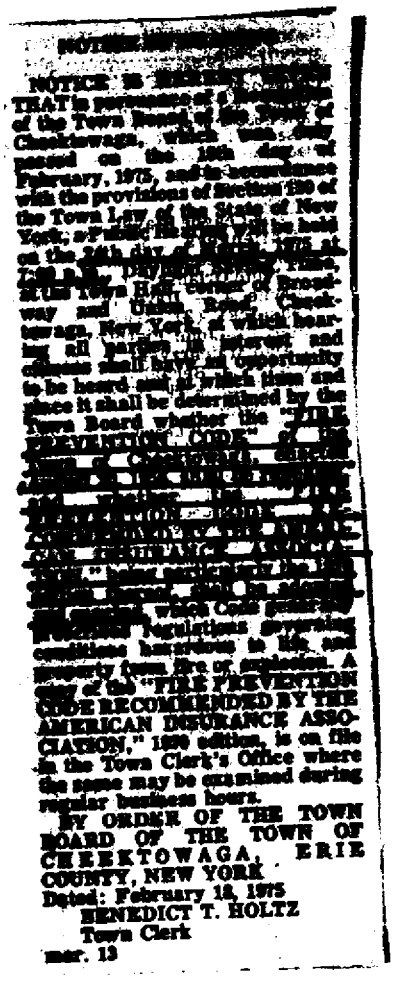
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 13 day of March, 1975, and the last insertion being on the same day of same, 19.....



NOTICE IS HEREBY GIVEN THAT in pursuance of a resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 18th day of February, 1975, and in accordance with the provisions of Section 130 of the Town Law of the State of New York, a public hearing will be held on the 24th day of March, 1975, at 7:30 P.M. prevailing time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all persons in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "FIRE PREVENTION CODE" of the [illegible] which code prescribes regulations governing conditions hazardous to life and property from fire or explosion. A copy of the "FIRE PREVENTION CODE RECOMMENDED BY THE AMERICAN INSURANCE ASSOCIATION," 1970 edition, is on file in the Town Clerk's Office where the same may be examined during regular business hours.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK
Dated: February 18, 1975
BENEDICT T. HOLTZ
Town Clerk
mar. 13

Subscribed and sworn to before me this 13 day of March, 1975

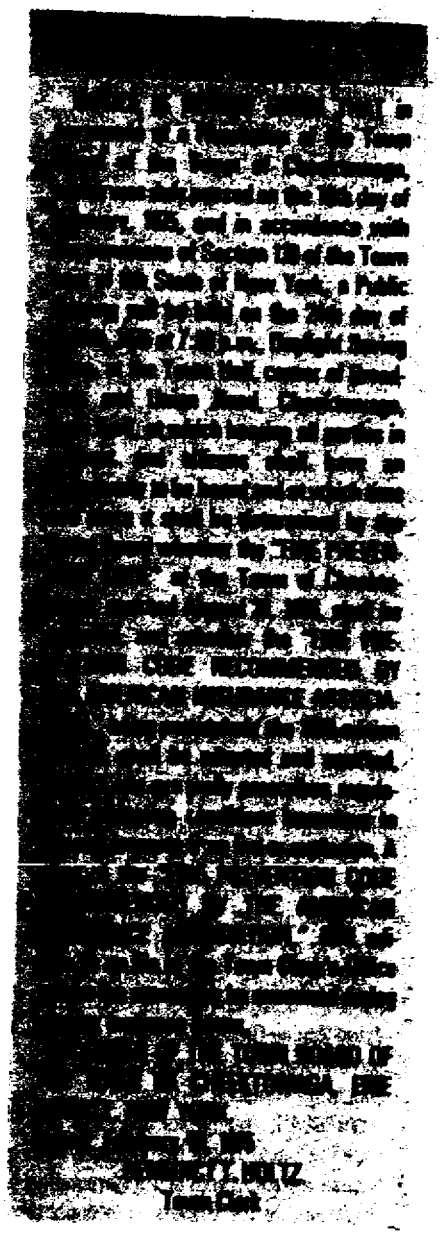
Myrna Rosen

Notary Public in and for Erie County

Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

Form No. 1



Item No. 17 Call for public hearing on building code re: electrical inspections. This item was withdrawn.

Item No. 18 Sub-appropriation of Revenue Sharing Funds. Refer back to item No. 9

Item No. 19 Motion by Councilman Wroblewski, seconded by Councilman Swiatek

BE IT RESOLVED that Richard Moleski of , Cheektowaga, New York be and hereby is re-appointed as a member of the Zoning Board of Appeals for a term of Five (5) years.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 20 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, Title II, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, established by the department head:

Laborer at the Cleveland Hill U.F.S.D. at a rate of $3.75 per hour

Cirino, Joseph B.
Guzek, Kenneth

Clerk-Typist at the Village of Sloan at a rate of $6,488.25 per year

Surdej, Roslyn

Clerk-Typist at the Village of Depew at a rate of $6,488.25 per year

Bauer, Frederick
Tybor, Carole A.

Laborer at the Village of Depew at a rate of $3.75 per hour

Epolito, Louis
Gangloff, Ronald
Grcyb, Gordon
Mroz, Leonard

Administrative Trainee in the Youth Bureau at a rate of $8,518.64 per year

Marsh, Joan

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 21 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, Emergency Jobs Program Title VI, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, effective the 18th day of February, 1975 starting dates to be established by the dpeartment head:

Item No. 21 cont'd

Clerk-Tupist at Village of Depew at a rate of $6,488.25

George, Angelina

Laborer at Village of Sloan at a rate of $3.75 per hour

Hinda, Leo B.

Clerk-Typist at the Cleveland Hill U.F.S.D. at a rate of $6,488.25 per year

Buchholtz, Jane A.

dministrative Trainee at the Office of the County Legislature at a rate of $8,518.64 per year

Stranz, Gerald
Jezioro, Richard

Laborer at the Depew Central U.F.S.D. at a rate of $3.75 per hour

Surdej, Thomas D.
Quinn, James J.
Caserta, James E.

Clerk-Typist at the Depew Central U.F.S.D. at a rate of $6,488.25 per year

McKowan, Sandra C.
Wilson, Marie E.

Laborer at the Maryvale School System at a rate of $3.75 per hour

Bork, Chester E.
Digati, Michael A.
Dojnik, Richard W.
Redenbach, Robert P.
Schroeder, Steven
Sydow, Paul A.

Clerk-Typist in the Office of the Manpower Services at a rate of $6,488.25

Butsch, Kathleen

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 22 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending February 18, 1975, be and hereby are approved and that Deputy Supervisor pay said warrants:

FUND	FROM	TO	AMOUNT
General	144	761	$1,939,445.82
Part Town	7	12	43,234.79
Highway	44	87	162,713.47
Special Districts	46	90	282,900.28
Federal Revenue Sharing	--	--	41,059.84
Trust and Agency	1	5	596,586.94
Construction & Improvement	5	6	60,059.61
			$3,126,000.75

Item No. 22 cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 23 Motion by Councilman Johnson, seconded by Councilman Wasielewski

BE IT RESOLVED that Niagara Mohawk Power Corporation be and hereby is requested to prepare a survey for new lighting installation on Treehaven Road.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 24 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the Town of Cheektowaga has previously retained Eugene F. Elsaesser, Attorney, to represent the Town of Cheektowaga in a condemnation proceeding entitled Town of Cheektowaga vs. Brushenbrook Hunting and Fishing Club, Inc., said premises being part of the Losson Road Park Site, and

WHEREAS, the Commissioners in said proceeding submitted their report, and award, and

WHEREAS, the Brushenbrook Hunting and Fishing Club, Inc. has moved for confirmation of said award, and

WHEREAS, the said award and report have been reviewed by the said retained counsel and the Town Attorney's Office and it appears to the best interest of the Town that objections be filed to said award in the pending proceeding, THEREFORE BE IT

RESOLVED that said Eugene F. Elsaesser be and hereby is authorized to represent the Town in the pending proceeding and to file objections to the award, and BE IT FURTHER

RESOLVED that the reasonable and necessary legal expenses be paid by the Town for siad proceeding.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 25 Motion by Councilman Wasielewski, seoconded by Councilman Halicki

BE IT RESOLVED that Edward Ziarnowski of , Cheektowaga, New York, be and hereby is re-appointed as a member of the Cheektowaga Planning Commission for a term of seven (7) years, effective February 1, 1975.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 26 Motion by Councilman Johnson, seconded by Councilman Swiatek

WHEREAS, French Road in the Town of Cheektowaga is a heavily travelled highway within a densely populated residential and business area, and

WHEREAS, said area includes a large number of pedestrians who use said highway and the numerous streets running off French Road including a large number of children who cross French Road for purposes of reaching places of business and recreation, and

Item No. 26 cont'd

WHEREAS, a large number of serious traffic accidents have occurred on French Road between its intersections with Union Road and Borden Road, and

WHEREAS, the residents of said area have petitioned the Town Board to take the necessary steps to alleviate traffic hazards, THEREFORE, BE IT

RESOLVED that the Erie County Department of Public Works, Division of Highways be and hereby is requested by the Town of Cheektowaga to perform a traffic study for that section of French Road between Kelly Drive and Borden Road, inclusive of vehicular and pedestrian volume counts, and BE IT FURTHER

RESOLVED that said study contain an evaluation for the need for additional traffic control signals and/or protected pedestrian cross walks along French Road, said road being a County highway, with specific attention to the following locations:

Intersection of Towers Boulevard and French Road
Intersection of Brentwood Drive and French Road

and BE IT FURTHER

RESOLVED that said study be commenced and completed as expeditiously as possible, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Deputy Commissioner Kenneth L. Reitmeier, Erie County Department of Public Works, Division of Highways.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 27 *Decision on Rezoning - 551 Dingens*
This item was withdrawn.

V. SUSPENSION OF RULES

Item No. 28 *Sanitation - Notice to Bidders for (3) Garbage Trucks and (2) Chassis*

Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Three (3) 1975 Garbage Trucks with Twenty-five (25) Cubic Yard Packer Bodies and Two (2) 1975 Truck Chassis for the Sanitation Department. Information for bidders and specifications may be obtained from the Office of the Town Clerk; said Notice to be published in the Cheektowaga Times and Cheektowaga News, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:30 p.m. o'clock, Eastern Daylight Saving Time on March 17, 1975 for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 17th, 1975 at 7:30 P.M., Eastern Daylight Saving Time at the Town Hall, corner of Broadway and Union Road, for the furnishing of Three (3) 1975 Garbage Trucks with Twenty-five (25) Cubic Yard Packer Bodies and Two (2) 1975 Truck Chassis for the Sanitation Department.

Item No. 28 cont'd

Information for bidders and specifications may be obtained from the Town Clerk in his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award ot other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

#6

BENEDICT T. HOLTZ
Town Clerk

DATED: February 18, 1975

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

#7

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

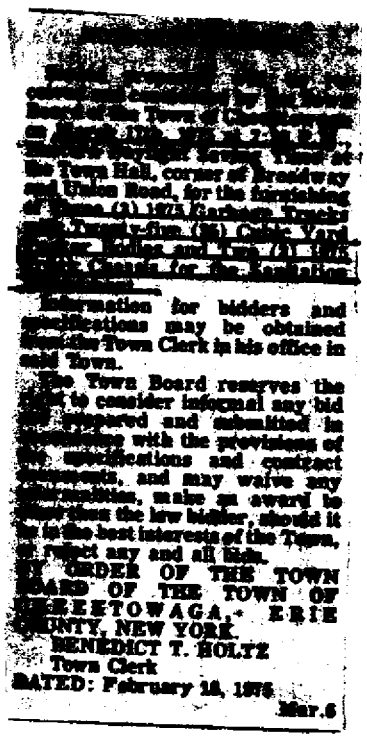
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6 day of March, 1975, and the last insertion being on the same day of ....., 19.....



Information for bidders and specifications may be obtained from the Town Clerk in his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to any bidder the law bidder, should it be in the best interests of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
BENEDICT T. HOLTZ
Town Clerk
DATED: February 18, 1975
Mar.6

Subscribed and sworn to before me this 6 day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

George J. Measer

Form No. 1

[redacted] of the Town Board of the Town of Cheektowaga on March 17th, 1975 at 7:30 P.M., Eastern Daylight Saving Time at the Town Hall, corner of Cleveland and Union Road, for the purchase of Three (3) 1975 Garbage Trucks with Twenty-five (25) Cubic Yard Packer Bodies and Two (2) 1975 Truck Chassis for the Sanitation Department.

Information for bidders and specifications may be obtained from the Town Clerk, Main office in said Town.

The Town Board reserves the right to reject or accept any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 18, 1975

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Seckate, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 6 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Seckate

Sworn to before me this 7th day of March, 19 75

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 75

Item No. 29 Gerald J. O'Reilly, Town Attorney, West Seneca - copy of resolution regarding rezoning hearing.
Referred to John V. Rogowski, Town Attorney.

Item No. 30a SUMMONS & COMPLAINT - Manufacturers and Traders Trust Co. vs Town of Cheektowaga and Brown-Devlin Associates.
Referred to John V. Rogowski, Town Attorney.

Item No. 30b NOTICE OF CLAIM - Custom Top Soil, Inc. vs Town of Cheektowaga.
Referred to John V. Rogowski, Town Attorney.

Item No. 30c NOTICE OF CLAIM - Harold Doran, Harold Goldman, Simon Jacobs, Robert Scheu and Walden Heights Village - Cheektowaga Industrial Park, Inc. vs County of Erie and Town of Cheektowaga.
Referred to John V. Rogowski, Town Attorney.

Item No. 31 Motion by Councilman Meyers, seconded by Councilman Wasielewski to adjourn the meeting.

BENEDICT T. HOLTZ
Town Clerk

#6

#7

#8

MEETING NO. 6

CHEEKTOWAGA, NEW YORK
March 3, 1975

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of March, 1975 at 2:30 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson

ABSENT: Supervisor Daniel E. Weber

Also present were: Mary Holtz, 1st Deputy Town Clerk; Robert Miller, Deputy Town Attorney; Chester L. Bryan, Town Engineer; Benedict L. Kostrzewski, Chief of Police; Andrew Schwenk, Sole Assessor of Town; Casey Kozminski, Deputy Assessor; Carl Trafalski, Building & Plumbing Inspector; Sal LaGreca, Town Planning Commission Chairman; Ken Kopacz, Executive Director of the Youth Board.

John V. Rogowski, Deputy Supervisor, presiding.

I. BIDS

Item No. 2 Furnishing of an Ice Resurfacer for the Cheektowaga Recreation Center. Referred to James Matecki, Acting Parks Foreman.

Item No. 3 Baseballs and Bats for the Cheektowaga Recreation Center. Referred to Len Kosobucki, Director of Recreation.

Item No. 4 3/4 ton, four (4) wheel drive pick-up truck for Town Garage. Referred to Chester L. Bryan, Town Engineer.

Item No. 5 Highway Department - one (1) new 1975 -- 4 door sedan service car. Referred to Alfred Wnek, Cheektowaga Highway Superintendent.

Item No. 6 One (1) automobile, two (2) station wagons and one (1) one-ton van. Referred to Chester L. Bryan, Town Engineer.

II. PUBLIC HEARINGS

Item No. 7 This was the time and place advertised for a public hearing on the petition of ITA, Buffalo Limousine, Inc. for consent to operate a bus route in the Town of Cheektowaga. The Deputy Supervisor directed the Deputy Town Clerk to present proof of the publication and posting of the notice of hearing. The Deputy Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Deputy Supervisor, such proof was duly filed.

The Deputy Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. After hearing all parties regarding the petition of ITA, Buffalo Limousine, Inc., the Deputy Supervisor declared the hearing closed.

III. GENERAL COMMUNICATIONS

Item No. 8 — Congressman Jack Kemp - Acknowledging receipt of resolution relative to the impoundment of Section 701 Comprehensive Planning Assistance funds.
Received and Filed.

Item No. 9 — Kenneth L. Reitmeier, Deputy Commissioner-Highways - Certificate and Notice of Closing Highway.
Received and Filed.

Item No. 10 — N.Y.S. Dept. of Transportation - Notice of Order re: Traffic Signals exiting and entering the Kensington Expressway at Eggert Road.
Referred to Benedict L. Kostrzewski, Chief of Police; Cheektowaga Traffic Safety Commission.

Item No. 11 — N.Y.S. Dept. of Transportation - Copy of letter concerning the need for a Traffic Control Signal at 3409 Genesee Street.
Referred to Benedict L. Kostrzewski, Chief of Police; Cheektowaga Traffic Safety Commission.

Item No. 12 — SUMMONS AND COMPLAINT - John Testa vs. Town of Cheektowaga, Police Department and Jerry Imiola.
Referred to John V. Rogowski, Town Attorney.

Item No. 13 — Cheektowaga Traffic Safety Commission - Correspondence re: Traffic needs on French Road.
Received and Filed. (Refer to Item No. 21).

Item No. 14 — Cheektowaga Traffic Safety Commission - Correspondence re: "No Parking" signs on South Creek Drive.
Received and Filed.

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 15 — Building Permits.
Received and Filed.

Item No. 16 — Town Clerk's Office - Call for Public Hearing for Rezoning at 1375 Harlem Road.

Motion by Councilman Halicki, seconded by Councilman Wasielewski

WHEREAS, Dennis & Catherine Sears have made application and requested the rezoning of property located at 1375 Harlem Road from R-Residential to C-Retail Business District, said applicants being the owners of property mentioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 21, 1975, at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES:	Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES:	0
ABSENT:	Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

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5564 MAIN STREET,
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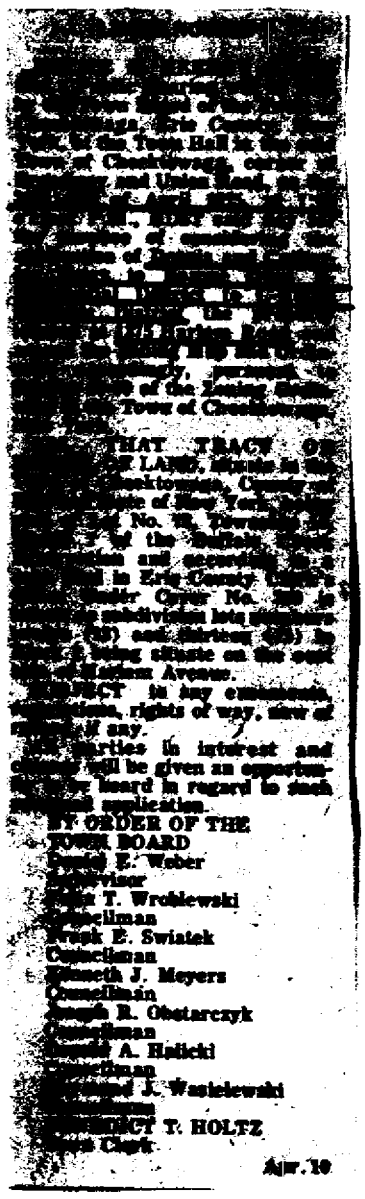
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.



...THAT TRACT OF ...LAND... ...Cheektowaga... ...State of New York... ...No. 98... ...Township... ...of the Buffalo... ...and according... ...in Erie County... ...Under Cause No. 328 of... ...subdivision lots numbered... ...(2) and thirteen (13) in... ...being situate on the east... ...Aldham Avenue.
...SUBJECT... ...in any easements, ...restrictions, rights of way, user of ...record, if any.
...parties in interest and ...will be given an opportun... ...heard in regard to such ...application.
BY ORDER OF THE ...BOARD
...E. Weber ...Supervisor
...T. Wroblewski ...Councilman
...Frank E. Swiatek ...Councilman
...Kenneth J. Meyers ...Councilman
...Joseph R. Obstarczyk ...Councilman
...A. Halicki ...Councilman
...J. Wasielewski ...Councilman
...ERT T. HOLTZ ...Town Clerk

Apr. 10

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10 day of April, 1975, and the last insertion being on the same day of same, 19....

Subscribed and sworn to before me this 10 day of April, 1975

Myrna Rosen

Notary Public in and for Erie County

Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 19 76

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Luckstead, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is ..... Clerk ..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ..... 1 ..... weeks: first publication ..... April 10, 1975 ..... ; last publication ..... ; and that no more than six days intervened between publications.

Gladys M. Luckstead

Sworn to before me this ..... 11th .....

day of ..... April ....., 19 75

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1977

[redacted]

Town of Cheektowaga, Erie County, New York, at the Town Hall in the said Town of Cheektowaga, corner of Cheektowaga and Union Road, on the 21st day of April 1975, at 7:00 o'clock P.M. Eastern Daylight Saving Time of said day for the purpose of considering the application of Dennis & Catherine Szarp for a change from R-Residential District to [redacted] District the property situated at 1305 Harlem Road and amending the Zoning Map and Ordinance accordingly, pursuant to Section 19-60 of the Zoning Ordinance of the Town of Cheektowaga, New York.

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 72, Township 11, Range 7 of the Buffalo Creek Reservation and according to a map filed in the Erie County Clerk's Office under Cover No. [redacted] is known as subdivision lots numbers twelve (12) and thirteen (13) in Block 1 being situate on the east side of Harlem Avenue.

All parties in interest and citizens will be given an opportunity to be heard in regard to said proposed application.

BY ORDER OF THE TOWN BOARD
Supervisor Daniel E. Weber
Councilmen:
Felix T. Wrobleski
Harold E. Swistak
Kenneth J. Meyers
Thomas M. Johnson
Donald A. Holicki
Raymond J. Wasielewski
BENEDICT T. HOLTZ
Town Clerk

Item No. 17 Motion by Councilman Johnson, seconded by Councilman Wroblewski

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 3rd day of March, 1975:

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway	From	To
Croydon Drive	Como Park Blvd. southerly on both sides	the intersection of Cromwell Dr. or the south property line of sublot 103.
Cromwell Drive	the intersection of Croydon Dr. westerly on the north side thence southerly on both sides thence easterly on both sides	the east property lines of sublot 100 and sublot 50.

TYPE OF STREET LIGHTING INSTALLATION

Eighteen (18) 7000 lumen electrical post top type mercury units.
Estimated cost per year for two years - $6.30 (60' lot)

and

WHEREAS Andrew H. Schwenk and Casimir A. Kozminski, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is situated entirely in said Town outside of any incorporated village or city therein; NOW, THEREFORE,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 17th day of March, 1975, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to Subdivision six of Section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

STATE OF NEW YORK }
COUNTY OF ERIE } SS

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

That on the 7th day of March 1975, acting pursuant to an order and resolution adopted by the Town Board of said Town on March 3rd, 1975, I posted a certified copy of said order and resolution relating to street lighting on Croydon and Cromwell Dr., on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York.

That said copy so posted was a true and complete copy of the attached copy of said order and certificate published in the DEPEW HERALD AND CHEEKTOWAGA NEWS on March 6th, 19 75.

Benedict T. Holtz
BENEDICT T. HOLTZ,
Town Clerk.

Sworn to before me this
19 day of March, 1975.
Linda Baer

LINDA BAER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

LEGAL
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of March, 1975 at 2:30 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:
Councilman
Felix T. Wroblewski
Councilman
Frank E. Swiatek
Councilman
Donald A. Halicki
Councilman
Raymond J. Wasielewski
Councilman
Kenneth J. Meyers
Councilman
Thomas M. Johnson
ABSENT:
Supervisor
Daniel E. Weber

Item No. 17 Councilman Johnson presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 3rd day of March, 1975.

PUBLIC HIGHWAY
TO BE IMPROVED

Name of Highway — Croydon Drive. From Como Park Blvd. southerly on both sides, to the intersection of Cromwell Dr. or the south property line of split [illegible]

Name of Highway — Cromwell Drive. From the intersection of Croydon Dr., westerly on the north side thence southerly on both sides, to the intersection of Croydon Dr., easterly on both sides. To the south property line of split [illegible]

[illegible] LIGHTING INSTALLATION

Eighteen (18) 7000 lumen electric [illegible] type mercury units. Estimated cost per year for two years — $6.30 (60' ht) and

WHEREAS Andrew H. Schwenk and Chester A. Kozminski, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the proper manner as a deed to be recorded by the owners of more than one-half of the entire frontage of lands on both sides of said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is situated entirely in said Town outside any incorporated village or city therein. NOW, THEREFORE, BE IT

RESOLVED AND ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall of the Town of Cheektowaga, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 18th day of March, 1975 at 8:00 o'clock P.M. Eastern Daylight Savings Time, to hear all persons interested in the above improvement concerning the same, and

BE IT FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least twice in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, and not less than ten (10) nor more than twenty (20) days before the date fixed herein for the hearing. Said notice to be posted on the signboard of the Town maintained pursuant to Subdivision six of Section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

The foregoing was seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Weber,
Voting ABSENT
Councilman Wroblewski
Voting AYE
Councilman Swiatek
Voting AYE
Councilman Halicki
Voting AYE
Councilman Wasielewski
Voting AYE
Councilman Meyers
Voting AYE
Councilman Johnson
Voting AYE

AYES: 6 NAYES: 0 ABSENT: 1

STATE OF NEW YORK
COUNTY OF ERIE

I, BENEDICT T. HOLTZ, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on 3rd March, 1975, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at Item No. 17, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the member of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of March, 1975.

(SEAL)

BENEDICT T. HOLTZ,
Town Clerk

Mar. 6

Am

STATE OF NEW YORK
COUNTY OF ERIE

Subscribed and sworn to before me this ____ day of ____, 19__

Notary Public in and for
Myrna Rosen

...ications Inc.

...blishers Of:

ce Bee ★ Lancaster Enterprise Journal
Journal and Cheektowaga News

5564 MAIN STREET,
...IANSVILLE, N.Y. 14221
PHONE: 632-4700

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of March, 1975, and the last insertion being on the same day of same, 19....

George J. Measer

...OSEN
of New York
County
March 30, 1976

Form No. 1

Bee Publications Inc.

Publishers Of:

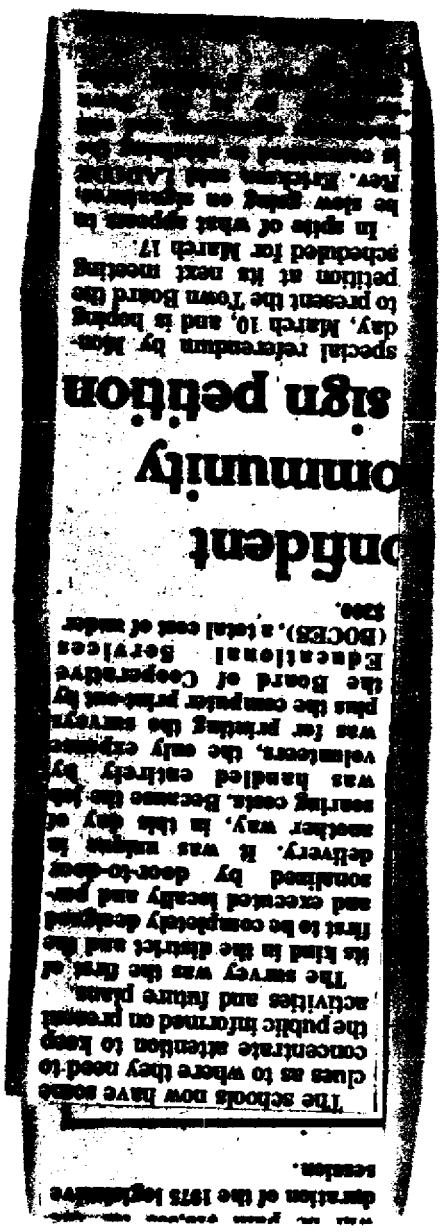
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of March, 19 75, and the last insertion being on the same day of same, 19 .



...community
...ndent
special referendum by Mon-
day, March 10, and is hoping
to present the Town Board the
petition at its next meeting
scheduled for March 17.
In spite of what appears to
be slow going on signatures
Rev. Krickeau said Anyone
The schools now have some
clues as to where they need to
concentrate attention to keep
the public informed on present
activities and future plans.
The survey was the first of
its kind in the district and the
first to be completely designed
and executed locally and pre-
sented by door-to-door
delivery. It was unique in
another way, in this day of
soaring costs. Because the job
was handled entirely by
volunteers, the only expense
was for printing the survey
plus the computer print-out by
the Board of Cooperative
Educational Services
(BOCES), a total cost of under
$200.
duration of the 1975 legislative
session.

Subscribed and sworn to before me this 6th day of March 75, 19

Myrna Rosen

Notary Public in and for Erie County
Myrna Rosen

Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 6, 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Sechter

Sworn to before me this 7th day of March, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

[redacted] meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in the Town on the 3rd day of March, 1975 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Councilmen:

Walter T. Wroblewski
Joseph E. Swiatek
Donald A. Halicki
Raymond J. Wasielewski
Kenneth J. Meyers
James M. Johnson

ABSENT: Supervisor Daniel E. Weber

Councilman No. 17 Councilman Johnson presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highway located in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 3rd day of March, 1975.

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

Crowden Drive

From

Genesee Park Blvd. southerly on both sides.

To

the intersection of Cromwell Dr. on the south property line of sublot 189.

Name of Highway

Cromwell Drive

From

the intersection of Crowden Dr. westerly on the north side thence southerly on both sides thence easterly on both sides

To

the east property lines of sublot 189 and sublot 91.

TYPE OF STREET LIGHTING INSTALLATION

Eighteen (18) 7000 lumen electrical post top type mercury units. Estimated cost per year for two years - $6.30 (80' lot)

and

WHEREAS Andrew H. Schwenk and Casimir A. Kaminski, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is situated entirely in said Town outside of any incorporated village or city therein; NOW, THEREFORE,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 17th day of March, 1975, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and the Cheektowaga News and in the Cheektowaga TIMES newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to Subdivision six of Section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Weber	Voting ABSENT
Councilmen:	
Wroblewski	Voting AYE
Swiatek	Voting AYE
Halicki	Voting AYE
[redacted]	Voting AYE
Meyers	Voting AYE
Johnson	Voting AYE

COUNTY OF ERIE)

I, BENEDICT T. HOLTZ, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on 3rd March, 1975, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at Item No. 17, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the member of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of March, 1975.

BENEDICT T. HOLTZ
Town Clerk

Item No. 18 Highway Department - Advertise for Bids for the purchase of Sweeper Brooms and Push Brooms.

Motion by Councilman Swiatek, seconded by Councilman Wasielewski

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Sweeper Brooms and Push Brooms, for use in the Highway Department. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:30 p.m. Daylight Savings Time on March 17, 1975 for the purpose of properly opening and reading the sealed bids.

* *

L E G A L N O T I C E T O B I D D E R S

SEALED PROPOSALS for street sweeper brooms and push brooms will be received by the undersigned at his office located at the Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York until 7:30 P.M., E. D.S.T., March 17th, 1975 at which time bids will be publicly opened and read.

Information for bidders and specifications may be obtained from ALFRED F. WNEK, Superintendent of Highways, at his office located at 3145 Union Road, Cheektowaga, New York. Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, and, also plainly marked "SEALED BID FOR STREET SWEEPER BROOMS AND PUSH BROOMS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT." Non-collusion forms must be signed and submitted with bids.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 25, 1975
PUBLISHED: March 6, 1975

* *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

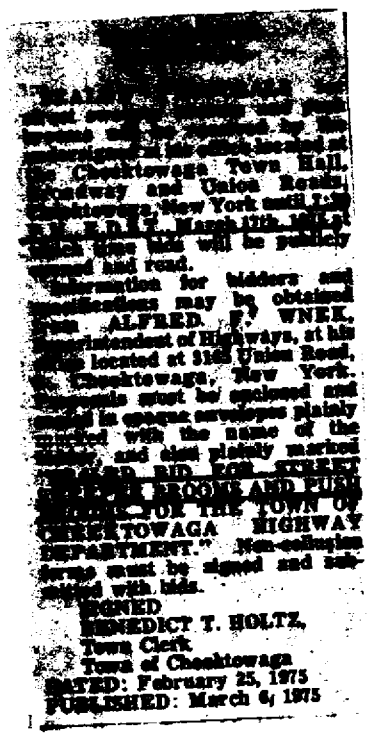
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of March, 19 75, and the last insertion being on the same day of same, 19 .



...Cheektowaga Town Hall, ...adway and Union Road, ...ektowaga, New York until ... P.M.E.S.T. March 11th, ... at which time bids will be publicly opened and read.

Information for bidders and specifications may be obtained from ALFRED F. WNEK, Superintendent of Highways, at his office located at 3148 Union Road, Cheektowaga, New York.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, and also plainly marked "BID FOR STUMP REMOVAL AND PUSH BROOM AND PUSH BROOM FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT." Non-collusion forms must be signed and submitted with bids.

SIGNED
BENEDICT T. HOLTZ,
Town Clerk
Town of Cheektowaga
DATED: February 25, 1975
PUBLISHED: March 6, 1975

Subscribed and sworn to before me this 6th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County
Myrna Rosen

Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sedelow, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 6, 1975;
last publication ;
and that no more than six days intervened between publications.

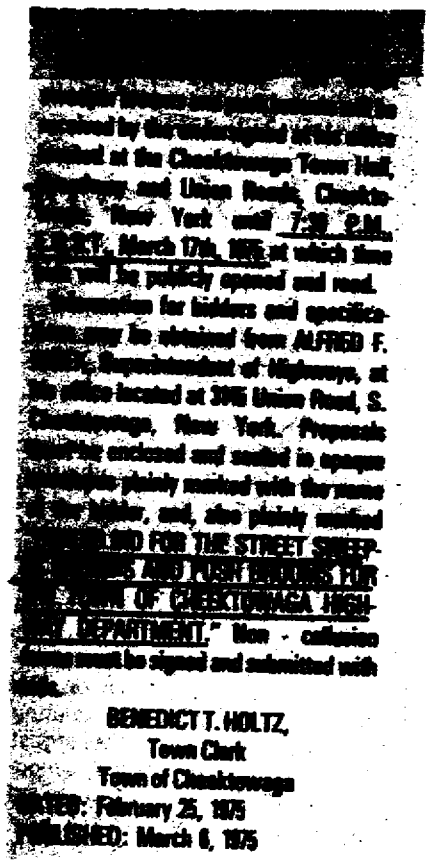
Gladys M. Sedelow

Sworn to before me this 7th
day of March, 19 75

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975



[illegible] by the undersigned at the Cheektowaga Town Hall, [illegible] and Union Roads, Cheektowaga, New York until 7:30 P.M., E.S.T., March 17th, 1975, at which time [illegible] will be publicly opened and read.

[illegible] for bidders and specifications may be obtained from ALFRED F. [illegible], Superintendent of Highways, at the office located at 3095 Union Road, S. Cheektowaga, New York. Proposals must be enclosed and sealed in opaque envelope plainly marked with the name of the bidder, and, also plainly marked "PROPOSAL FOR THE STREET SWEEPING [illegible] AND JOINT BIDDING FOR THE [illegible] OF CHEEKTOWAGA HIGHWAY DEPARTMENT." Non - collusion [illegible] must be signed and submitted with bids.

BENEDICT T. HOLTZ,
Town Clerk
Town of Cheektowaga
POSTED: February 25, 1975
PUBLISHED: March 6, 1975

#7

#8

Item No. 19 Highway Department - Advertise for Bids for the purchase of new trees for the 1975 planting.

Motion by Councilman Swiatek, seconded by Councilman Wasielewski

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of approximately 1400 new trees for the Town of Cheektowaga's tree planting season for 1975. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:30 p.m. Eastern Daylight Saving Time on March 17, 1975 for the purpose of properly opening and reading the sealed bids.

* *

L E G A L N O T I C E T O B I D D E R S

SEALED PROPOSALS will be received and considered by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at 7:30 P.M., E.D.S.T., March 17th, 1975 for the furnishing of approximately 1400 new trees.

Specifications may be picked up at the office of the Superintendent of Highways, Alfred F. Wnek, located at the Cheektowaga Highway Department, 3145 Union Road, Cheektowaga, New York.

Non-collusion forms must be signed and submitted with each bid.

BENEDICT T. HOLTZ
Town Clerk

DATED: February 25, 1975
PUBLISHED: March 6, 1975

* *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

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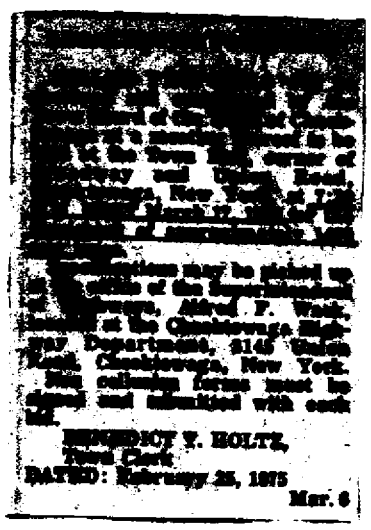
STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of March, 19 75, and the last insertion being on the same day of same, 19 .



Subscribed and sworn to before me this 6th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County

Myrna Rosen

Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sackett, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 6, 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Sackett

Sworn to before me this 7th day of March, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

[redacted]

and empowered by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at 7:30 P.M. (EST) March 17, 1975 for the furnishing of approximately 7000 rotor tires.

Specifications may be picked up at the office of the Superintendent of Highways, Alfred F. Wnek, located at the Cheektowaga Highway Department, 3145 Union Road, Cheektowaga, New York.

Non-collusion forms must be signed and submitted with each bid.

BENEDICT T. HOLTZ
Town Clerk
DATED: February 25, 1975
PUBLISHED: March 6, 1975

Item No. 20 Benedict L. Kostrzewski, Chief of Police - Authorization for Patrolman to attend Traffic Safety Conference.

Motion by Councilman Halicki, seconded by Councilman Wasielewski

WHEREAS, Patrolman William Fenske of the Cheektowaga Police Department has been assigned by said department to expand its program of Traffic Safety Education especially for the kindergarten through sixth grade, and

WHEREAS, the Ontario Traffic Conference, in conjunction with the Ontario Provincial Police, will conduct a Teaching Methods Course for Traffic Safety Instructors at the Toronto Teachers' College in Toronto, Ontario, April 7th through April 11th, 1975, now, therefore, BE IT

RESOLVED that Patrolman William Fenske be and hereby is authorized to attend said Teaching Methods Course for Traffic Safety Instructors in Toronto, Ontario on April 7th through April 11th, 1975, and BE IT FURTHER

RESOLVED that all his reasonable and necessary expenses incurred in attending said course will be reimbursed by the Town.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

V. RESOLUTIONS

Item No. 21 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, French Road in the Town of Cheektowaga is a heavily travelled thoroughfare, and

WHEREAS, Kelly Drive intersects French Road, and

WHEREAS, a flashing pedestrian signal light is presently located at French Road and Kelly Drive, and

WHEREAS, there has been a recent fatality on French Road, and

WHEREAS, a traffic study by the County of Erie of French Road has been requested by the Town of Cheektowaga by resolution adopted on February 18, 1975, and

WHEREAS, it appears a traffic actuated signal may be installed at this intersection, therefore, BE IT

RESOLVED that it be requested that the County of Erie issue a permit for the Town of Cheektowaga to convert the flashing pedestrian signal presently located at Kelly Drive and French Road to a pedestrian and vehicular actuated signal, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Deputy Commissioner Kenneth L. Reitmeier, Erie County Department of Public Works, Division of Highways.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 22 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, a Fire Academy previously had been proposed by the State of New York, and

WHEREAS, the funds for said Fire Academy were taken from the budget of the State of New York, therefore, BE IT

RESOLVED that the Office of the Governor of the State of New York, the New York State Senate and the New York State Assembly be and hereby are memorialized to reinstate the funds to the budget for the establishment of a Fire Academy, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Governor Hugh L. Cary, Senator Dale M. Volker, Assemblyman Dennis T. Gorski, the Clerk of the New York State Senate and the Clerk of the New York State Assembly.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 23 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, there have been several fatalities on French Road in the Town of Cheektowaga, and

WHEREAS, it appears that more traffic control devices should be erected on French Road, and

WHEREAS, Towers Boulevard intersects French Road and is a heavily travelled thoroughfare, and

WHEREAS, if Towers Boulevard can be aligned with Nancy Place, to create a cross intersection, a traffic control device at such intersection would be effective to control the traffic flow on French Road, therefore, BE IT

RESOLVED that the Town of Cheektowaga enter into negotiations with the owner of the land on the northwest corner of French Road and Towers Boulevard with a view to acquiring the land and changing the alignment of Towers Boulevard, and BE IT FURTHER

RESOLVED that Gerald Gabryszak, Administrative Assistant, investigate the possibilities of obtaining funds to acquire said land, and be it

FURTHER RESOLVED that Virginia Krauss of 1029 Walden Avenue, Cheektowaga, New York be and hereby is appointed as an appraiser to appraise said land located on the northwest corner of French Road and Towers Blvd. at a maximum fee of $300.00.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 24 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, Assemblyman Dennis T. Gorski sponsored a bill in the New York State Assembly to permit the residents of Drainage District No. 1 of the Town of Cheektowaga New York to pay a court judgment and sewer improvements in the sum of $520,000 over a period of thirty (30) years instead of five (5) years as specified by present state law, and

WHEREAS, said bill has passed the New York State Assembly on February 18, 1975, now, therefore, be it

Item No. 24 Cont'd

RESOLVED that the Town Board of the Town of Cheektowaga hereby expresses its thanks to Assemblyman Dennis T. Gorski for sponsoring said bill on behalf of the residents of the Town's Drainage District No. 1.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 25 Motion by Councilman Swiatek, seconded by Councilman Halicki

WHEREAS the Town Board of the Town of Cheektowaga has appropriated, by resolution dated November 18, 1974, $450,000 of Federal Revenue Sharing Funds for use in Parks and Recreation for the year 1975, and

WHEREAS the Town Board of the Town of Cheektowaga has sub-appropriated $29,000 of these Revenue Sharing Funds for the purchase of bleachers in the Cheektowaga Community Center, and

WHEREAS there now exists a balance of $421,000 for other Parks and Recreation projects, NOW, THEREFORE, BE IT

RESOLVED that the Town Board adopt the following sub-appropriations of these funds:

Dartwood Drive Community Center	$180,000
Maryvale Community Center	$ 70,000
Renovation of Losson Rd. Park building (formerly Brushenbrook Club)	$ 35,000
Athletic facility at Maryvale U-Crest and Maryvale East Schools	$ 25,000
Renovation of Tiorunda playground	$ 15,000
Shelters and equipment - Rehm Rd. Park	$ 8,000
Development of picnic area at Losson Rd. Park	$ 20,000
Renovation of other neighborhood parks	$ 38,000
Restoration of baseball diamonds, fencing, equipment and contingency for above projects	$ 30,000

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 26a Motion by Councilman Swiatek, seconded by Councilman Wasielewski

WHEREAS, bids for the construction of the Community Building in Dartwood Park were received on February 3, 1975 at a regular Town Board meeting after advertisement therefor, and

WHEREAS, a tabulation of the bids has been prepared by the firm of Scaffidi & Moore, Architects, now, therefore, BE IT

RESOLVED that the bid for general construction of the Community Building in Dartwood Park be and hereby is awarded as follows; said bidder being the lowest responsible bidder meeting specifications:

Item No. 26a Cont'd

GENERAL CONSTRUCTION - Hadala Construction

Base Bid	$97,686.00	
Alternate No. 2 (-)	1,200.00	
Alternate No. 5 (+)	2,000.00	
Total General Construction		$98,486.00

Reject Alternate Nos. 1,3,4,6,7A,7B, and 7C

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 26b Motion by Councilman Swiatek, seconded by Councilman Wasielewski

WHEREAS, bids for the construction of the Community Building in Dartwood Park were received on February 3, 1975 at a regular Town Board meeting after advertisement therefor, and

WHEREAS, a tabulation of the bids has been prepared by the firm of Scaffidi & Moore, Architects, now, therefore, BE IT

RESOLVED that the bid for electrical work for the Community Building in Dartwood Park be and hereby is awarded as follows; said bidder being the lowest responsible bidder meeting specifications:

ELECTRICAL WORK - Anco Electric Company, Inc.

Base Bid	$19,834.00	
Alternate No. E-1 (-)	1,175.00	
Alternate No. E-2 (+)	100.00	
Total Electrical		$18,759.00

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 26c Motion by Councilman Swiatek, seconded by Councilman Wasielewski

WHEREAS, bids for the construction of the Community Building in Dartwood Park were received on February 3, 1975 at a regular Town Board meeting after advertisement therefor, and

WHEREAS, a tabulation of the bids has been prepared by the firm of Scaffidi & Moore, Architects, now, therefore, BE IT

RESOLVED that the bid for plumbing work for the Community Building in Dartwood Park be and hereby is awarded as follows; said bidder being the lowest responsible bidder meeting specifications:

PLUMBING WORK - Arena Plumbing & Heating Corporation

Base Bid	$11,150.00	
Total Plumbing		$11,150.00

Reject Alternate P-1

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

*Item No. 26d Motion by Councilman Swiatek, seconded by Councilman Wasielewski

WHEREAS, bids for the construction of the Community Building in Dartwood Park were received on February 3, 1975 at a regular Town Board meeting after advertisement therefor, and

WHEREAS, a tabulation of the bids has been prepared by the firm of Scaffidi & Moore, Architects, now, therefore, BE IT

RESOLVED that the bid for heating and ventilating work for the Community Building in Dartwood Park be and hereby is awarded as follows; said bidder being the lowest responsible bidder meeting specifications:

HEATING & VENTILATING WORK - A. C. H. Contractors, Inc.

Base Bid	$25,135.00	
Total Heating & Ventilating		$25,135.00
Reject Alternate No. HVAC-1		

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

* Item No. 26c and Item No. 26d will be brought up at a special meeting to be held on March 10th, 1975.

Item No. 27 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, the State of New York has amended both the Labor Law and the General Business Law of the State of New York in relation to the regulation of construction, excavation and demolition sites located at or near underground facilities in order to assure safety and prevent damage to public or private property, and

WHEREAS, one of tha amendments calls for the establishment of a central registry of operators of underground facilities located within the geographical area of the Town, and

WHEREAS, a public notice must be published notifying excavators of the establishment of said central registry, therefore, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers published in the Town of Cheektowaga and having a general circulation therein, on March 6, 1975 and March 13, 1975.

* *

N O T I C E

NOTICE IS HEREBY GIVEN TO OPERATORS OF UNDERGROUND FACILITIES, EXCAVATORS and CONTRACTORS of the establishment of a central registry within the Town of Cheektowaga.

You are notified and directed that on or before April 1, 1975 all operators of underground facilities must register in a central registry office of the Town of Cheektowaga. The purpose of the central registry is to assure safety and prevent damage to public or private property. You are now directed to comply with all provisions of Part 53 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Cited as 12 NYCRR 53) and all excavators and operators are obligated to comply with Article 36 of the General Business Law and with the provisions of Industrial Code Part (Rule No.) 53 before any excavation or demolition operation is commenced. Every excavator is required to give advanced notice to every operator listed on the central registry of his intent to perform

Item No. 27 Cont'd

excavation or demolition work in a specified area.

The central registry of the Town of Cheektowaga will be in the Town Hall, Broadway and Union Road, Cheektowaga, New York, Telephone 683-2200, Office of Carl Trafalski, Building Inspector.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 3, 1975

* *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

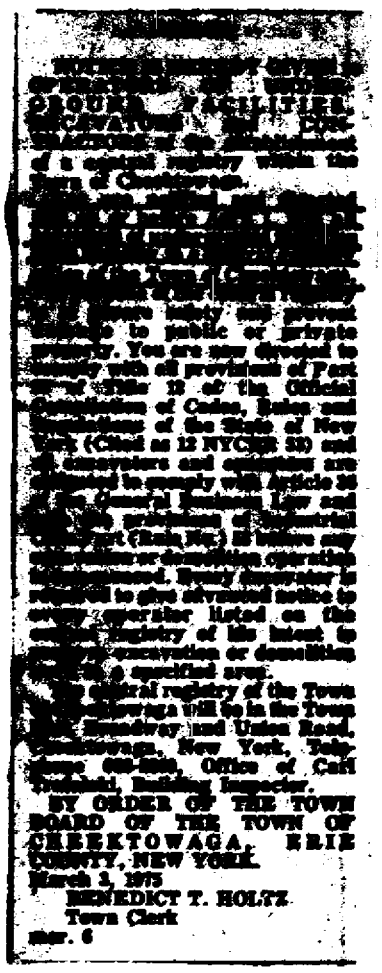
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6 day of March, 19 75, and the last insertion being on the same day of same, 19 .



...ORDER... ...ENFORCEMENT... ...ORDER... ...ENFORCEMENT... ...ORDER... ...ENFORCEMENT...

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Lockstein, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 6, 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Lockstein

Sworn to before me this 7th day of March, 19 75

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 75

FACILITIES, EXCAVATORS and CONTRACTORS of the establishment of a central registry within the Town of Cheektowaga.

You are notified and directed that on or before April 1, 1975 all operators of underground facilities must register in a central registry office of the Town of Cheektowaga. The purpose of the central registry is to assure safety and prevent damage to public or private property. You are now directed to comply with all provisions of Part 53 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Cited as 12 NYCRR 53) and all excavators and operators are obligated to comply with Article 36 of the General Business Law and with the provisions of Industrial Code Part Eight Hundred Fifty-three (853) 53 before any excavation or demolition operation is commenced. Every excavator is required to give advanced notice to every operator listed in the central registry of his intent to perform excavation or demolition work in a specified area.

The central registry of the Town of Cheektowaga will be in the Town Hall, Broadway and Union Road, Cheektowaga, New York, Telephone 683-2288, Office of Carl Trafalski, Building Inspector.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

March 3, 1975

BENEDICT T. HOLTZ
Town Clerk

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

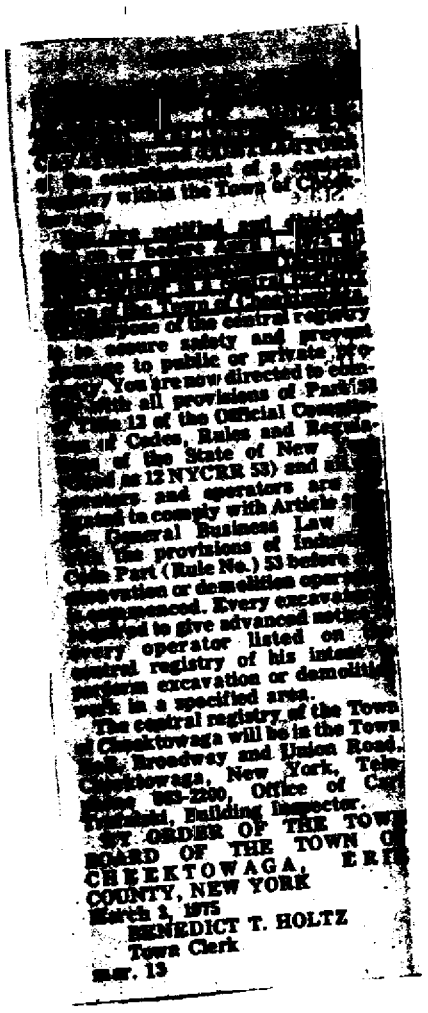
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 13 day of March, 19 75, and the last insertion being on the same day of same, 19 .



...ecure safety and prevent ...age to public or private ...y. You are now directed to com... with all provisions of Part 53 ... 12 of the Official Compila... of Codes, Rules and Regula... of the State of New ... (cited at 12 NYCRR 53) and all ... owners and operators are ... to comply with Article ... General Business LAW ... the provisions of Indus... Code Part (Rule No.) 53 before ... excavation or demolition opera... commenced. Every excavator ... required to give advanced notice ... every operator listed on the ... central registry of his intent to ... perform excavation or demolition ... work in a specified area.

The central registry of the Town of Cheektowaga will be in the Town Hall, Broadway and Union Road, Cheektowaga, New York, Telephone 683-2200, Office of Carl Turnbald, Building Inspector.

BY ORDER OF THE TOWN ... BOARD OF THE TOWN ... CHEEKTOWAGA, ERIE COUNTY, NEW YORK
March 3, 1975
BENEDICT T. HOLTZ
Town Clerk
mar. 13

Subscribed and sworn to before me this 13 day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 19 76

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sackett, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 13 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Sackett

Sworn to before me this 14th day of March, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

Item No. 28 Motion by Councilman Johnson, seconded by Councilman Halicki

BE IT RESOLVED that a public hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967, be held on the 17th day of March, 1975 at 7:30 p.m. Eastern Daylight Saving Time at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES on March 6, 1975; the said proposed amendment being set forth in the Notice of Hearing.

* *

N O T I C E O F H E A R I N G

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 17th day of March, 1975 at 7:30 p.m. Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

PARKING-STANDING AND STOPPING:

Section 102 is amended by adding thereto the following:

LYDIA LANE...NORTHSIDE...NO PARKING ANYTIME EAST FROM DICK ROAD TO HOMEWORTH PARKWAY

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 3, 1975

* *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

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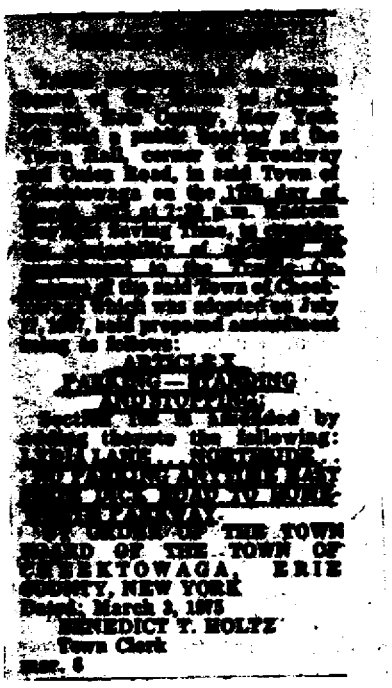
STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6 day of March, 19 75, and the last insertion being on the same day of same, 19.....



...BOARD OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK
Dated: March 3, 1975
BENEDICT T. HOLTZ
Town Clerk
mar. 6

Subscribed and sworn to before me this 6 day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

George J. Measer

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sechrist of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 6, 1975; last publication ; and that no more than six days intervened between publications.

Gladys M. Sechrist

Sworn to before me this 7th day of March, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975

the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 17th day of March, 1975 at 8:00 p.m. Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

PARKING, STANDING AND STOPPING:

Section 102 is amended by adding thereto the following:

TOWN LANE - NORTHSIDE - NO PARKING ANYTIME EAST FROM DICK ROAD TO BROADWAY PARKWAY

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

Dated: March 3, 1975

BENEDICT T. HOLTZ
Town Clerk

Item No. 29 Motion by Councilman Wroblewski, seconded by Councilman Johnson

WHEREAS, Allan A. Nowak has applied for a rezoning from R-Residential District to CM-General Commercial District for the property located at 701 Cayuga Creek Road, Cheektowaga, New York, and being more particularly described as follows:

> ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. Sixty-five (65), Township Ten (10), Range Seven (7), bounded and described as follows:
>
> BEGINNING at a point in the easterly line of a proposed street providing access to the property heretofore deeded to Stephen and Celia Chrzanowski, by Maryanna Fronckowiak, which point is One hundred seventy-five (175) feet southerly from the point of intersection of said proposed street with the right-of-way now used as a driveway by Schreiber & Winkelman; thence two hundred (200) feet in a generally easterly direction and parallel with the northeasterly line of lands deeded to Anton Fronckowiak by deed recorded in the Erie County Clerk's Office in liber 1769 of Deeds at page 368; thence southwesterly and at right angles sixty five (65) feet; thence at right angles in a generally westerly direction to the easterly line of the proposed street; and thence northerly along the easterly line of the proposed street, eighty-two and seventy-eight hundredths (82.78) feet to the point or place of beginning,

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 18th day of February, 1975 at 7:00 p.m. Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinances and the Town Law of the State of New York and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the Cheektowaga Planning Commission has recommended denial of said rezoning, and

WHEREAS, the proposed use of said premises appears to unduly interfere with the use and enjoyment of the surrounding properties, therefore, BE IT

RESOLVED that the said application for rezoning be and hereby is denied.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 30 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, the New York Board of Fire Underwriters has recommended that the existing PLUMBING & DRAINAGE ORDINANCE -- BUILDING CODE of the Town of Cheektowaga, originally adopted December 21, 1942, be amended to include the Electrical Inspection Ordinance as attached to the Notice of Hearing, now, therefore, BE IT

RESOLVED, that in accordance with the provisions of Section 130 of the Town Law of the State of New York, a public hearing be held on the 7th day of April, 1975 at 2:00 p.m. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the PLUMBING & DRAINAGE ORDINANCE -- BUILDING CODE of the Town of Cheektowaga, originally adopted December 21, 1942, be amended to include the

Item No. 30 Cont'd

the Electrical Inspection Ordinance as recommended by the New York Board of Fire Underwriters, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of hearing.

* *

N O T I C E O F H E A R I N G

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 3rd day of March, 1975, and in accordance with the provisions of Section 130 of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of April, 1975 at 2:00 o'clock p.m. Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the PLUMBING & DRAINAGE ORDINANCE -- BUILDING CODE of the Town of Cheektowaga, originally adopted December 21, 1942, shall be amended to include the Electrical Inspection Ordinance as shown in Schedule "A", attaehed hereto and made a part hereof.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 3, 1975

* *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

***SEE NEXT FEW PAGES FOR ATTACHMENTS AND AFFIDAVITS.

SUGGESTIONS FOR AN ORDINANCE
WHI[illegible] THE STATE BUILDING CONSTRUCTION CODE HAS NOT BEEN ADOPTED

RE[illegible]SOLVED: That the following Ordinance, to be known as Section #..... of the Ordinance of the [illegible]applies — Common Council — Town Board — etc.) of the (City) (Town) (Village) of..... ..... be adopted:

Section 1 — **Title.** This Ordinance shall be known as The Electrical Code of the (City) (Town) (Village) of .....

Section 2 — **STATEMENT OF PURPOSE.** Since there is danger to life and property inherent in the use of electrical energy, this electrical Ordinance is enacted to regulate the installation, alteration of wiring for electric light, heat or power and signal systems operating on fifty (50) volts or more, in or on all real property within the (City) (Town) (Village) of.....

Section 3 — **NATIONAL CODE ADOPTED.** All electrical installations heretofore mentioned shall be made in conformity with the requirements of the National Electrical Code except where the provisions of this Ordinance or any other local law, ordinance or building Code of the (City) (Town) (Village) of .... shall differently prescribe, in which event compliance with the provisions of such local law, Ordinance or Building Code shall be recognized as proper compliance with this Ordinance. The requirements of the National Electrical Code shall be those known as National Fire Association Pamphlet #70, as approved and adopted by the American Standards Association.

Section 4 — **ELECTRICAL INSPECTOR.** The Chief Inspector, and each of the duly appointed Inspectors of The New York Board of Fire Underwriters are hereby authorized and deputized as agents of the (City) (Town) (Village) of..... to make inspections and reinspections of all electrical installations heretofore and hereafter described, and to approve or disapprove the same. In no event, however, will the cost or expense of such inspections and reinspections be a charge against the (City) (Town) (Village) of.....

Section 5 — **DUTIES OF THE ELECTRICAL INSPECTORS.** It shall be the duty of the Inspector to report in writing to the Chief Building Inspector, whose duty it shall be to enforce all the provisions of this Code, all violations of or deviations from or omissions of the electrical provisions of the National Electrical Code, and of all local laws, Ordinances, and the Building Code as referred to in this Ordinance insofar as any of the same apply to electrical wiring. The Inspector shall make inspections and reinspections of electrical installations in and on properties in the (City) (Town) (Village) of..... upon the written request of an authorized official of the (City) (Town) (Village) of..... or as herein provided. The Inspector is authorized to make inspections and reinspections of electrical wiring installations, devices, appliances, and equipment, in and on properties within the (City) (Town) (Village) of .... where he deems it necessary for the protection of life and property. In the event of an emergency it is the duty of the Inspector to make electrical inspections upon the oral request of an official or officer of the (City) (Town) (Village) of.....

It shall be the duty of the Inspector to furnish written reports to the proper officials of the (City) (Town) (Village) of.....and owners and/or lessees of property where defective electrical installations and equipment are found upon inspection. He shall authorize the issuing of a certificate of compliance when electrical installations and equipment are in conformity with this Ordinance. He shall direct that a copy of the certificate of compliance be sent to the (City) (Town) (Village) of..... ..... to the attention of the Building Inspector.

(OVER)

ection 6 — **VIOLATIONS OF THE ORDINANCE.** It shall be a violation of this Ordinance for any person, firm or corporation to install or cause to be installed, or to alter electrical wiring for light, heat or power in or on properties in the (City) (Town) (Village) of .....until an application for inspection has been filed with The New York Board of Fire Underwriters. It shall be a violation of this Ordinance for a person, firm or corporation to connect or cause to be connected electrical wiring, in or on properties for light, heat or power, to any source of electrical energy supply, prior to the issuance of a temporary certificate, or a certificate of compliance, by The New York Board of Fire Underwriters.

Section 7 — PENALTY FOR VIOLATIONS. Any person, firm or corporation who shall violate any of the provisions of this Ordinance or any rule or regulation made pursuant thereto shall be guilty of disorderly conduct and shall be a disorderly person, and upon conviction thereof may be punished by a fine of not more than .....dollars, and each day on which such violation continues shall constitute a separate offense.

Section 8 — ORDINANCE NOT APPLICABLE IN CERTAIN CASES. The provisions of this Ordinance shall not apply to the electrical installations in mines, ships, railway cars, automotive equipment, or the installations or equipment employed by a railway, electrical or communication utility in the excercize of its function as a utility, and located out doors or in buildings used exclusively for that purpose. This Ordinance shall not apply to any work involved in the manufacture assembly, test or repair of electrical machinery, apparatus, materials and equipment by a person, firm or corporation engaged in electrical manufacturing as their principal business. It shall not apply to any building which is owned or leased in its entirety by the Government of the United States or the State of New York.

Section 9 — NO WAIVER OR ASSUMPTION OF LIABILITY. This Ordinance shall not be construed to relieve from or lessen the responsibility of any person owning, operating, controlling or installing any electrical wiring, devices, appliances, or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the (City) (Town) (Village) of .....or The New York Board of Fire Underwriters be deemed to have assumed any such liability by reason of any inspection made pursuant to this Ordinance.

Section 10 — SEPARABILITY CLAUSE. If any part or provision of this Ordinance or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Ordinance or the application thereof to other persons or circumstances and the ..... of the (City) (Town) (Village) of.....hereby declares that it would have passed this Ordinance or the remainder thereof had such invalid application or invalid provision been apparent.

Section 11 — REPEALING PROVISIONS. All Ordinances and parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 12 — **EFFECTIVE DATE.** This Ordinance shall take effect on.....

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

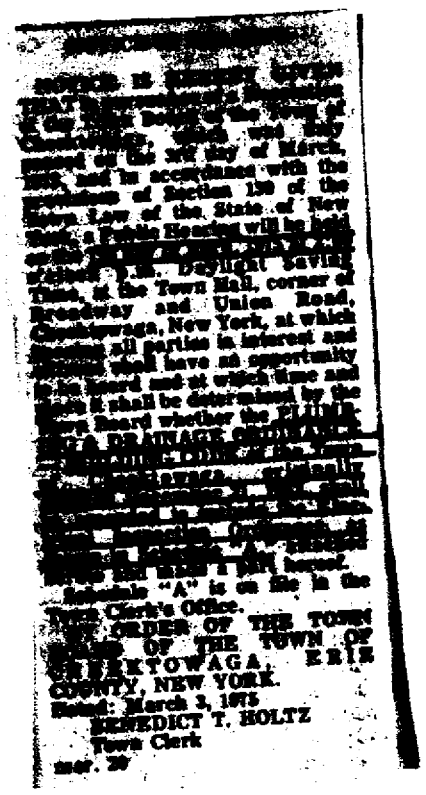
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of March, 19 75, and the last insertion being on the same day of ....., 19.....



...ORDER OF THE TOWN
...OF THE TOWN OF
...KTOWAGA, ERIE
COUNTY, NEW YORK.
Dated: March 3, 1975
BENEDICT T. HOLTZ
Town Clerk
mar. 20

Subscribed and sworn to before me this 20th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

George J. Measer

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sackett of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 20, 1975 ;

last publication ;

and that no more than six days intervened between publications.

Gladys M. Sackett

Sworn to before me this 21st

day of March, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1977

[illegible] Board of the Town/[illegible], [illegible] duly passed and adopted on the [illegible] day of [illegible], 19[illegible], and in accordance with the provisions of Section 2-[illegible] of the Town Law of the State of New York, a Public Hearing will be held on the [illegible] day of [illegible], 19[illegible], at [illegible] o'clock [illegible].M., at the Town [illegible] and Village [illegible], Orchard Park, New York, at which time all persons will have an opportunity to be heard and at which time evidence shall be submitted to the [illegible] whether the [illegible] [illegible] [illegible]

Item No. 31 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, a new formula for levying sewer taxes in Sewer District No. 5 is being contemplated, and

WHEREAS, the new formula will be by frontage, consumption and valuation instead of the old formula of area, now, therefore, BE IT

RESOLVED that the Accounting Department is hereby authorized to begin compiling information in preparation for the new formula.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 32 Motion by Councilman Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the Executive Secretary of the Traffic Safety Commission be granted a salary increase from $750.00 to $1,000.00 per annum, effective immediately, and, BE IT

FURTHER RESOLVED that a proper transfer of funds be made in the budget to pay for said increase.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 33 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, there is a vacancy on the Cheektowaga Traffic Safety Commission, therefore, BE IT

RESOLVED that Anthony Osswald, residing at in the Town of Cheektowaga, New York, be and hereby is appointed to fill the vacancy on the said Traffic Safety Commission until September 2, 1975.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 34 Motion by Councilman Swiatek, seconded by Councilman Wasielewski

BE IT RESOLVED that the Deputy Supervisor be and hereby is authorized to execute the attached option agreement for the purchase by the Town of Cheektowaga of real property known as 3409 Genesee Street, Cheektowaga, New York.

***SEE NEXT TWO PAGES

Item No. 34 Cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 35a Motion by Councilman Halicki, seconded by Councilman Wasielewski

BE IT RESOLVED that the surety bond of the Town Supervisor be and hereby is fixed in the sum of $300,000, and BE IT FURTHER

RESOLVED that the Accounting Office is hereby authorized to order said bond and pay the premium thereon.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 35b Motion by Councilman Halicki, seconded by Councilman Wroblewski

BE IT RESOLVED that the surety bond of the Deputy Town Supervisor be and hereby is fixed in the sum of $300,000, and BE IT FURTHER

RESOLVED that the filing of the surety bond by the Deputy Town Supervisor John V. Rogowski as of February 15, 1975, wherein the Fidelity and Deposit Company of Maryland is listed as surety be and hereby is approved as to its form, manner of execution and sufficiency of sureties therein.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 36 Motion by Councilman Halicki, seconded by Councilman Swiatek

RESOLUTION COVERING FACSIMILE SIGNATURE

RESOLVED that the Marine Trust Company (Cheektowaga Office), Liberty Bank and Trust Company (Harlem Road Office), Bank of Buffalo (Cheektowaga Office), Manufacturers and Traders Trust Company (Airport Plaza Office), Niagara Frontier Bank of New York (Cheektowaga Office), Chase Manhattan Bank of Western New York, N.A. (Depew Office), and Citibank of New York, N.A. (Airport Plaza Office), as designated depositories of the Town of Cheektowaga, be, and they hereby are requested, authorized and directed to honor checks, notes, and other instruments for the payment of money against town funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as signer, when bearing or purporting to bear the facsimile signature of John V. Rogowski, Deputy Supervisor--

and the Marine Trust Company (Cheektowaga Office), Liberty Bank and Trust Company (Harlem Road Office), Bank of Buffalo (Cheektowaga Office), Manufacturers and Traders Trust Company (Airport Plaza Office), Niagara Frontier Bank of New York (Cheektowaga Office, Chase Manhattan Bank of Western New York, N.A. (Depew Office), and Citibank of New York, N.A. (Airport Plaza Office) shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes, and other instruments, regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen or specimens duly certified to or filed with the said banks by the Supervisor, the Town Clerk or other officer of the Town of Cheektowaga.

Item No. 36 Cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 37 Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

BE IT RESOLVED that the following street names in the new subdivision #2354 Marywood Farms Part II be changed as fo'lows:

FROM:	TO:
Creekwood Drive	Lynn Drive
Creekwood Court	Joyce Court

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 38 Direct Town Planning Consultant to prepare and submit grant application to the State Bureau of Outdoor Recreation re: Nob Hill Park Site.
Item Lost for Lack of Second.

Item No. 39 Direct Town Planning Consultant to prepare and submit grant application to the State Bureau of Outdoor Recreation re: Preservation of Flood Plains.
Item Lost for Lack of Second.

Item No. 40 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the State University of New York at Albany Graduate School of Public Affairs is conducting a public executive project, and

WHEREAS, the program will concentrate on the coordination of intergovernmental programs, and

WHEREAS, the project will be conducted in Rensselaerville, New York, March 16th thru 21st, NOW, THEREFORE, BE IT

RESOLVED, that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Board, is hereby authorized to attend the Public Executive Project, and BE IT

FURTHER RESOLVED that he be reimbursed for all necessary and reasonable expenses in connection with said trip.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 41 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the Town Board of Cheektowaga has established a Youth Bureau Project effective January 1, 1975, and

WHEREAS, the Town of Cheektowaga is about to submit an application for such project to the New York State Division for Youth for its approval, and if

Item No. 41 Cont'd

approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said project, as provided by Chapter 636 of the Laws of 1956, as amended; now, therefore, BE IT

RESOLVED, that such application is in all respects approved, and John V. Rogowski, Deputy Supervisor, is hereby directed and authorized to duly execute and to present said application to New York State Division for Youth on its approval.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 42 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the Town Board of Cheektowaga has established a Youth Service Project effective January 1, 1975, and

WHEREAS, the Town of Cheektowaga is about to submit an application for such project to the New York State Division for Youth for its approval, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said project, as provided by Chapter 636 of the Laws of 1956, as amended; now, therefore, BE IT

RESOLVED, that such application is in all respects approved, and John V. Rogowski, Deputy Supervisor, is hereby directed and authorized to duly execute and to present said application to the New York State Division for Youth on its approval.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 43a Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS funds are presently available under the Comprehensive Employment and Training Act of 1973, Title II, now, therefore, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, established by the department head:

Laborer in the Village of Depew at a rate of $3.75 per hour

Larry C. Roehner
(replacement for Mr. Louis Epolito)

Clerk-Typist in the Cheektowaga Central School System at a rate of $6,488.25 per year

(Mrs.) Paulett K. Brylinski

Teacher-Aide in the Cheektowaga Central School System at a rate of $3.19 per hour

(Mrs.) Grace J. Nosal
(replacement for Mrs. Mary Sarnowski)

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 43b Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS Joseph B. Cirino residing at , in the Town of Cheektowaga, has been hired under the Comprehensive Employment and Training Act of 1973 under Title II, as a Laborer in the Cleveland Hill School System, now, therefore, BE IT

RESOLVED that Joseph B. Cirino be transferred to the position of Laborer in the Maryvale Central School System at an hourly salary of $3.75, effective immediately.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 44 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS funds are presently available under the Comprehensive Employment and Training Act of 1973, Emergency Jobs Program Title VI, now, therefore, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, effective the 3rd day of March, 1975 starting dates to be established by the department head:

Clerk-Typist in the Police Building at a rate of $6,488.25 per year

(Mrs.) Carol A. Palmiere

Laborers in the Highway Department at a rate of $3.75 per hour

Paul J. Hennessey

Harry Heverly

Anthony D. Kaznica

Thomas J. Kubala

Milton M. Schmidt

Richard L. Wilson

Laborer in the Maryvale School System at a rate of $3.75 per hour

Paul J. Griffin
(replacement for Mr. Chester Bork)

Laborers in the Parks and Recreation Department at a rate of $3.75 per hour

Harold E. Holdsworth

Henry S. Szczecinski

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 45 Motion by Councilman Halicki, seconded by Councilman Wroblewski

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga does hereby elect to provide the benefits of Section 375-i of the Reitrement and Social Security Law as presently or hereafter amended; and

"BE IT FURTHER RESOLVED: that this election shall become effective with the payroll period beginning on 17th day of March 1975".

Item No. 45 Cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 46 Motion by Councilman Halicki, seconded by Councilman Wroblewski

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga does hereby elect to provide the additional pension benefits of Section 375-e of the Policemen's and Firemen's Retirement Law, as presently or hereafter amended, and entitled "guaranteed retirement benefits for employees of participating employers"; and

"BE IT FURTHER RESOLVED: that this election shall become effective with the payroll period beginning on 17th day of March 1975".

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 47 Motion by Councilman Halicki, seconded by Councilman Wroblewski

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga, does hereby elect to provide the Career Retirement Plan of Section 375-g of the Retirement and Social Security Law as presently or hereafter amended, for employees of participating employers; and

"BE IT FURTHER RESOLVED: that this election shall become effective with the payroll period beginning on 17th day of March 1975".

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 48 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED, that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending March 3, 1975, be and hereby are approved and that Deputy Supervisor pay said warrants:

FUND	FROM	TO	AMOUNT
General	762	940	$1,427,273.91
Part Town	13	22	4,544.30
Highway	88	125	1,644,147.61
Special Districts	91	129	5,317,713.58
Federal Revenue Sharing	-	-	1,041,059.84
Trust and Agency	6	-	80,306.31
Construction & Improvement	7	-	---
			$9,515,045.55

Item No. 48 Cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Motion by Councilman Swiatek, seconded by Councilman Wroblewski to Waive the Rules.

VI. SUSPENSION OF RULES

Item No. 49 Decision on Rezoning - 2760 Union Road.

Motion by Councilman Wroblewski, seconded by Councilman Wasielewski

WHEREAS, Buffalo Acoustical & Partitions Co., Robert Richter, has applied for a rezoning from RA-Apartment District to C-Retail Business District the property located at 2760 Union Road, Cheektowaga, New York, and being more particularly described as follows:

> ALL that tract or parcel of land situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot 15, Township 11, Range 7 of the Holland Land Company Survey and being more particularly described as follows:
>
> Beginning at a point in the west line of Union (100' wide) Road at a distance of 200.00' north of the south line of Lot 15 as measured along the west line of Union Road. Thence north 82 degrees-15'-27" west 178.59' to a point. Thence north 6 degrees-12'04" east 233.06' to a point. Thence south 81 degrees-38'-56" east 180.58' to a point in the west line of Union Road. Thence south 6 degrees-40'-33" west, and along the west line of Union Road, a distance of 231.10' to the point and place of beginning and containing 0.956 plus or minus acres of land,

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 18th day of February, 1975 at 7:30 p.m. Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinances and the Town Law of the State of New York and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the requirements of Section 6-05, paragraph C-Screening, of the Town Zoning Ordinance dealing with the screening of the adjacent residential area should be complied with, and

WHEREAS, it appears that the proposed rezoning would not interfere with the use and enjoyment of the surrounding properties by the owners or occupants thereof, now, therefore, BE IT

RESOLVED that said rezoning is granted subject to the owner complying with the provisions of Section 6-05, paragraph C of the Town Zoning Ordinance wherein the premises must be properly screened along the boundary line between subject premises and adjacent residential properties, and BE IT FURTHER

RESOLVED that the above described premises be and hereby are rezoned from RA-Apartment District to C-Retail Business District, and BE IT FURTHER

RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly.

Item No. 49 Cont'd

Upon Roll Call....

AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson

NAYES: 0

ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

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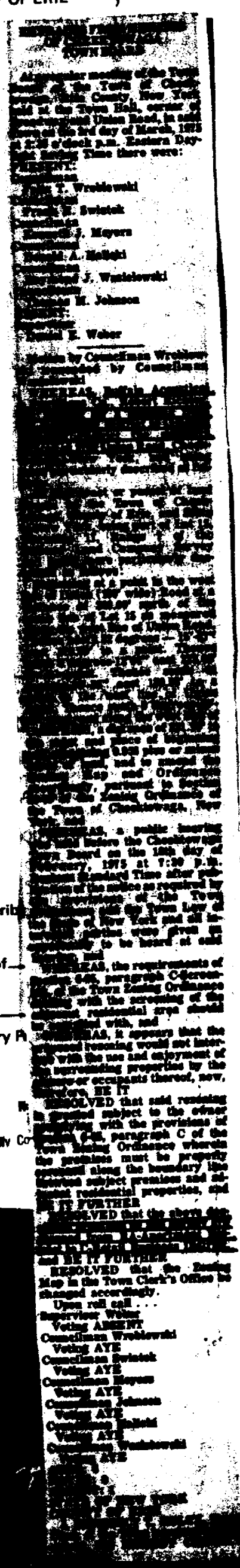
UNTY OF ERIE } ss.



George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 13 day of March, 1975, and the last insertion being on the same day of same, 19.....

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Myrna Rosen

Form No. 1

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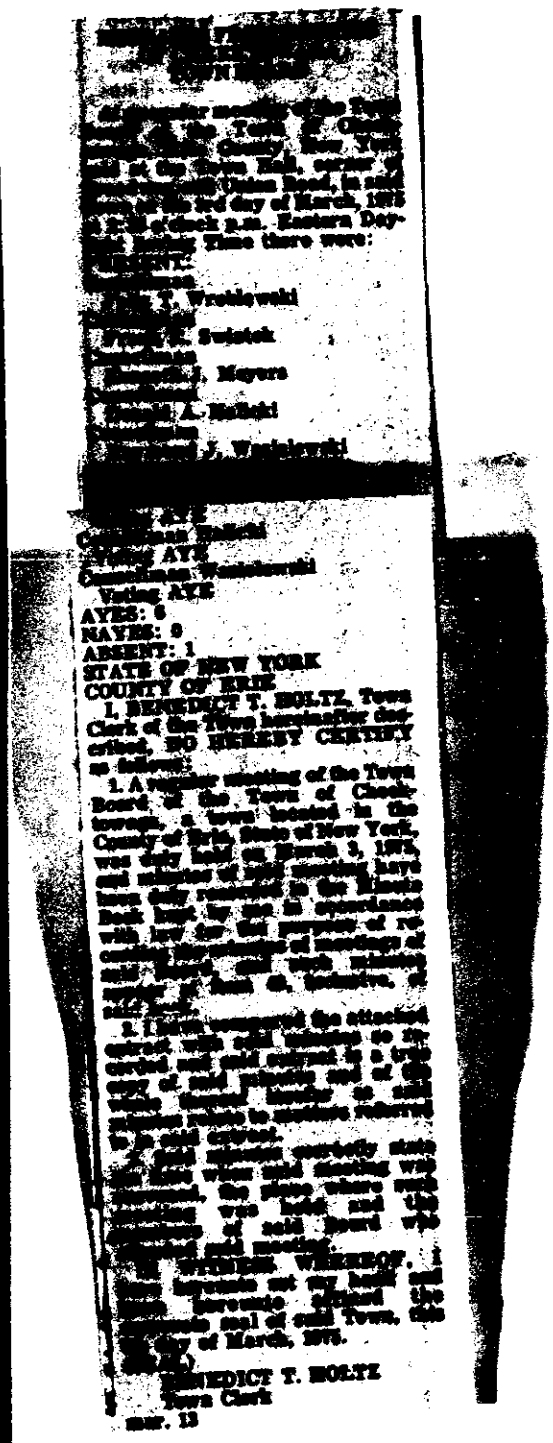


AYES: 6
NAYS: 0
ABSENT: 1
STATE OF NEW YORK
COUNTY OF ERIE
I, BENEDICT T. HOLTZ, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:
1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on March 3, 1975, at which a quorum of the Town Board was present in accordance with law for the purpose of transacting business and of conducting a hearing on the proposed
2. I have compared the attached extract with the minutes of the said meeting as recorded in the minute book of the Town Board and the same is a true and correct extract therefrom and of the whole of said minutes so far as relates to matters referred to in said extract.
3. The minutes correctly state the time when said meeting was convened, the place where it was held, and the members of said Board who were present and who were absent.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, this 13th day of March, 1975.
(SEAL)
BENEDICT T. HOLTZ
Town Clerk
mar. 13

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 13 day of March, 1975, and the last insertion being on the same day of same, 19.....

ıbscribed and sworn to before me this 13 day

of March, 19 75

Myrna Rosen

otary Public in and for Erie County

Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

Form No. 1

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 13, 1975; last publication ; and that no more than six days intervened between publications.

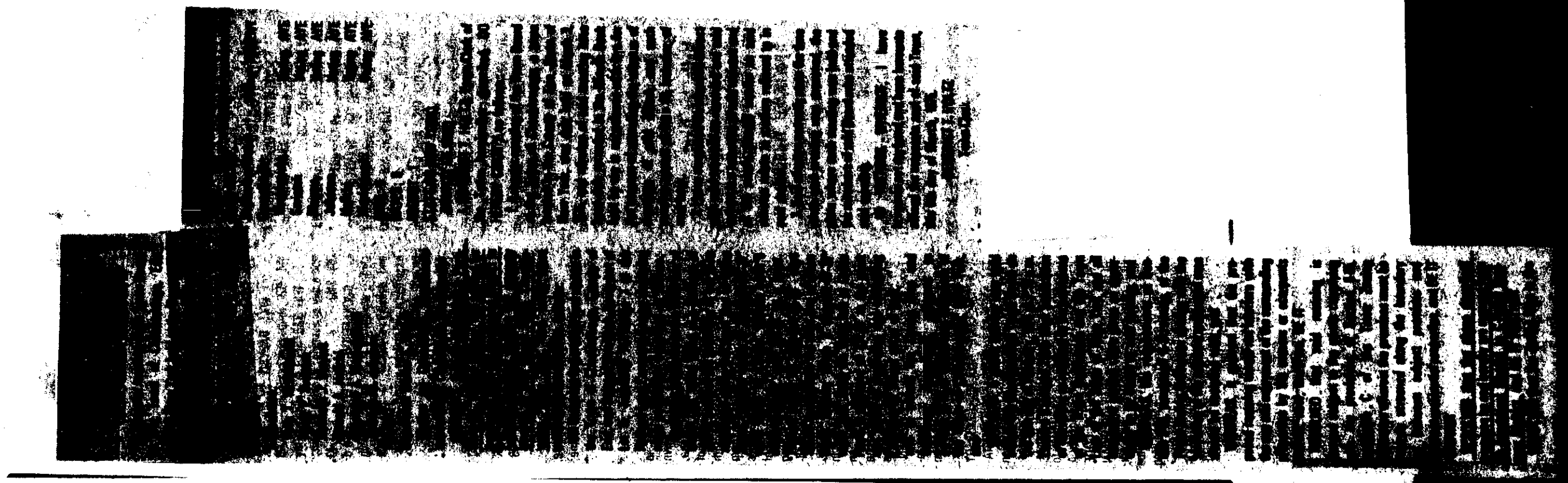
Gladys M. Sechter

Sworn to before me this 14th day of March, 1975

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1975



Item No. 50 Request Dept. of Environmental Conservation to take field survey of William St., Union Rd. area.

Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, there is frequent heavy flooding in the area of William Street and Union Road in the Town of Cheektowaga, and

WHEREAS, said flooding is caused by high waters in Cayuga Creek, therefore, BE IT

RESOLVED that the Department of Environmental Conservation be and hereby is requested to take a field survey of the area and make a report.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 51a Transfer of Funds from the Contingency Fund.

Motion by Councilman Swiatek, seconded by Councilman Wroblewski

BE IT RESOLVED that a transfer of funds in the sum of One thousand Dollars ($1,000.00) be and hereby is authorized from the contingency fund to the Engineering Department to be used for the payment of test boring services upon the proposed Town library site on Losson Road.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 51b Authorization for Town Engineer to order Test Borings.

Motion by Councilman Swiatek, seconded by Councilman Wroblewski

BE IT RESOLVED that the Town Engineer be and hereby is authorized to order test borings to be made upon the proposed Town library site on Losson Road; said sum to be expended not to exceed One thousand Dollars ($1,000.00).

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 52 Authorization for Assessor and Deputy Assessor to attend a one day meeting.

Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED that Andrew H. Schwenk, Sole Assessor and Casimir A. Kozminski, Deputy Assessor be hereby authorized to attend a one day meeting at the New York State Equalization Board Regional Office, 3837 West Main Street, Batavia, New York on March 12, 1975 and be compensated for normal expenses incurred.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 53 Motion by Councilman Swiatek, seconded by Councilman Wroblewski to adjourn the meeting.

MARY F. HOLTZ
1st Deputy Town Clerk

SPECIAL MEETING NO. 7

TOWN OF CHEEKTOWAGA
March 10, 1975

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 10th day of March, 1975 at 5:30 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Councilman Felix T. Wroblewski
Councilman Kenneth J. Meyers
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson

ABSENT: Supervisor Daniel E. Weber
Councilman Frank E. Swiatek
Councilman Donald A. Halicki

Also present were: Benedict T. Holtz, Town Clerk.

Item No. 1A Motion by Councilman Wasielewski, seconded by Councilman Meyers

BE IT RESOLVED that in the absence of Deputy Supervisor John V. Rogowski, Councilman Felix T. Wroblewski will act as chairman of this special meeting.

Upon Roll Call....
AYES: Councilmen Wroblewski, Meyers, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilmen Swiatek and Halicki

Item No. 2 Cancellation of Heating & Ventilating Bid re: Dartwood Drive Community Center.

Motion by Councilman Meyers, seconded by Councilman Wroblewski

WHEREAS, a resolution was adopted by the Town Board at its regular meeting held on March 3, 1975 wherein a bid for heating and ventilating work at the Dartwood Community Center was awarded to A.C.H. Contractors, Inc., and

WHEREAS, such a bid was based on the availability of natural gas, and

WHEREAS, we are now informed that the gas will no longer be available for this project, therefore, BE IT

RESOLVED, that such bid as accepted be and hereby is cancelled.

Upon Roll Call....
AYES: Councilmen Wroblewski, Meyers, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilmen Swiatek and Halicki

Item No. 3 Cancellation of Plumbing Bid re: Dartwood Drive Community Center.

Motion by Councilman Meyers, seconded by Councilman Wroblewski

WHEREAS, a resolution was adopted by the Town Board at its regular meeting held on March 3, 1975 wherein a bid for plumbing work at the Dartwood Community Center was awarded to Arena Plumbing & Heating Corporation, and

WHEREAS, such bid was based on the availability of natural gas, and

Item No. 3 Cont'd

WHEREAS, we are now informed that the gas will no longer be available for this project, therefore, BE IT

RESOLVED, that such bid as accepted be and hereby is cancelled.

Upon Roll Call....
AYES: Councilmen Wroblewski, Meyers, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilmen Swiatek and Halicki

Item No. 4 Award of Heating & Ventilating Bid for Dartwood Dr. Community Center.

WHEREAS, bids for the construction of the Community Building in Dartwood Park were received on February 3, 1975 at a regular Town Board meeting after advertisement therefor, and

WHEREAS, a tabulation of the bids has been prepared by the firm of Scaffidi & Moore, Architects, now, therefore, BE IT

RESOLVED, that the bid for heating and ventilating work for the Community Building in Dartwood Park be and hereby is awarded as follows; said bidder being the lowest responsible bidder meeting specifications:

HEATING & VENTILATING WORK - A. C. H. Contractors, Inc.

Base Bid	$25,135.00
Alternate No. HVAC-1 (-) (omit gas boiler)	900.00
Total Heating & Ventilating	$24,235.00

Upon Roll Call....
AYES: Councilmen Wroblewski, Meyers, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilmen Swiatek and Halicki

Item No. 5 Award of Plumbing Bid for Dartwood Drive Community Center.

Motion by Councilman Meyers, seconded by Councilman Wroblewski

WHEREAS, bids for the construction of the Community Building in Dartwood Park were received on February 3, 1975 at a regular Town Board meeting after advertisement therefor, and

WHEREAS, a tabulation of the bids has been prepared by the firm of Scaffidi & Moore, Architects, now, therefore, BE IT

RESOLVED, that the bid for plumbing work for the Community Building in Dartwood Park be and hereby is awarded as follows; said bidder being the lowest responsible bidder meeting specifications:

PLUMBING WORK - Arena Plumbing & Heating Corporation

Base Bid	$11,150.00
Alternate No. P-1 (-) (omit gas service and install electric water heater)	325.00
Total Plumbing	$10,825.00

Upon Roll Call....
AYES: Councilmen Wroblewski, Meyers, Wasielewski and Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilmen Swiatek and Halicki

Item No. 6 Motion by Councilman Meyers, seconded by Councilman Wroblewski to adjourn the meeting.

BENEDICT T. HOLTZ
Town Clerk

MEETING NO. 8

CHEEKTOWAGA, NEW YORK
March 17, 1975

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of March, 1975 at 7:30 P.M., Eastern Daylight Saving Time there were:

PRESENT: Councilman Felix T. Wroblewski
Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson

ABSENT: Supervisor Daniel E. Weber

Also present were: Benedict T. Holtz, Town Clerk; Robert Miller, Deputy Town Attorney; Benedict Kostrzewski, Chief of Police; Carl Trafalski, Building and Plumbing Inspector; Chester Bryan, Town Engineer; Casey Kozminski, Deputy Town Assessor.

John V. Rogowski, Deputy Supervisor, presiding.

I. BIDS

Item No. 2 Highway - Street sweeper brooms and push brooms
Referred to Alfred Wnek, Superintendent of Highways.

Item No. 3 Highway - purchase of 1400 new trees
Referred to Alfred Wnek, Superintendent of Highways.

Item No. 4 Sanitation - Three (3) Garbage trucks and two (2) truck chassis
Referred to Chester Bryan, Town Engineer.

II. PUBLIC HEARINGS

Item No. 5 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway	From	To
Croydon Dr.	Como Park Blvd. southerly on both sides	the intersection of Cromwell Drive or the property line of Sublot 103
Cromwell Dr.	the intersection of Croydon Dr. westerly on the north side thence southerly on both sides thence easterly on both sides	the east property lines of sublot 100 and sublot 50

Item No. 5 cont'd

TYPE OF STREET LIGHTING INSTALLATION

Eighteen (18) 7000 lumen electrical post top type mercury units.
Estimated cost per year for two years - $6.30.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No persons appearing in opposition to the proposed improvement, the Supervisor declared the hearing closed.

Motion by Councilman Johnson, seconded by Councilman Wroblewski

WHEREAS, this Town Board has this day held a public hearing on the petition requesting the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described.

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway	From	To
Croydon Dr.	Como Park Blvd. southerly on both sides	the intersection of Cromwell Drive or the property line of sublot 103
Cromwell Dr.	the intersection of Croydon Dr. westerly on the north side thence southerly on both sides thence easterly on both sides	the east property lines of sublot 100 and sublot 50

TYPE OF STREET LIGHTING INSTALLATION

Eighteen (18) 7000 lumen electrical post top type mercury units
Estimated cost per year for two years - $6.30

and heard all persons interested in the subject thereof; NOW, THEREFORE

BE IT RESOLVED that this Town Board does hereby decide at such public hearing and upon the evidence given thereat,

(a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and

(b) that it is in the public interest to grant in whole the relief sought, and BE IT

FURTHER RESOLVED that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized, and that the Town Board is hereby authorized to purchase and to have installed said lighting equipment, and BE IT

FURTHER RESOLVED that the Town Clerk shall cause a certified copy of this resolution to be recorded in the office of the Clerk of Erie County, New York, within ten (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 6 This was the time and place advertised for a public hearing on an amendment to the Traffic Ordinance relative to Parking, Standing and Stopping on Lydia Lane.

The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof has been duly filed.

#9 #10

Item No. 6 cont'd

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No persons appearing in opposition to the proposed improvement, the Supervisor declared the hearing closed.

III. GENERAL COMMUNICATIONS

Item No. 7 Letter from Senator Jacob Javits, U.S.S. - Thank you for communication expressing concern over President Ford's proposal to reduce appropriation for Comprehensive Planning and Management Program.
Received and Filed.

Item No. 8 Erie County Health Department - letter regarding public hearing on Erie County Sanitary Code.
Received and Filed.

Item No. 9 South Line Fire District #10 - letter supporting action to replace obsolete Fire Prevention Code.
Referred to the public hearing regarding said Fire Code on March 24, 1975.

Item No. 10 Petition with seventy (70) signatures from residents of French Road area regarding opposition to installation of sidewalks on French Road.
Referred to the Town Board.

IV. DEPARTMENTAL COMMUNCATIONS

Item No. 11 Building Permits
Received and Filed.

Item No. 12 Town Clerk's Office - Call for public hearing for street lighting on Parwood Drive.

Motion by Councilman Johnson, seconded by Councilman Halicki

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 17th day of March, 1975.

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway	From	To
Parwood Drive	Both sides of street from south side of Castlewood Dr. extending in a southerly direction thence westerly, southerly.	the north side of Basswood Dr. Map Cover 2278

TYPE OF STREET LIGHTING INSTALLATION

Fifteen (15) 3350 lumen electric post top type (Town & Country) mercury units.
Estimated cost per year for two years - $10.00 (50 ft. lot)

and

WHEREAS, Andrew H. Schwenk and Casimir A. Kozminski, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be imppoved as aforesaid, and

Item No. 12 cont'd

WHEREAS, the said highway to be improved as aforesaid is situated entirely in said Town outside of any incorporated village or city therein; NOW THEREFORE

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 21st day of April, 1975 at 7:30 o'clock P.M., Eastern Daylight Saving Time to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and in the CHEEKTOWAGA TIMES, newspapers having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to Subdivision six of Section 30 of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

STATE OF NEW YORK }
COUNTY OF ERIE } SS

I, BENEDICT T. HOLTZ, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

That on the 11th day of April 19 75, acting pursuant to an order and resolution adopted by the Town Board of said Town on the 17th day of March, 19 75, I posted a certified copy of said order and resolution relating to street lighting on Parwood Drive, on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York.

That said copy so posted was a true and complete copy of the attached copy of said order and certificate published in the DEPEW HERALD AND CHEEKTOWAGA NEWS on April 10th, 19 75.

Benedict T. Holtz
BENEDICT T. HOLTZ,
Town Clerk.

Sworn to before me this

11th day of April, 19 75

Mary Holtz

MARY HOLTZ
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No. 1

Bee Publications Inc.

Publishers Of:

Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10 day of April, 1975, and the last insertion being on the same day of same, 19.....

Subscribed and sworn to before ... day

of ... A...

Notary Public in and for Erie C...

MYRNA ROSEN
Notary Public, State of New Y...
Qualified in Erie County
My Commission Expires March 30.

Form No. 1

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Subscribed and sworn to before me this 10 day of April, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 19 76

Form No. 1

of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of March, 1975 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Councilmen:

John T. Wroblewski
Frank E. Swistak
Donald A. Holicki
Raymond J. Wawiorzynski
Kenneth J. Meyers
Clarence M. Johnson

Absent: Supervisor Daniel E. Walter

Councilman No. 12 Councilman Johnson presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highway known as the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting thereon hereinafter more particularly described, was presented to this Town Board on the 17th day of March, 1975.

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway

Rosemont Drive

From

The center of center from south side of Rosemont Dr. extending in a southerly direction thence westerly, southerly

To

The south side of Rosemont Drive, then ending.

TYPE OF STREET LIGHTING INSTALLATION

Seven (7) 3000 Lumen electric post top luminaires on Concrete Fiberglass poles, mounted four feet from curb line, 150 ft. bell.

Assessor Clarence H. Schmidt and Assessor Anthony A. [illegible], Assessors of the Town of Cheektowaga, have completed the assessment roll of the district hereinafter described, and

WHEREAS, the said highway and the land as aforesaid is situated entirely within the Town outside of any incorporated village or city therein; NOW, therefore,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 21st day of April, 1975, at 8:00 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Lancaster Cheektowaga News and in the CHEEKTOWAGA TIMES newspapers having a general circulation in the Town, the first not less than ten (10) nor more than twenty (20) days before the date set forth for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to Subdivision six of Section thirty of the Town Law of New York, at least ten (10) nor more than twenty (20) days before the date set forth for the hearing.

The foregoing was seconded by Councilman Holicki and duly put to a vote which resulted as follows:

Supervisor Walter Voting ABSENT

Councilmen:

Wroblewski	Voting AYE
Swistak	Voting AYE
Holicki	Voting AYE
Wawiorzynski	Voting AYE
Meyers	Voting AYE
Johnson	Voting AYE

The motion was declared carried.

STATE OF NEW YORK)
COUNTY OF ERIE) SS.:
TOWN OF CHEEKTOWAGA)

I, the undersigned, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that the annexed extract from the minutes of a meeting of the Town Board of the Town of Cheektowaga, located in the County of Erie, State of New York, was duly held on 17th March, 1975, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at Item No. 12, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was commenced, the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 18th day of March, 1975.

BENEDICT T. HOLTZ
Town Clerk

#9

#10

Item No. 13 Engineering - Advertise for bids for Work Uniforms

Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, it is necessary to replace work clothing for the Town employees in accordance with the terms of the agreement between the Town of Cheektowaga and Local 1026, American Federation of State, County and Municipal Employees, AFL-CIO, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders in connection with said uniforms; notice to be published in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA NEWS, and BE IT FURTHER

RESOLVED that the Town Board meet on April 7, 1975 at 2:30 P.M., Eastern Daylight Savings Time at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the purpose of receiving public bids at which time they will be opened by the Town Board at a meeting held for that purpose.

* * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheketowaga on April 7, 1975 at 2:30 p.m., Eastern Daylight Savings Time at the Town Hall, corner of Broadway and Union Road, for Work uniforms.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the speicifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

Dated: March 17, 1975

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

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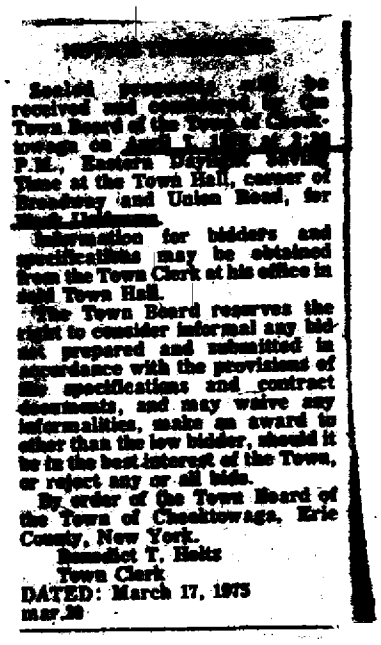
STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of March, 19 75, and the last insertion being on the same day of ....., 19.....



...sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on ... P.M., Eastern Daylight Saving Time at the Town Hall, corner of Broadway and Union Road, for ...

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Benedict T. Heitz
Town Clerk

DATED: March 17, 1975
mar.20

Subscribed and sworn to before me this 20th day of March, 19 75

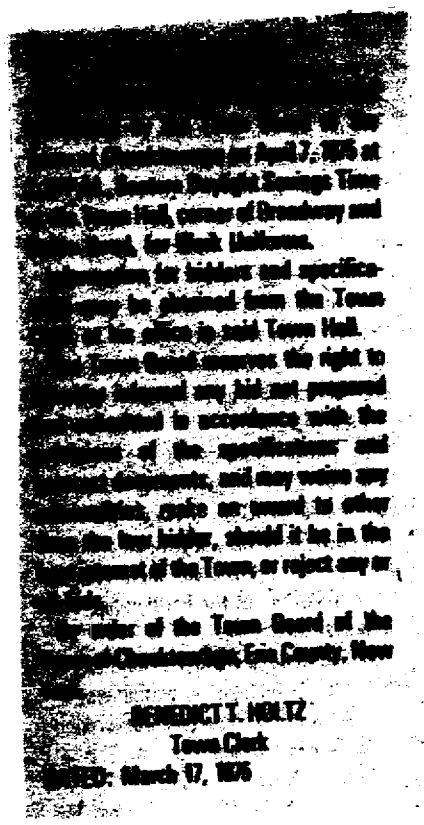
Myrna Rosen

Notary Public in and for Erie County

Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No. 1



[illegible]

BENEDICT T. HOLTZ
Town Clerk
DATED: March 17, 1975

Item No. 14 Engineering - Advertise for bids for Corrugated Metal Pipe

Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe requirements for the Town for the 1975 fiscal year, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of corrugated metal pipe for the year of 1975, notice to be published in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA NEWS; and BE IT FURTHER

RESOLVED that the Town Board meet on the 7th day of April, 1975 at 2:30 P.M., Eastern Daylight Saving Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

* * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 7, 1976 at 2:30 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of corrugated metal pipe for the year of 1975.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder should it be in the best interests of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 17, 1975

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

69 #10

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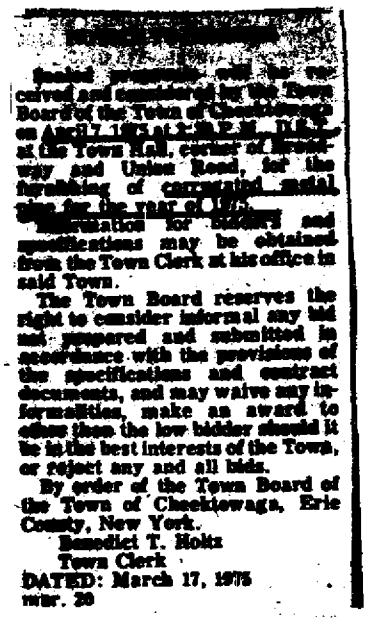
STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of March, 19 75, and the last insertion being on the same day of ....., 19.....



...ceived and consecutively by the Town Board of the Town of Cheektowaga on April 7, 1975 at 7:30 P.M. D.S.T. at the Town Hall, corner of Broadway and Union Road, for the furnishing of corrugated metal pipe for the year of 1975.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Benedict T. Holtz
Town Clerk

DATED: March 17, 1975
mar. 20

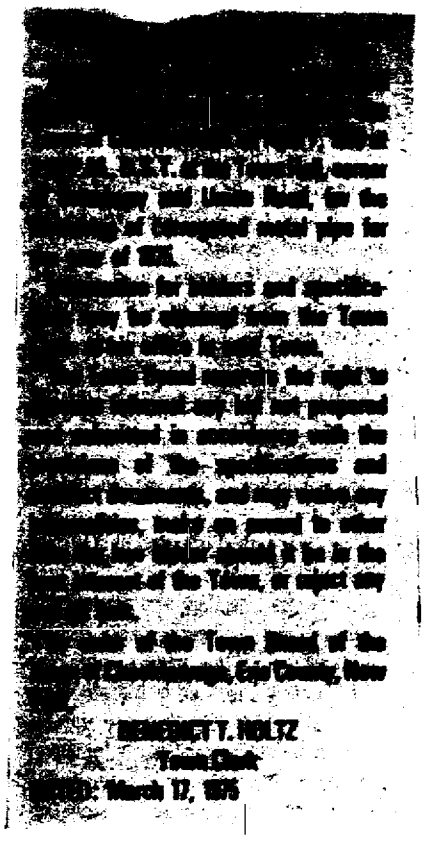
Subscribed and sworn to before me this 20th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No.



ROBERT T. HOLTZ
Town Clerk
March 17, 1975

Item No. 15 Engineering - Advertise for bids for Fencing for Parks Department

Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, it is in order that bids be advertised to cover fencing construction needs for the year of 1975, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a notice to bidders for the furnishing of fencing for the year of 1975, notice to be published in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA NEWS and BE IT FURTHER

RESOLVED that the Town Board meet on the 7th day of April, 1975 at 2:30 P.M., Eastern Daylight Saving Time at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

* * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 7, 1975 at 2:30 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of fencing for the year of 1975.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder should it be in the best interest of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 17, 1975

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

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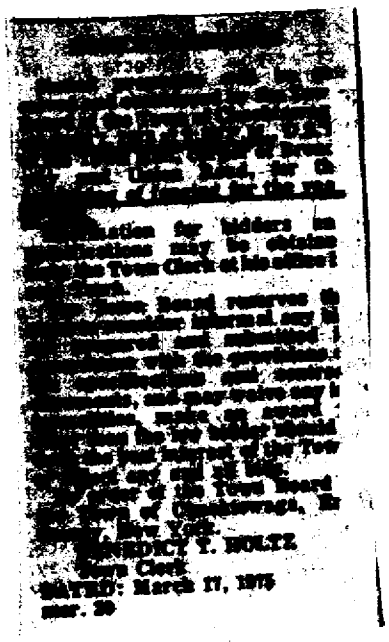
STATE OF NEW YORK
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of March, 19 75, and the last insertion being on the same day of ....., 19.....



Subscribed and sworn to before me this 20th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County

Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Form No. 1

Item No. 15A Engineering - Advertise for bids for two (2) mobable tennis surfaces, protective padding and portable stage.

Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, it is in order that bids be advertised to cover the purchase of two (2) movable tennis surfaces, protective padding, and portable stage for the Town of Cheektowaga Recreation Center, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with furnishing of two (2) movable tennis surfaces, protective padding, and portable stage, notice to be published in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, and BE IT FURTHER

RESOLVED that the Town Board meet on the 7th day of April, 1975 at 2:30 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

* * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 7, 1975 at 2:30 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of two (2) movable tennis surfaces, protective padding, and portable stage.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder should it be in the best interest of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 17, 1975.

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

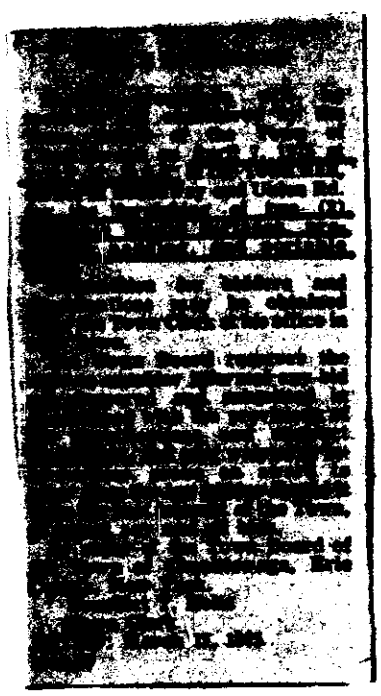
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of March, 19 75, and the last insertion being on the same day of ....., 19.....



Subscribed and sworn to before me this 20th day of March, 19 75

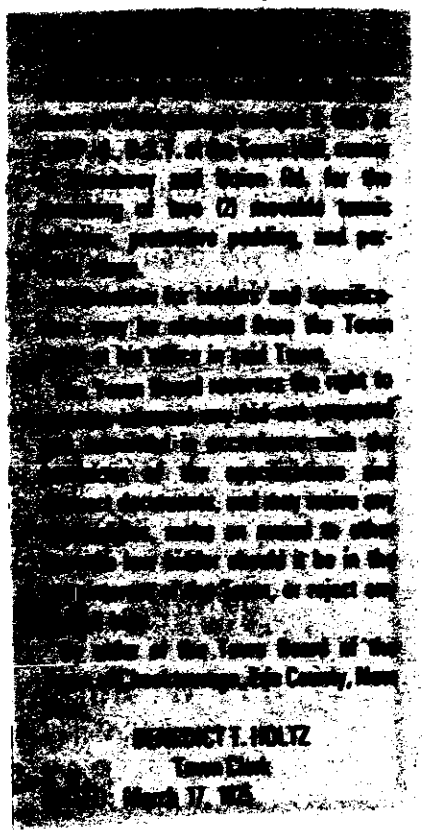
Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

George J. Measer

Form No. 1



Item No. 16 Engineering - Advertise for bids for tools, equipment, materials and labor for construction of Concrete Crubs at the Cheektowaga Town Hall.

This item was withdrawn.

Item No. 17 Engineering - Award of bid for two (2) station wagons for Parks and Engineering.

Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the furnishing of two (2) station wagons, one for the Parks Department and one for the Engineering Department, which bids were duly received and opened at this meeting, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, AND

WHEREAS, said Town Engineer has submitted the same, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of two (2) 1975 station wagons be awarded to Mernan Chevrolet, Inc. 2751 Bailey Avenue, Buffalo, New York, for their bid price of $8,385.00, said bid being the lowest bid meeting the requirements of the specifications.

* See next page

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

ESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

March 14, 1975

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Station Wagon Bids -
Parks & Engineering Departments

Gentlemen:

On March 3, 1975, at the regular Town Board Meeting bids were received and opened for two (2) station wagons for the Parks Department and the other is a replacement of the 1969 Engineering Department station wagon. Three (3) bids were received as follows:

BIDDER	GROSS BID	TRADE IN	NET BID
Keller Chevrolet, Inc.	$8,378.81	$300.00	$8,078.81
Mernan Chevrolet, Inc.	8,585.00	200.00	8,385.00
Colonial Ford, Inc.	8,852.51	400.00	8,452.51

The lowest bidder, Keller Chevrolet, Inc., fails to meet the requirements of the specifications by not providing the air-lift shock absorbers specified. It is, therefore, recommended that the bid be awarded to Mernan Chevrolet, Inc., 2751 Bailey Avenue, Buffalo, New York, for their bid price of $8,585.00, said bid being the lowest bid meeting the requirements of the specifications.

Authorization is requested from your honorable body to transfer the old station wagon to the Sewer Maintenance Department for use by the Assistant Foreman.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB/mjj

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Item No 17 cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, & Wasielewski
NAYES: Councilman Johnson
ABSENT: Supervisor Weber

Item No. 18 Engineering - Award of bid for (1) one ton van for Plumbing Department

Motion by Councilman Meyers, seconded by Councilman Wroblewski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of One (1) 1975 one (1) ton van, which bids were duly received and opened at this meeting, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation adn report, AND

WHEREAS, said Town Engineer has submitted the same, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of one (1) 1975 one ton van be awarded to Keller Chevrolet, Inc. 3600 Genesee Street, Cheektowaga, New York 14225, for their bid in the amount of $3,630.61, said bid being the lowest bid meeting specifications.

* See next page.

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

STER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

March 14, 1975

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: One ton van Bid

Gentlemen:

To replace the present 1968 Chevrolet panel truck in use by the Plumbing Department, bids were received and opened at the regualr Town Board Meeting of March 3, 1975. Five (5) bids were received. These bids, including trade-in, are as follows:

Keller Chevrolet Inc.	$3,630.61
Maier-Schule GMC, Inc.	3,784.19
Mernan Chevrolet, Inc.	3,882.00
Don Nowak Ford, Inc.	3,934.55
Colonial Ford, Inc.	4,319.45

It is recommended that the bid be awarded to Keller Chevrolet, Inc. 3600 Genesee Street, Cheektowaga, New York 14225, for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjj

Item No. 18 cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 19 Engineering - Award of bid for pick-up truck for Town Garage

Motion by Councilman Meyers, seconded by Councilman Swiatek to table this item.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 20 Engineering - Award of bid for (1) automobile for Sanitation Dept.

Motion by Councilman Meyers, seconded by Councilman Johnson to table this item.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 21 Highway - Award of bid for service car

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 3, 1975 at 2:30 p.m., for One (1) 1975 Service Car with trade-in of One (1) 1972 Dodge Polara, for use in the Highway Department as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways, for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report is hereto attached and made a part hereof, THEREFORE, BE IT

RESOLVED that the bid be and hereby is awarded to Mid-City Dodge, Inc. located at 2185 Walden Avenue, Cheektowaga, New York in the sum of $3,146.00, said bidder being the lowest responsible bidder meeting specifications.

* See next page

ALFRED F. WNEK
SUPERINTENDENT
OFFICE: 683-4775

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

March 12, 1975

Honorable Daniel E. Weber, Supervisor
Honorable Town Board
Town Hall, Cheektowaga, New York

Gentlemen:

Bids were opened and read at the Town Board meeting on March 3rd, 1975 at 2:30 P.M. for One (1) 1975 Service Car with trade-in of One (1) 1972 Dodge Polara. After checking the bids submitted, the tabulation is as follows:

D & E Motors, Inc.
5195 Main St.
Williamsville, N.Y. 14221
Delivery Within 60 days

1975 Mercury Marquis - 4 Door	
Price	$5737.50
Trade-In	1153.64
Total Net Price	$4583.86

Mernan Chevrolet, Inc.
2751 Bailey Ave.
Buffalo, N.Y. 14215
Delivery Approx. 5 weeks

1975 Chevrolet Bel Air-Model 1B1269	
Price	$3834.00
Trade-In	600.00
Total Net Price	$3234.00

Mid City Dodge, Inc.
2185 Walden Ave.
Cheektowaga, N.Y. 14225
Delivery 60 to 90 days

1975 Dodge Monaco	
Price	$3923.00
Trade-In	777.00
Total Net Price	$3146.00

Mid City Dodge, Inc. is the lowest responsible bidder, therefore, I recommend awarding the contract to Mid City Dodge, Inc. for the 1975 Dodge Monaco at their total net price of $3146.00.

I trust this meets with your approval.

Sincerely yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

Alfred F. Wnek
Superintendent of Highways

AFW/mss
Copies: Ben Holtz, Town Clerk
Town Board Members
John Rogowski, Town Attorney
John Malloy, Accountant
Files

"When better roads are built — Cheektowaga will build them"

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#10

Item No. 21 cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski
NAYES: Councilman Johnson
ABSENT: Supervisor Weber

Item No. 22 Motion by Councilman Wasielewski, seconded by Councilman Halicki

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of quantities of road materials (stone, asphalt, winter mix, road oil, platn mixed concrete, etc.) for use in the Highway Department. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and be it further

RESOLVED that the Town Board will meet at 2:30 p.m., Daylight Savings Time on April 7, 1975 for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * * * * * * *

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for Seasonal Requirements at the Town Board meeting on April 7, 1975 at 2:30 P.M., Eastern Daylight Savings Time. Seasonal Requirements are as follows:

STONE	-- various sizes
ASPHALT	-- plant mix, blacktop - various sizes
WINTER MIX	-- plant mixed all weather stockpile patching materials - various sizes
ROAD OIL	-- liquid and tar penetration and surface treating - various types
PLANT MIXED CONCRETE	-- various sizes, bulk and bagged

Pick-up by the Town Highway trucks to be within 15 mile radius.

Specifications may be picked up at the Town Highway Office located at 3145 Union Road, S. Cheektowaga, New York. Non-collusion forms must be signed and submitted with bids.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 6, 1975
PUBLISHED: March 20, 1975

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

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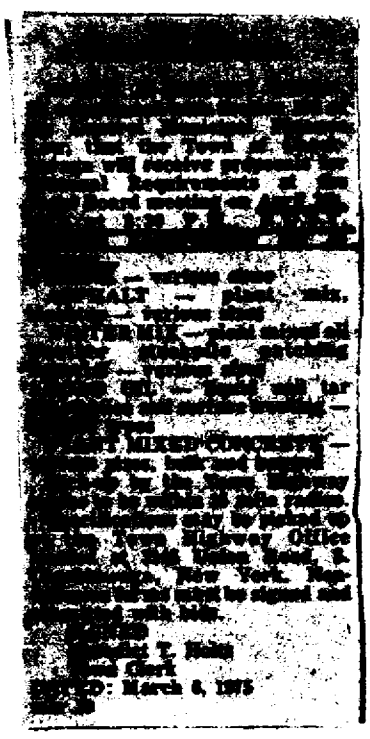
5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of March, 19 75, and the last insertion being on the same day of ....., 19.....



Subscribed and sworn to before me this 20th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Form No. 1

Item No. 23 Highway - Advertise for bids for mobile radios and truck equipment

Motion by Councilman Wroblewski, seconded by Councilman Halicki

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of Mobile Radios for truck equipment in the Highway Department. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 2:30 p.m., Daylight Savings Time on April 7, 1975 for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * * * * * *

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that separate and sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road., S. Cheektowaga, New York at 2:30 P.M., Eastern Daylight Savings Time on April 7, 1975 for the furnishing including installation as designated by Alfred F. Wnek, Superintendent of Highways for New Mobile Radios.

Information for bidders and specifications may be obtained from Alfred F. Wnek, Superintendent of Highways, at his office located at the Town Highway Garage, 3145 Union Road, S. Cheektowaga, New York (near Broadway).

BENEDICT T. HOLTZ
Town Clerk

DATED: March 12, 1975
PUBLISHED: March 20, 1975

* * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, & Wasielewski
NAYES: Councilman Johnson
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

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STATE OF NEW YORK }
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George J. Measer

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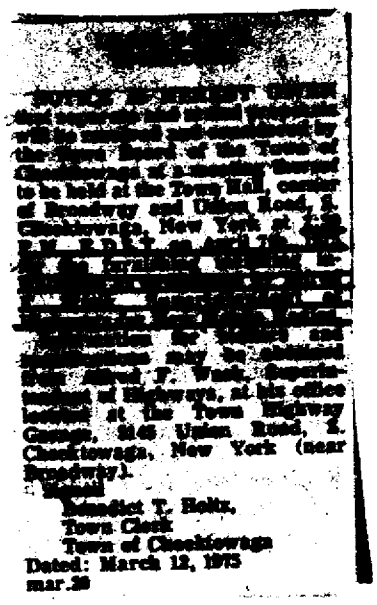

...Benedict T. Holtz,
Town Clerk
Town of Cheektowaga
Dated: March 12, 1975
mar.20

Subscribed and sworn to before me this 20th day of March, 19 75

Myrna Rosen
Notary Public in and for Erie County

Notary Public, State of New York
Qualified In Erie County
My Commission Expires March 30, 1976

Form No. 1

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[redacted]

[redacted]

[redacted]

Item No. 24 Health report for February, 1975
Received and Filed.

V. RESOLUTIONS

Item No. 25 Losson Road Library Plot Plan
This item was withdrawn.

Item No. 26A Motion by Councilman Swiatek, seconded by Councilman Halicki

BE IT RESOLVED that a public hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967, be held on the 7th day of April, 1975 at 2:30 p.m., Eastern Daylight Saving Time at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, on March 20, 1975; said proposed amendment being set forth in the Notice of Hearing.

* * * * * * * * * * * * * * * * *

N O T I C E O F H E A R I N G

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 7th day of April, 1975 at 2:30 p.m., Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE IV

TRAFFIC CONTROL SIGNALS:

Section 40 is amended by deleting the following:

SIGNAL - FRENCH ROAD (COUNTY ROUTE #321) and KELLY DRIVE
A Pedestrian Actuated-traffic control Signal with Pedestrian Button Controls and Pedestrain Heads.

1. Minimum 2 vehicular Faces visible to traffic on each approach with Red, Amber and Green Lenses-on each face, also Pedestrian indications-visible to Pedestrians North and South on French Road cross walk approaches.

2. (a) Faces 1, 2, 3, and 4 shall flash Amber on French Road. Faces 5 and 6 shall flash Red on Kelly Drive. Pedestrian indications shall show a Steady "DON'T WALK" until actuated by either Pedestrian Push Button will cause . . .

   (b) A short interval of Green on Faces 1, 2, 3, 4, visible on French Road and a Steady Red indication visible to Kelly Drive on Faces 5 and 6, and a Steady "DON'T WALK" indication visible to North and South crosswalk approaches on French Road followed by . . .

   (c) An interval of Steady Red indications visible to French Road on Faces 1, 2, 3, and 4, and also Steady Red visible to Kelly Drive on Faces 5 and 6 and Steady "WALK" indications visible to North and South approaches on French Road followed by . . .

   (d) A continuous interval of Steady Red on Faces 1, 2, 3, 4, 5, and 6 visible to French Road and Kelly Drive and a Flashing "DON'T WALK" visible to North and South approaches of Pedestraian Crosswalk on French Road after which all indications will return to continuous Phase 2 (a) prior to actuation of the Pedestrian Button.

Item No. 26A cont'd

Pedestrian actuation will be inoperative for short intervals to clear French Road Traffic following actuated operation.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 17, 1975

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

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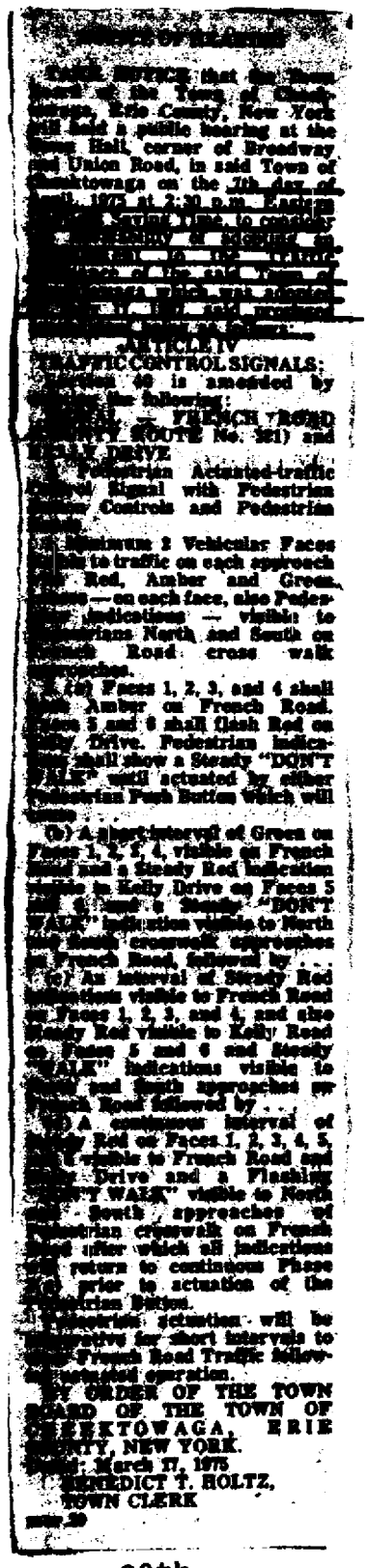

ARTICLE IV
TRAFFIC CONTROL SIGNALS:
Section 40 is amended by adding the following:
(a) — FRENCH ROAD (COUNTY ROUTE No. 321) and KELLY DRIVE.
Pedestrian Actuated-traffic Control Signal with Pedestrian Signal Controls and Pedestrian Crosswalks.
Minimum 2 Vehicular Faces visible to traffic on each approach — Red, Amber and Green indications — on each face, also Pedestrian indications — visible to pedestrians North and South on French Road cross walk approaches.
(b) Faces 1, 2, 3, and 4 shall flash Amber on French Road. Faces 5 and 6 shall flash Red on Kelly Drive. Pedestrian indications shall show a Steady "DON'T WALK" until actuated by either Pedestrian Push Button which will cause
(c) A short interval of Green on Faces 1, 2, 3, 4, visible on French Road and a Steady Red indication visible to Kelly Drive on Faces 5 and 6, and a Steady "DON'T WALK" indication visible to North and South crosswalk approaches on French Road, followed by ...
(d) An interval of Steady Red indications visible to French Road on Faces 1, 2, 3, and 4, and also Steady Red visible to Kelly Road on Faces 5 and 6 and Steady "DON'T WALK" indications visible to North and South approaches on French Road followed by ...
(e) A continuous interval of Steady Red on Faces 1, 2, 3, 4, 5, 6, visible to French Road and Kelly Drive and a Flashing "DON'T WALK" visible to North and South approaches of Pedestrian crosswalk on French Road after which all indications will return to continuous Phase (a) prior to actuation of the Pedestrian Button.
Pedestrian actuation will be inoperative for short intervals to allow French Road Traffic follow-a-coordinated operation.
BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
Dated: March 17, 1975
BENEDICT T. HOLTZ,
TOWN CLERK
mar.20

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of March, 19 75, and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 20th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No. 1

Town Hall, corner of Broadway and [illegible] Road, in said Town of Cheektowaga on the 7th day of April, 1975 at 2:30 P.M., Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1957, said proposed amendment being as follows:

ARTICLE IV

TRAFFIC CONTROL SIGNALS:

Section 40 is amended by deleting the following:

SIGNAL - FRENCH ROAD (COUNTY ROUTE #321) and KELLY DRIVE

Pedestrian Actuated-traffic Control Signal with Pedestrian Button Controls and Pedestrian Hoods.

Maximum 2 Vehicular Faces visible to traffic on each approach with Red, Amber and Green Lenses on each face, also Pedestrian indications visible to Pedestrians North and South on French Road crosswalk approaches.

Signal Faces 1, 2, 3, and 4 shall flash Red on French Road, Faces 5 and 6 flash Red on Kelly Drive. Pedestrian indications shall show a *Steady* "DON'T WALK" until actuated by either Pedestrian Push Button which will cause

a short interval of Green on Faces 1, 2, 3, 4, visible on French Road and a Steady Red indication visible to Kelly Drive on Faces 5 and 6, and a *Steady* "DON'T WALK" indication visible to North and South crosswalk approaches on French Road, followed by —

(b) The removal of *Steady* Red indications visible to French Road on Faces 1, 2, 3, and 4, and *Steady* Red visible to Kelly Drive on Faces 5 and 6 and *Steady* "DON'T WALK" indications visible to North and South approaches on French Road followed by —

(c) A continuous interval of *Steady* Red on Faces 1, 2, 3, 4, 5, and 6 visible to French Road and Kelly Drive and a *Steady* "DON'T WALK" visible to North and South approaches of Pedestrian crosswalk on French Road after which all indications will return to continuous Phase 2(a) prior to actuation of the Pedestrian Button.

Pedestrian actuation will be inoperative for short intervals to clear French Road Traffic following actuated operation.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

Dated: March 17, 1975

BENEDICT T. HOLTZ
Town Clerk

Item No. 26B Motion by Councilman Swiatek, seconded by Councilman Halicki

BE IT RESOLVED that a public hearing on a proposed amendment on July 17, 1967, be held on the 7th day of April, 1975 at 2:30 p.m., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, on March 20, 1975; the said proposed amendment being set forth in the Notice of Hearing.

* * * * * * * * * * * * * * * * *

N O T I C E O F H E A R I N G

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 7th day of April, 1975 at 2:30 p.m., Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE IV

TRAFFIC CONTROL SIGNALS:

Section 40 is amended by adding thereto the following:

SIGNAL - FRENCH ROAD (COUNTY ROUTE #321) and KELLY DRIVE. Pedestrian indications . . . Push Buttons and Vehicle Detector at Kelly Approach to French Road.

1. (a) This signal shall dwell with steady GREEN vehicular indications facing French Road approaches and steady RED vehicular indications facing the Kelly Drive approach, and the French Road Crosswalk Pedestrian indications shall show a steady "DON'T WALK" until actuated by:
   (b) The Pedestrian Push Buttons, or the vehicular detector which will cause . . .

   1. Five (5) second steady AMBER indications visible to French Road approaches, and Five (5) second steady RED indications visible to Kelly Drive approaches, and Five (5) second steady "DON'T WALK" indications visible to either Pedestrian Crosswalk approach, FOLLOWED BY . . .

   2. Thirteen (13) second steady RED indications visible to French Road approaches,
   AND Thirteen (13) second steady GREEN indications visible to Kelly Drive approaches,
   AND Thriteen (13) second flashing "WALK" indications visible to either Pedestrian Crosswalk approach, FOLLOWED BY . . .

   3. Five (5) second Steady RED indications visible to French Road approaches,
   AND Five (5) second Steady AMBER indications visible to Kelly Drive approaches
   AND Five (5) second flashing "DON'T WALK" indications visible to either Pedestrian Crosswalk approache after which all indications shall return to the continuous phase 1. (a) in operation prior to actuation.

   Actuation will be inoperative for sixty (60) seconds to clear French Road traffic following actuation operation.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
TOWN CLERK

DATED: March 17, 1975

* * * * * * * * * * * * * * * * *

Item No. 26B cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

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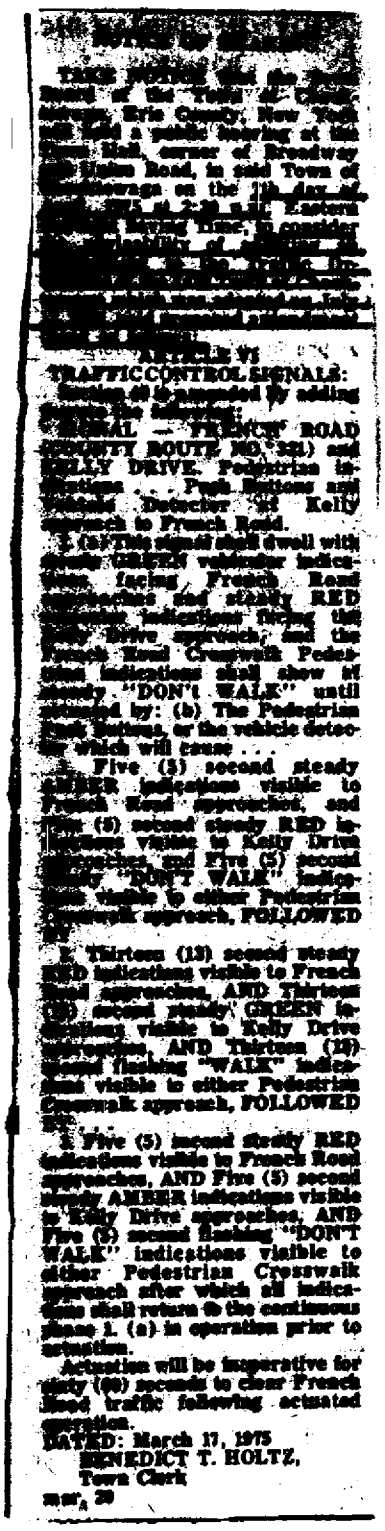
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.



ARTICLE VI

TRAFFIC CONTROL SIGNALS:

Section 49 is amended by adding thereto the following:

SIGNAL — FRENCH ROAD (COUNTY ROUTE NO. 321) and KELLY DRIVE. Pedestrian indications . . . Push Buttons and Vehicle Detector at Kelly approach to French Road.

1. (a) This signal shall dwell with steady GREEN vehicular indications facing French Road approaches and steady RED vehicular indications facing the Kelly Drive approach; and the French Road Crosswalk Pedestrian indications shall show at all times "DON'T WALK" until actuated by: (b) The Pedestrian Push Buttons, or the vehicle detector which will cause . . .

Five (5) second steady AMBER indications visible to French Road approaches, and Five (5) second steady RED indications visible to Kelly Drive approaches, and Five (5) second steady "DON'T WALK" indications visible to other Pedestrian Crosswalk approach, FOLLOWED BY:

2. Thirteen (13) second steady RED indications visible to French Road approaches, AND Thirteen (13) second steady GREEN indications visible to Kelly Drive approaches, AND Thirteen (13) second flashing "WALK" indications visible to other Pedestrian Crosswalk approach, FOLLOWED BY:

3. Five (5) second steady RED indications visible to French Road approaches, AND Five (5) second steady AMBER indications visible to Kelly Drive approaches, AND Five (5) second flashing "DON'T WALK" indications visible to other Pedestrian Crosswalk approach after which all indications shall return to the continuous phase 1. (a) in operation prior to actuation.

Actuation will be imperative for sixty (60) seconds to clear French Road traffic following actuated operation.

DATED: March 17, 1975
BENEDICT T. HOLTZ,
Town Clerk
mar, 20

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of March, 19 75, and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 20th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County Myrna Rosen

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Form No. 1

[redacted] Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Harlem Road, in said Town of Cheektowaga on the 7th day of April, 1975 at 2:30 o'clock Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE IV

TRAFFIC CONTROL SIGNALS:

Section 48 is amended by deleting the following:

[redacted] FRENCH ROAD (COUNTY ROUTE # 321) and KELLY DRIVE

A Pedestrian Actuated-traffic Control Signal with Pedestrian-Button Controls and Pedestrian Heads.

1. Minimum 2 Vehicular Faces visible to traffic on each approach with Red, Amber and Green Lenses on each face, also Pedestrian indications visible to Pedestrians North and South on French Road cross-walk approaches.

2. Signal Faces 1, 2, 3, and 4 shall flash Amber on French Road. Faces 5 and 6 shall flash Red on Kelly Drive. Pedestrian indications shall show a Steady "DON'T WALK" until actuated by either Pedestrian Push Button which will cause

a short interval of Steady on Faces 1, 2, 3, 4, visible on French Road and a Steady Red indication visible to Kelly Drive on Faces 5 and 6, and a Steady "DON'T WALK" indication visible to North and South crosswalk approaches on French Road, followed by ...

the interval of Steady Red indications to French Road on Faces 1, 2, 3 and 4, and also Steady Red visible to Kelly Drive on Faces 5 and 6 and Steady "DON'T WALK" indications visible to North and South approaches on French Road followed by ...

a continuous interval of Steady Red on Faces 1, 2, 3, 4, 5, and 6 visible to French Road and Kelly Drive and a flashing "DON'T WALK" visible to North and South approaches of Pedestrian crosswalk on French Road after which all indications will return to continuous Phase 2(a) prior to actuation of the Pedestrian Button.

Pedestrian actuation will be inoperative for short intervals to clear French Road Traffic following actuated operation.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE

[redacted] on the 7th day of April, 1975 at 7:30 P.M., Eastern Daylight Saving Time, to consider an amendment of Section 66 of the Traffic Ordinance of the said Town of Chesterfield which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE IV

TRAFFIC CONTROL SIGNALS:

Section 66 is amended by adding thereto the following:

SIGNAL - FRENCH ROAD (COUNTY ROUTE #321) and KELLY DRIVE. Pedestrian indications — Push Buttons and Vehicle Detector at Kelly approach to French Road.

1. (a) This signal shall dwell with steady GREEN vehicular indications facing French Road approaches and steady RED vehicular indications facing the Kelly Drive approach, and the French Road Crosswalk Pedestrian indications shall show at steady "DON'T WALK" until actuated by: (b) The Pedestrian Push Buttons, or the vehicle detector which will cause —

1. Five (5) second steady AMBER indications visible to French Road approaches, and Five (5) second steady RED indications visible to Kelly Drive approaches, and Five (5) second steady "DON'T WALK" indications visible to either Pedestrian Crosswalk approach, FOLLOWED BY —

2. Thirteen (13) second steady RED indications visible to French Road approaches, AND Thirteen (13) second steady GREEN indications visible to Kelly Drive approaches, AND Thirteen (13) second flashing "WALK" indications visible to either Pedestrian Crosswalk approach, FOLLOWED BY —

3. Five (5) second steady RED indications visible to French Road approaches, AND Five (5) second steady AMBER indications visible to Kelly Drive approaches, AND Five (5) second flashing "DON'T WALK" indications visible to either Pedestrian Crosswalk approach for which all indications shall return to the continuous phase 1(a) in operation prior to actuation.

Actuation will be inoperative for sixty (60) seconds to clear French Road traffic following actuated operation.

DATED: March 17, 1975

BENEDICT T. HOLTZ
Town Clerk

Item No. 27 Motion by Councilman Wasielewski, seconded by Councilman Halicki

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the Installation of Insulated Glass Units for the Cheektowaga Town Hall Windows. Information for bidders and specifications may be obtained from the Office of the Town Clerk located at the Town Hall, Broadway and Union Road, Cheektowaga, New York; said notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 2:39 p.m., Daylight Savings Time, on April 7, 1975 for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * * * * * * *

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that separate sealed proposals will be received and opened and read by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 2:30 p.m., Eastern Daylight Saving Time, on April 7, 1975 for the installation of Insulated Glass Units for the Cheektowaga Town Hall windows.

In ordered to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof. Information for bidders and specifications may be obtained from the Office of the Town Clerk, located at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

Non-collusion forms must be signed and submitted with bids.

BENEDICT T. HOLTZ
Town Clerk

* * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

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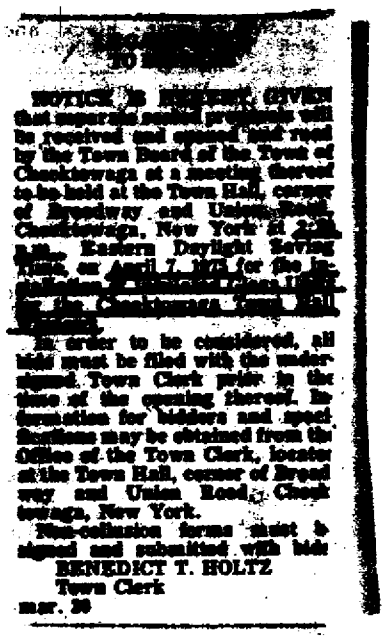
5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20 day of March 75, and the last insertion being on the same day of ....., 19.....



NOTICE IS HEREBY GIVEN that separate sealed proposals will be received and opened and read by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at 2:30 P.M., Eastern Daylight Saving Time, on April 7, 1975 for the furnishing [illegible] for the Cheektowaga Town Hall Complex.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof. Information for bidders and specifications may be obtained from the Office of the Town Clerk, located at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

Non-collusion forms must be signed and submitted with bid.

BENEDICT T. HOLTZ
Town Clerk
mar. 20

Subscribed and sworn to before me this 20th day of March, 19 75

Myrna Rosen

Notary Public in and for Erie County

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No. 1

[redacted]

[redacted] and sealed bids will be received and opened and read by the Town Board of the Town of Chautauqua, at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Chautauqua, New York at [redacted] p.m., Eastern Daylight Saving Time, on April 7, 1986 for the installation of Thermopane Glass Units for the Chautauqua Town Hall Windows.

No bid will be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof. Instructions for bidders and specifications may be obtained from the Office of the Town Clerk, located at the Town Hall, corner of Broadway and Union Road, Chautauqua, New York.

Non-collusion forms must be signed and submitted with bids.

BENEDICT T. HOLTZ
Town Clerk

Item No. 28 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the Town of Cheektowaga is about to purchase property located at 3409 Genesee Street, Cheektowaga, New York for use as a joint Maryvale Community Center, and

WHEREAS, the Maryvale School District is to contribute $55,000.00 towards the purchase price of said property, and

WHEREAS, said School District requires the purchase of a fifty (50) foot strip of land in the rear and a ten (10) foot strip of land on the easterly side of said property, and

WHEREAS, Virginia Krauss of , Cheektowaga, New York has already appraised the building, THEREFORE, BE IT

RESOLVED that Virginia Krauss of , Cheektowaga, New York, be and hereby is appointed as an appraiser to appraise the two pieces of land above mentioned, at a cost not to exceed $300.00.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 29 Call for public hearing regarding Curbing on Toelsin Road
This item was withdrawn.

Item No. 30 Traffic Signal at French and Towers Boulevard
This item was withdrawn, as there was no second. It will be brought up at the next meeting.

Item No. 31 Request State Legislature to pass enabling legislation regarding Borden Road.

This item was withdrawn.

Item No. 32 Motion by Councilman Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of twelve (12) New voting machines on the unit price basis with trade-in of twelve (12) voting machines with serial numbers: 50531, 50532, 50533,50534, 51390, 51391, 51392 and five (5) machines from the 64000 series. Information for bidders and specifications may be obtained from the office of the Town Clerk loclated at the Town Hall, Broadway and Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 2:30 p.m., Daylight Saving Time on April 7th, 1975 for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

The Town of Cheektowaga hereby requests sealed bids for the furnishing of twelve (12) new voting machines on the unit price basis with trade-in of twelve (12) voting machines with serial numbers: 50531, 50532, 51533, 50534, 51390, 51391, 51392 and five (5) machines from the 64000 series.

The Detailed specifications may be examined at the office of the Town Clerk where the same are on file.

Copies of the specifications are available for all prospective bidders. Sealed bids must be received not later than 2:30 o'clock P.M., Eastern Daylight Saving Time on April 7th, 1975 at which time they will be publicly opened by the Town Board at

Item No. 32 cont'd

a public meeting held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the opening thereof.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 17th, 1975

* * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

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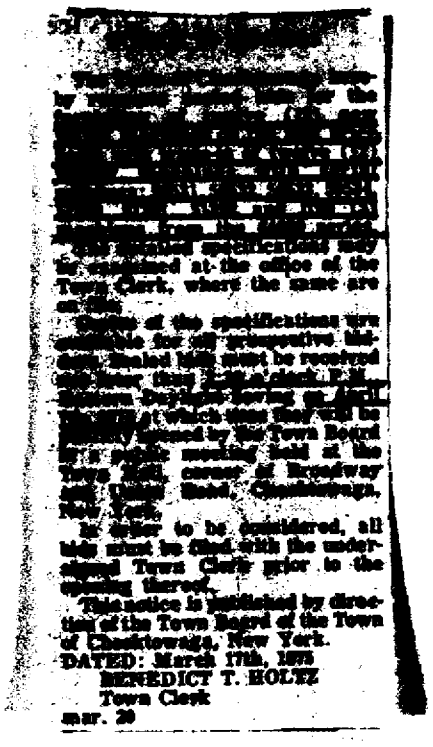
STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of March, 19 75, and the last insertion being on the same day of same, 19.....



...Town Clerk, where the same are ...
...of the specifications are ...
...for all prospective bid...
...sealed bids must be received ...
...(which time said will be ...
...opened by the Town Board ...
...public meeting held at the ...
...corner of Broadway ...
...Road, Cheektowaga, ...
...York.
...to be considered, all bids must be filed with the undersigned Town Clerk prior to the opening thereof.
This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.
DATED: March 17th, 1975
BENEDICT T. HOLTZ
Town Clerk
mar. 20

Subscribed and sworn to before me this 20th day of March, 19 75

Myrna Rosen
Myrna Rosen
Notary Public in and for Erie County

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 76

Form No. 1

[redacted] twelve (12) new voting machines on the [redacted] basis with trade-in of twelve (12) voting machines with serial numbers: 58631, 58892, 58539, 58534, 51388, [redacted], 51382 and five (5) machines from the [redacted] series.

Full detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

Copies of the specifications are available for all prospective bidders. Sealed bids must be received not latter than 2:30 o'clock P.M., Eastern Daylight Saving on April 7th, 1975 at which time they will be publicly opened by the Town Board at a public meeting held at the Town Hall, corner of Broadway and Old Mill Road, Cheektowaga, New York.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the opening thereof.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

DATED: March 17th, 1975

BENEDICT T. HOLTZ

Town Clerk

Item No. 33 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga herein called the "Applicant", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that the construction of certain works, required for the treatment of sewage, generally described as Water Pollution Control Plant No. 5 and identified as Project Number C36-323, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately, AND

WHEREAS, under Public Law 92-500, the United States of America has authorized the making of grants to aid in financing the cost of construction of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters and for the purpose of reports, plans and specifications in connection therewith, AND

WHEREAS, the Applicant has examined the duly considered Public Law 92-500 and the Applicant deems it to be in the public interest and to the public benefit to file an application under this Act and to authorize other action in connection therewith; NOW, THEREFORE, BE IT

RESOLVED by this Town Board of the Town of Cheektowaga

1. That the construction of said Project is essential to and is in the best interests of the Applicant, and to the end that said project may be constructed as promptly as practicable it is desirable that action preliminary to the construction thereof be undertaken immediately.

2. That Daniel E. Weber, Supervisor, be hereby authorized to file in behalf of the Application as application (in the form required by the United States and in conformity with the Action (PL 92-500) for a grant to be made by the United States to the applicant to aid in defraying the cost of construction of the sewage treatment works described above;

3. That if such grant be made, the Applicant agrees to pay all the remaining cost of the approved Project, over and above the amount of the grant;

4. That if such grant be made the Applicant agrees to make provision satisfactory to the United States Environmental Protection Agency for assuring Proper and efficient operation and maintenance of the treatment works after completion of the construction thereof;

5. That the said Daniel E. Weber, Supervisor, is hereby authorized to accept any Federal Grant that may be offered and to furnish such information and to take such other action as may be necessary to enable the Applicant to quality for the grant;

6. That the said Daniel E. Weber, Supervisor, is hereby designated as the authorized representative of the Applicant for the purpose of furnishing to the United States such information, data, and documents pertaining to the application for a grant as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application and in connection with any requirements of any Federal grant which may be made;

7. That Daniel E. Weber, Supervisor, be designated Applicant Contact for the purpose of furnishing to the United States such information pertaining to the application for a grant as may be requested by the United States Environmental Protection Agency;

8. That Daniel E. Weber, Supervisor and Chief Fiscal Officer of the Town of Cheektowaga, New York, be designated as the recipient of State and Federal Construction grants payments;

Item No. 33 cont'd

9. That three (3) certified copies of this resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York, together with the Federal application;

10. That this resolution take effect immediately

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 34 Motion by Councilman Meyers, seconded by Councilman Swiatek

WHEREAS, it is a requirement of the Federal Grant Program that assurance be given to the Environmental Protection Agency that where industrial wastes are to be treated by the proposed project an equitable system of cost recovery will be applied, NOW, THEREFORE, BE IT

RESOLVED that it is the intent of this Board of the Town of Cheektowaga that should a Federal Grant be issued to the Town Sewer District No. 5, the Town of Cheektowaga will apply an Industrial Cost Recovery System approved by the U.S. Environmental Protection Agency to industries within the areas of the Town served by said Sewer District No. 5.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 35 Motion by Councilman Meyers, seconded by Councilman Johnson

WHEREAS, April 19, 1975 marks the 200th anniversary of the Battles of Lexington and Concord Bridge, and

WHEREAS, the Cheektowaga Bicentennial Commission plans to commemorate this historic event, in anticipation of the approaching Bicentennial of the American Revolution, and

WHEREAS, the Cheektowaga Bicentennial Commission has requested permission of the Town Board to plant a Liberty Tree on the mall on the west side of Town Hall, to take place on Saturday, April 19, 1975, at 1:00 P.M., in the after as part of Cheektowaga's Bicentennial celebration, NOW, THEREFORE, BE IT

RESOLVED that permission is hereby granted to the Cheektowaga Bicentennial Commission to have such a dedicatory planting on the said date, and BE IT

FURTHER RESOLVED that the Cheektowaga Bicentennial Commission is commended for their work and dedication in fostering an awareness of the true spirit of the American Revolution celebration.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 36 Motion by Councilman Johnson, seconded by Councilman Wroblewski

WHEREAS, upon the execution of an agreement between the Union Free School District #9 and the Town of Cheektowaga, the lighting in the parking area of John F. Kennedy High School shall be converted to high pressure sodium lights, as proposed by the New York State Electric and Gas Corporation, in order to take advantage of the more favorable street lighting rates, and the more efficient lamp source, and

Item No. 36 cont'd

WHEREAS, the Union Free School District #9 shall reimburse the Town of Cheektowaga for these lighting changes, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney is directed to execute the necessary agreement.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 37 Motion by Councilman Swiatek, seconded by Councilman Halicki

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, Title II, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, established by the department head:

Administrative Trainee at the Lancaster School System at a rate of $8,518.64 per year

Martin, Joseph X. Chkt, N.Y. 14227

Laborer at the Cheektowaga Central School System at a rate of $3.75 per hour

Bonn, Richard N. Chkt, N.Y. 14225
(replacement for Mr. Pawlak)

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 38 Motion by Councilman Swiatek, seconded by Councilman Halicki

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, Emergency Jobs Program Title VI, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, effective the 17th day of March, 1975 starting dates to be established by the department head:

Auto Mechanic Helper in the Sewer Maintenance Department at a rate of $4.04 per hour

Zgoda, Jerome S. , Depew, N.Y. 14043

Laborer in the Highway Department at a rate of $3.75 per hour

Lueke, Marvin H. Chkt., N.Y. 14206
Mietlicki, Eugene L. Chkt, N.Y. 14211
(replacement for Thomas J. Kubala)
Rutkowski, Norbert Chkt, N.Y. 14225
(replacement for Paul J. Hennessey)
Ledzian, Richard J. , Chkt, N.Y. 14225

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 39 Motion by Councilman Swiatek, seconded by Councilman Wasielewski

BE IT RESOLVED that Steven J. Sobczak, residing at Cheektowaga, New York 14225, be and hereby is appointed to the position of Laborer in the Highway Department under the provisions of the Federal Emergency Employment Act of 1971, at an hourly rate of $3.75 starting date will be established by the department head.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 40 Motion by Councilman Wasielewski, seconded by Councilman Wroblewski

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for furnishing of batters helmets, catchers helmets, masks, body protectors, shin guards, catchers gloves, and upire indicators to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of Benedict T. Holtz, Town Clerk, said notice to be published in the CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 2:30 P.M., Daylight Savings Time on April 21, 1975, for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 21, 1975 at 7:30 p.m., Daylight Savings Time at the Town Hall, corner of Broadway and Union Road, for batters helmets, catchers helmets, masks, body protectors, shin guards, catchers gloves, and umpire indicators.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BENEDICT T. HOLTZ
Town Clerk

DATED: March 17, 1975

* * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

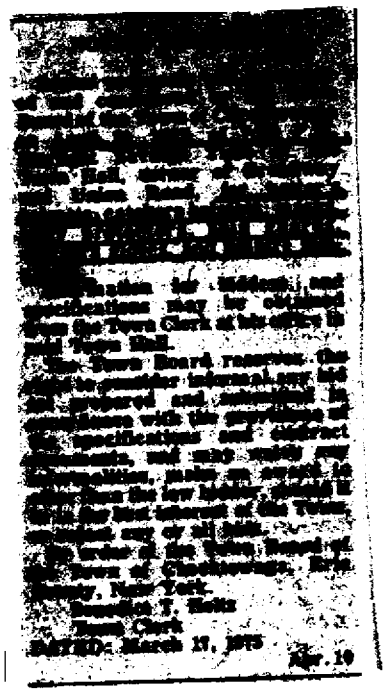
Amherst Bee ★ Clarence Bee ★ Lancaster Enterprise Journal ★ Depew Herald Journal and Cheektowaga News

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Depew Herald, a public newspaper published at Depew, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10 day of April, 19 75, and the last insertion being on the same day of ....., 19.....



Subscribed and sworn to before me this 10 day of April, 19 75

Myrna Rosen

Notary Public in and for Erie County

MYRNA ROSEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1976

Form No. 1

[redacted] of Chautauqua on April 21, 1975, at 7:30 P.M. Daylight Saving Time-at the [redacted] Town Hall, corner of Broadway and [redacted] Road, for batter's helmets, [redacted] helmets, masks, body protectors, [redacted] guards, catcher gloves, and [redacted] baseballs.

[redacted] information for bidders and specifications may be obtained from the Town [redacted] at his office in said Town Hall.

The Town Board reserves the right to [redacted] reject any bid not prepared [redacted] submitted in accordance with the [redacted] of the specifications and [redacted] documents, and may waive any [redacted] informalities, make an award to other [redacted] than low bidder, should it be in the [redacted] interest of the Town, or reject any or [redacted] bids.

By order of the Town Board of the [redacted] of Chautauqua, Erie County, New [redacted]

BENEDICT T. HOLTZ
Town Clerk
DATED: March 17, 1975

Item No. 41 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the Town Board had received bids for the purchase of baseballs and bats at its regular Town Board meeting on March 3, 1975, and

WHEREAS, said bids were referred to the Recreation Department for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED that said bid be awarded to Ludtka Sporting Goods, 3383 Harlem Road, Cheektowaga, New York, 14225, they being the lowest responsible bidder meeting specifications.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 42 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, vacancies presently exist on the Cheektowaga Youth Board, NOW, THEREFORE, BE IT

RESOLVED that the following named people be appointed to fill said vacancies, terms to expire March, 1978:

John B. Sutton — Cheektowaga, N.Y. 14225

Dolores Dahar — Cheektowaga, N.Y. 14215

Paul C. Domogalski — Depew, N.Y. 14043

Maru Lou State — Cheektowaga, N.Y. 14215

Ciro Gerace

Cheektowaga, N.Y. 14227

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 43 Motion by Councilman Swiatek, seconded by Councilman Meyers

WHEREAS, the Cheektowaga Youth Bureau is desirous of operating a youth recreation program for retarded children, and

WHEREAS, the Youth Bureau has been in consultation with the Erie County Chapter, New York State Association for Retarded Children, Inc. to supervise the operation of said program, then THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be hereby directed to prepare a written agreement between the above mentioned agencies and that the following be incorporated as part of said agreement:

(1) The Town of Cheektowaga will sponsor a Youth Recreation Project and pay to the Agency a sum not toexceed $630.00 during the term of this agreement for the operation of a recreational program to be staffed by community volunteers. The anticipated costs and expenses of said project are specified on the proposed budget which is attached hereto and made a part hereof.

(2) The amount paid by the Town, in accordance with paragraph 1., constitutes the Town's full and complete obligation with regard to this agrement and all consequences arising therefrom.

The amount paid by the Town will be paid as follows:

Item No. 43 cont'd

The Agency will submit all expenses incurred on duly authorized vouchers accompanied by bill, receipt, and copy of purchase order to the Town. Upon receipt of the vouchers, the Town will then process all approved expenditures for payment.

(3) The Agency agrees to operate said project utilizing community volunteers and will provide training to the volunteers necessary for them to accomplish their work.

(4) The Agency agrees to provide insurance coverage for specific program locations, volunteers and staff of said project.

(5) The Agency agrees to provide community volunteers with budgeting assistance and program consultation for said project.

(6) The terms of the agreement will cover Fiscal Year 1975, and BE IT

FURTHER RESOLVED that the Deputy Supervisor be and hereby is authorized to sign an agreement between said parties to include the terms herein and before mentioned.

Upon Roll Call....
AYES: *Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson*
NAYES: *0*
ABSENT: *Supervisor Weber*

* *See next page*

A G R E E M E N T

THIS AGREEMENT, made as of the 14th day of May, 1975, by and between the TOWN OF CHEEKTOWAGA, Erie County, New York a domestic municipal corporation, with offices at Broadway and Union Road, Cheektowaga, New York, hereinafter referred to as the "TOWN"

AND

The ERIE COUNTY CHAPTER, NEW YORK STATE ASSOCIATION FOR RETARDED CHILDREN, INC., a civic and charitable organization, with offices at 470 Franklin Street, Buffalo, New York, hereinafter referred to as the "ASSOCIATION".

WITNESSETH:

WHEREAS, the Association, in cooperation with the Town, is desirous of operating and maintaining a youth recreation program for retarded children, and

WHEREAS, the Town is a municipality eligible to receive state aid and reimbursement of expenditures from the State of New York for sponsoring a "Youth Recreation Project," and

WHEREAS, the Town will appropriate the sum of Six hundred thirty Dollars ($630.00) for said "Youth Recreation Project,"

NOW THEREFORE, it is mutually understood and agreed as follows:

1. The Town will sponsor a Youth Recreation Project and pay to the ASSOCIATION a sum not to exceed Six hundred thirty Dollars ($630.00) during the term of this Agreement for the operation and maintenance of a youth development recreational program to be staffed by community volunteers. The anticipated costs and

penses of said project are specified in the proposed budget which is attached hereto and made a part hereof.

2. The amount paid by the TOWN, in accordance with paragraph "1." constitutes the TOWN'S full and complete obligation with regard to this Agreement and all consequences arising therefrom, except the TOWN shall be entitled to apply for state aid and reimbursement of expenditures as sponsor of the project in accordance with the applicable provisions of the Executive Law of the State of New York.

The amount paid by the TOWN will be paid as follows:

The ASSOCIATION will submit all expenses incurred on duly authorized vouchers accompanied by bill, receipt and copy of purchase order. Upon receipt of the vouchers, the TOWN will then process all approved expenditures for payment.

3. The ASSOCIATION agrees to operate said project utilizing community volunteers and to provide the said volunteers with all training necessary for them to accomplish their work. The project shall be open to all youths regardless of race, color or creed.

4. The ASSOCIATION agrees to carry out the terms of this Agreement in accordance with the Division for Youth Act and the rules and regulations of the Cheektowaga Youth Board and the State Division for Youth; and the project will be operated in compliance with all laws and the Constitution of the State of New York.

5. The ASSOCIATION agrees to provide the community volunteers with budgeting assistance and program consultation for said project.

6. The ASSOCIATION agrees to provide liability insurance coverage for specific program locations, volunteers and staff of said project.

7. Except with relation to the duties normally accepted and imposed upon the ASSOCIATION, this Agreement shall constitute the full and complete obligation of the parties hereto.

8. This Agreement is contingent and conditioned upon approval of required renewal applications and acceptance by the New York State Division for Youth.

9. This Agreement will cover Fiscal Year 1975.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and date first written above.

TOWN OF CHEEKTOWAGA

By _____
Deputy Supervisor

NEW YORK STATE ASSOCIATION FOR RETARDED CHILDREN, INC., ERIE COUNTY CHAPTER

By _____

Proposed Schedule

for

Cheektowaga Y.O.U.T.H. A.R.C.

Y - outh
O -organized
U - nited
T - o
H - elp

A -ssociation for
R-etarded
C-hildren

Erie
County
Chapter

1975

February 26	Sing-along and Listen to Music	At Maryvale
March 12	Square Dance	" "
April 9	Carnival	" "
April 23	Craft Night for Mothers' Day	" "
May 14	Bowling	to be announced
May 31	Field Trip (Farm - Hamburg, N.Y.)	
June 11	Fathers' Day Shopping and gift wrap	" "
June 25	Dance (Live Band)	" " or Villa College
July 16	Summer picnic	Town Park
August 20	Splash Party and picnic	" "
September 10	Record Hop and Pizza Party	Mt Maryvale
September 24	Hayride and Bonfire	Amherst Stables, Amherst
October 8	Movies and Popcorn	" "
October 22	Halloween Party	" "
November 12	Concert or rehearsal Cheektowaga Symphony Orchestra	" "
November 26	Thanksgiving Crafts and Centerpieces	"
December 10	~~Skate/Dance/Ot~~ Bowling	to be announced
December 15	Christmas Dinner Dance	Cordon Bleu (?)

Project Description

The New York State Association for Retarded Children, Erie County Chapter is proposing a recreation program involving volunteers from Maryvale Senior High School and Cheektowaga, and retarded children, teenagers and young adults from Cheektowaga and surrounding areas, including BOCES I. Meetings will be held on the second and fourth Wednesday of each month, February through December, 1975..7:00p.m. to 9:p.m. at the Maryvale Junior High School. Thirty-five retardates and thirty five-volunteers will be involved in the program.

The National and State Youth Associations have established successful programs throughout the country and we will use their guidelines.

Basically, we are bringing together at the most appropriate time, high school students who believe in service to their fellow man and the mentally retarded who need the attention these young people can offer. Frequently, those taking part in these programs will enter fields in which they will be offering professional service of value to the handicapped.

Our principal goals are to enlighten high school volunteers to the too often unrealized social and recreational potential of most retardates, to teach volunteers to organize, plan and assume responsibility for their own programs, therefore helping them to develop into more concerned, capable members of our community.

Programs planned to educate, increase social adjustments and integrate both normal and mentally handicapped youngsters are always of great benefit to the retarded. We have seen retardates who have suffered frequent rejection from their normal peers, make great social progress as they try to conform socially in an acceptable manner, so that they might retain their friendship with the young volunteers.

We have thirty five volunteers from Maryvale Senior High School, who have had orientation and instruction from the professional staff of the N.Y. State Ass'n for Retarded Children, before their first involvement with their retarded friends.

Programs will be coordinated by Misses Kathy Madigan and Gail Ketterer, under the direct supervision of Mrs. C. Dabrowski, YOUTH Advisor. It is advantageous to all for the Advisor to be present, to supervise the program and advise the coordinators and the volunteers from her experience as a volunteer and parent.

The New York State Association for Retarded Children, Erie County Chapter will provide mimeographic service, permission slips and health forms, as well as periodic meetings for the coordinators and for all of the YOUTH Association chapters in the area, at which time experts will be invited to discuss the problems of retardates, potential career opportunities and scholastic requirements. Question and answer periods are provided during the meetings and during refreshments, volunteers have an opportunity to exchange program ideas, suggestion and experiences.

In the past two years, Y.O.U.T.H. A.R.C. has conducted a similar program in Amherst, N.Y. which is funded by the Amherst Youth Boards. A bowling program is in effect in Buffalo and in Amherst,New York for the past ten years. These are not funded by any agency.
Similar programs for the retarded are in the process of being organized in other sections of Buffalo.

PROPOSAL FOR YOUTH SERVICE PROJECT - 1975

I. Official Correspondent	Cheektowaga Youth Board Cheektowaga Town Hall Broadway and Union Rd. Cheektowaga, N. Y. 683-2200
II. Name of Program	Cheektowaga Y.O.U.T.H. - A.R.C. Recreation Program
III. Name of Sponsoring Agency	N.Y. State Ass'n for Retarded Children Erie County Chapter 470 Franklin Street Buffalo, New York 14202 886-3166
IV. Agency Advisor	Mrs. Casimer J. Dabrowski Buffalo, N.Y., 14211
V. Program Coordinators	Miss Kathy Madigan — Cheektowaga, N.Y. 14225 Miss Gail Ketterer — Cheektowaga, N.Y. 14225
VI. Type and Status of Program	Youth Service Recreation Current
VII. Project Funding Period	February 1975 through December 1975

BUDGET

Salaries and Wages

1. Life guard for Splash Party August 20, 1975	$ 10.00

Program Expenses

2. Supplies

a) Square Dance Caller	$ 25.00
b) Carnival supplies	25.00
c) St. Patrick Day decorations	10.00
d) Crafts, Mothers' Day	35.00
e) Bowling (2)	150.00
f) Field Trip Transportation	100.00
g) Gift Wraps	10.00
h) Dance Band	100.00
i) Summer Picnic prizes	10.00
j) Disc Jockey	35.00
k) Hayride	35.00
l) Halloween Party Favors,decorations	10.00
m) Thanksgiving crafts	25.00
	$ 570.00

Miscellaneous

1) Postage	10.00
2) Paper supplies (cups,napkins) etc.	50.00
	$ 60.00
Grand Total	$ 630.00

Item No. 44 *Motion by Councilman Johnson, seconded by Councilman Wroblewski*

RESOLVED that permission be granted to the New York State Electric and Gas Corporation to remove and upgrade the street light on Willowlawn Parkway, in the Town of Cheektowaga, according to the attached Street Lighting Proposal which is hereby made a part of this resolution.

* *See next page*

March 17, 1975

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Cayuga Creek Road

Install 9 - 42000 lumen HPS lamps @ $100.00 ea. ---------- $900.00
(J.F. Kennedy High School Parking Lot)

Install 5 - 25500 lumen HPS lamps @ $83.00 ea. ---------- $415.00
(J.F. Kennedy High School (front) parking lot)

ANNUAL INCREASE $1315.00

NEW YORK STATE ELECTRIC & GAS CORPORATION

64
#10

Item No. 44 cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 45 Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED that the following named vouchers and warrants submitted to the Town of Cheektowaga for the period ending March 17, 1975, be and hereby are approved and that Deputy Supervisor pay said warrants:

FUND	FROM	TO	AMOUNT
General	941	1110	$270,936.01
Part Town	23	30	3,658.78
Highway	126	176	49,638.74
Special Districts	130	187	137,445.68
Federal Revenue Sharing	6	--	33,016.11
Trust and Agency	8	9	9,631.49
Construction & Improvement	8	--	40,468.80
			$513,795.61

Upon Roll Call....
AYES: Councilman Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

VI. SUSPENSION OF RULES

Item No. 46 Commendation of Judge John J. Jablonski

Motion by Councilman Wasielewski, seconded Unanimously

WHEREAS, the Honorable John J. Jablonski has served as Town Justice with the Town of Cheektowaga for many years, and

WHEREAS, said John J. Jablonski has displayed a prudent and practical knowledge for the procedures in this court, coupled with judicial temperance, and he has exemplified the highest tradition of our judicial system,

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby commends said Honorable John J. Jablonski for his excellent record and performance as Town Justice for the Town of Cheektowaga, AND BE IT FURTHER

RESOLVED that said Judge Jablonski, who is now retiring from his office, be and hereby is congratulated for his excellent performance and the Town Board does hereby extend its best wishes for a long and enjoyable retirement.

Upon Roll Call....
AYES: Councilmen Wroblewski, Swiatek, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber

Item No. 47 Motion by Councilman Meyers, seconded by Councilman Wasielewski to adjourn the meeting.

BENEDICT T. HOLTZ
Town Clerk

SPECIAL MEETING NO. 9

CHEEKTOWAGA, NEW YORK
March 21, 1975

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of March, 1975 at 7:30 P.M., Eastern Daylight Saving Time, there were:

PRESENT: Councilman Frank E. Swiatek
Councilman Kenneth J. Meyers
Councilman Donald A. Halicki
Councilman Thomas M. Johnson

ABSENT: Supervisor Daniel E. Weber
Councilman Felix T. Wroblewski
Councilman Raymond J. Wasielewski

Also present were: Benedict T. Holtz, Town Clerk; Chester Bryan, Town Engineer.

John V. Rogowski, Deputy Supervisor, presiding.

Item No. 2 This was the time and place advertised for a public hearing on the proposed Sewage Disposal System in District #5 with related sewer work.

The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof has been duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No persons appearing in opposition to the proposed improvement, the Supervisor declared the hearing closed.

* See next 23 pages for minutes of the Public Hearing.

Item No. 3 Motion by Councilman Halicki, seconded by Councilman Swiatek to adjourn the meeting.

BENEDICT T. HOLTZ
Town Clerk

Minutes of Public Hearing held by the Cheektowaga Town Board at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on Friday, March 21, 1975, commencing at 7:30 o'clock, p.m., concerning the proposed Sewer Disposal System in District 5 with related sewer work.

PRESENT:

CHEEKTOWAGA TOWN BOARD:
JOHN V. ROGOWSKI, ESQ., Deputy Town Supervisor
FRANK E. SWIATEK, Councilman
KENNETH J. MEYERS, Councilman
DONALD A. HALICKI, Councilman
THOMAS M. JOHNSON, Councilman

BENEDICT T. HOLTZ, Town Clerk
CHESTER L. BRYAN, P.E., Town Engineer

NUSSBAUMER & CLARKE, INC. (Consulting Engineers)
SIEGFRIED BARBASCH
PAUL BECKER

GILLMAN J. LAEHY, General Manager, Buffalo Sewer Authority
RICHARD KRESSIN, Associate Chemist, Buffalo Sewer Authority
ROBERT FLOYD, Senior Civil Engineer, Erie and Niagara Counties Regional Planning Board
DAVID THIELMAN, Puccio-Thielman Associates

* * * * * * * * * * *

MR. ROGOWSKI: This is the time and place advertised for a public hearing on the proposed Sewer Disposal System in District 5 with related sewer work. Let me read the public notice.

"PLEASE TAKE NOTICE THAT, in compliance with the United States Environmental Protection Agency's Rules and Regulations, the Town of Cheektowaga acting on behalf of the Town of Cheektowaga's Sewer Districts 2, 4, 5, 6, 7, 7 Ext. 1 and 2, including the Buffalo International Airport, and a portion of the Village of Depew affected, has called for a public hearing, on the proposed Sewage Disposal System in District 5 with related sewer work, to be

held on March 21, 1975, at 7:30 p.m., at the Town Hall, Broadway and Union Road, Cheektowaga, New York.

This project shall provide sewage service for the residents, industry, commercial establishments to the north half of the Town of Cheektowaga, the Niagara Frontier Transportation Authority facilities, including the Buffalo International Airport, and the westerly portion of the Village of Depew.

Briefly, the project consists of discontinuing the treatment of sewage at Water Pollution Control Plant No. 5 and conveying the untreated municipal wastes, by pumping, to the Buffalo Sewer Authority for treatment.

The existing facilities at Water Pollution Control Plant No. 5 will be converted into a pump station and an overflow retention facility for wet weather flows.

In addition, the project will involve the construction of trunk and interceptor sewers, relief sewers and sewer rehabilitation work.

This hearing is open to all. The public, all interested organizations, Municipalities, Environmental and Conservation groups, Planning agencies and others, are encouraged to speak for or against the project. One of the purposes of this hearing is to discuss the environmental effects of the project."

In order to begin our program for this hearing, I'll call upon Mr. Chester Bryan, our Town Engineer, to present the program before the public tonight. Mr. Bryan, please.

MR. BRYAN: The program essentially consists of the correction of pollution problems existing within our Sewer District No. 5 and its tributary sewer districts.

MR. ROGOWSKI: Mr. Bryan, let me have a roll call taken. Mr. Clerk, roll call, please.

MR. HOLTZ: They are all present but Councilman Wroblewski and Councilman Wasielewski. Also present is myself and Mr. Bryan and then representatives of the Buffalo Sewer Authority, Niagara Frontier Transportation, Nussbaumer & Clarke, Erie and Niagara Counties Regional Planning Board, Buffalo Sewer Authority and Puccio & Thielman Associates.

MR. HALICKI: And Mr. Weber is also absent besides the two councilmen.

MR. ROGOWSKI: All right.

MR. HOLTZ: That's so recorded. Mr. Rogowski is actually now in the capacity of Deputy Supervisor.

MR. ROGOWSKI: Mr. Bryan, please.

MR. BRYAN: The project will consist of State-Federal funding under the Public Law 92-500 and I'll go over the parts of the project. Essentially, what it means is we'll close operation of our sewage treatment Plant No. 5 which is on Central Boulevard with afterflow and discharge to Scajaquada Creek. This plant will be converted to a sewage pumping station with all sanitary waste being pumped through a pipe system to the Buffalo City Line at which point the Buffalo Sewer Authority will construct a tunnel interceptor which will conduct this waste plus waste from other parts of the City of Buffalo to the Bird Island Treatment Plant for treatment and then effluent discharge to the Niagara River.

So the conversion will be for construction of a new pumping station to conduct the waste. There will also be a construction of a northeast interceptor trunk sewer which will start at the treatment plant and proceed in a northeasterly direction towards the airport and, essentially, and at a future date, it will be extended towards Transit Road and will pick up the unsewered portions of the Town, in the northeast part of town, which is not presently in any sewer district.

The northeast interceptor will also relieve surcharge sewer conditions in Sanitary District No. 7 where we now have a sewer moratorium. And will also relieve a bottleneck for the sewer system, what we call a McNaughton Relief Sewer, and this relieves the bottleneck which transmits waste from Sewer District No. 7 to the treatment plant.

This is the main part of the project that will be funded under the Federal-State program.

There's another portion to this, and this involves the Roycroft Pump Station where we now have wet weather overflow. The plan is to stop all wet weather overflow emanating from this pump station by construction of a relief sewer to another trunk line which has capacity and will be able to take the overflow without any discharges to any open ditches or to any storm sewers.

The project will also consist of inflow infiltration correction which is the prevention of any - - of reducing the storm water that gets into the sanitary sewer system and causes the surcharge conditions that we've had over the past years. This is part of a ten year program and this will be done throughout the Town. It will involve sewer inspection, digging up of sewers, replacing sections of defective sewers, and essentially, to dry out the system as best as we can. That, in essence, is the project.

MR. ROGOWSKI: Thank you. I think, at this point, it would be appropriate for me to call upon any governmental officials who are here representing the agencies in this hearing. Anyone who wishes to be heard, please give your name and address and official capacity at this point.

MR. LAEHY: I'm Gil Laehy. I'm the General Manager of the Buffalo Sewer Authority and I would like to read a letter sent to the Town of Cheektowaga dated March 18, 1975.

(Whereupon, Mr. Laehy read said letter which is attached hereto.)

MR. ROGOWSKI: Thank you, Mr. Laehy. Anyone else, please?

MR. FLOYD: Mr. Chairman - -

MR. ROGOWSKI: Your name and capacity, please.

MR. FLOYD: My name is Robert Floyd. I'm a Senior Civil Engineer representing the Erie and Niagara Counties Regional Planning Board.

MR. ROGOWSKI: Thank you.

MR. FLOYD: (Whereupon, Mr. Floyd read said statement which is attached hereto.)

MR. ROGOWSKI: Thank you, sir. Anyone else, please?

MR. HALICKI: Mr. Chairman, Mr. Laehy, just as a point of information, in regard to the converted pump station, will this be manned by our personnel or by your personnel, or what will be the procedure once, you know, the project has been completed?

MR. LAEHY: Well, this is, of course, still in the stages of negotiation between the Town of Cheektowaga and the Buffalo Sewer Authority. We have no intention of coming into Cheektowaga to do any work. I would assume at this stated time that the Town of

Cheek owaga will man the pumping station. The sewer within the city limits of the City of Buffalo would be maintained and serviced by the Buffalo Sewer Authority as well as the treatment plant.

MR. HALICK: Thank you very much.

MR. ROGOWSKI: Any other parties to be heard from the audience at this point? Yes, sir? Your name and address, please.

MR. HOYT: My name is Assemblyman Hoyt. I represent the hundred forty-fourth Assembly District and I'm here to essentially ask some questions of the Town Board and my old friend Mr. Laehy of the Buffalo Sewer Authority. I represented in the City Council of Buffalo that district which included Delaware Park Lake and I don't know how many of you gentlemen on the Cheektowaga Council realize that there's an immediate cause affect and relationship between the Scajaquada Creek when it goes in the westerly direction through the Town of Cheektowaga and as it went under the eastside portion of the City of Buffalo in what they call the Scajaquada train and at a portion of the times of high rainfall would overflow into Delaware Park Lake and, so I'm here, I'm really here to listen, to ask some questions, and I'm here to really congratulate you on getting on with the plan. I think that's a sensible one and is an environmentally sound one and I think it's a plan that is long overdue. But I'm concerned about some aspects of the plan.

As people may or may not know, a permit is being asked for, I believe, the Town of Cheektowaga, from the State Department of Environmental Conservation and from the Federal Environmental Protection Agency to discharge the effluent which is now coming out of Cheektowaga Plant No. 5 into the Scajaquada Creek. That, I think, everyone who has studied the reports in this area will recognize is an illegal situation. The discharge of what your town engineer - - Mr. Bryan, you've said to me in the past and on other occasions, that's secondary treatment. I maintain it's an inadequate secondary treatment, if it is that. Of course, what's happening now is that the effluent of the sewage of Cheektowaga has been treated there, been tossed into Scajaquada Creek, comes down into the City of Buffalo in times of high rainfall and goes into the Delaware Park Lake. So the plan is remedied now by limiting the effluent from the Town of Cheektowaga into the B.S.A. line. And I think that's fine. That meets every engineering definition.

My question is when, when will this take place. I was a student of the Buffalo Sewer Authority, as a member of the Buffalo Common Council, for years and I know, for instance, that report after report came in on contracted Leonard Wegman Company in New York City by the Buffalo Sewer Authority. One report, about $300,000, a chapter on the Scajaquada train and I've discussed this question with Mr. Maurin and Mr. Laehy and I'm asking the question

publicly now: When will this plan take place?

MR. JOHNSON: Well, Assemblyman Hoyt, I think you'd be more apt by addressing your question directly to Mr. Laehy as to the time-table by which Buffalo Sewer Authority will provide for the necessary line that would pick up the Cheektowaga trunk line to take it to the Bird Island facility. And that, I believe, is part of the overall B.S.A. timetable and - -

MR. ROGOWSKI: Well, as chairman of this meeting, is there anyone here who can answer that question?

MR. BRYAN: I'll offer something. We are presently- - We already completed the plans and specifications for the first phase of this project and these are viewed in Albany on March 31st, this month. And they are completed and this environmental assessment statement is one of the final points that we have to submit to the State. We have a commitment from the State for slightly over $3-million for this fiscal year, fiscal year 1975. We have a waste water report that's essentially approved and we are hoping that we'll get the authorization to start our project hopefully late this year on the first phase of it. The second phase will take place - -

MR. HOYT: Can I interrupt you? The first phase would involve exactly what?

MR. BRYAN: The first phase, if you're familiar with the State disbursement of funds, they just allocate a certain amount of money to each community irrespective of whether it's going to do much good or not as far as pollution abatement. We are given $3,023,000 for this phase, and it's up to us to select some component of this project within this allocation of money. We are proposing to construct what we call the northeast interceptor which will start in our sewage treatment plant and go northeast towards the Greater Buffalo International Airport.

MR. HOYT: So the $3-million first phase money will have nothing to do with the Scajaquada drain portion?

MR. BRYAN: No, it would not, what we would all like, abate pollution of the Scajaquada Creek.

MR. JOHNSON: When will this - -

MR. BRYAN: We are hoping the second phase will get the balance of the money. I've been in touch with Mr. Laehy. We both jointly - - we are both jointly asking the State to give us the necessary funds to complete our project with funds for the fiscal year of 1976 which year begins July 1st of this year. So we are hopeful - - I'm speaking for Mr. Laehy also - - we are both looking for, asking for funds for fiscal year 1976 at which time we would concurrently construct - - they would construct their portion and we would construct ours.

MR. HOYT: Well now, you say phase 2 would mean State monies coming in fiscal year 75-76; is that what you said?

MR. BRYAN: We work on a Federal fiscal year which will start this year in July, will be the 76 fiscal year.

MR. HOYT: That would equal to the State fiscal year of 76-77, if it's your second phase.

MR. BRYAN: I don't think so.

MR. HALICKI: We mentioned the three million is up to July, '75. The second phase would be from July, '75, to July of '76.

MR. HOYT: Are you sure of that money?

MR. BRYAN: The first phase, yes. The second phase, no. Nobody, as far as I know - - The second phase allotments, to the best of my knowledge, have not been committed to any community for fiscal year '76.

MR. HOYT: So I assume a certain proportion of the construction of this tie-in and the seven or eight million bypass sewer line which would hook up with you on the Pine Ridge Road area and go right down to the Bird Island treatment plant, that money has to be applied for? In other words, you can't hook up to something unless there's something to hook up to. You're not going to put it in the old Scajaquada drain?

MR. BRYAN: No, we've already discussed this in Albany and they'll allow us to complete this portion and we would have to continue operating our treatment plant as such up until such time as the Buffalo Sewer Authority tunnel interceptor connects and picks us up.

MR. HOYT: Cheektowaga No. 5 will continue to operate and a line, a separate line will be conducted from that orifice which now kicks the effluent into the Scajaquada Creek and will cover that in pipe form westward to the Pine Ridge Road and Buffalo-Cheektowaga border?

MR. BRYAN: Right.

MR. HOYT: And the hook-in to what?

MR. BRYAN: Into the enclosed effluent, the present Scajaquada drain.

MR. HOYT: I see. Such that even if there was a delay in the B.S.A. in getting Federal and State funds which would be of a tremendously higher denomination than you would have to get, these would be Federal funds, I assume, fifteen or twenty million dollar area, you would continue to pump your effluent into the existing Scajaquada drain?

MR. BRYAN: Correct.

MR. HOYT: Now, the point I want to make is that from my point of view or from the people who live in the Delaware area, or from the citizens of Buffalo's point of view, everytime there's an overflow, that will continue to kick out into the lake. You see?

MR. BRYAN: That's right.

MR. HOYT: Until Buffalo, the Sewer Authority or the City of Buffalo can do as efficiently as, frankly, what - - I compliment you - - what you're doing, so both these systems can be built at the same time, a real bypass system on the Cheektowaga and the twenty-four sewer lines that kick into the sides of this gigantic drain or into this new pipeline and are piped right into Bird Island, you're going to have a continuation of the status quo?

MR. BRYAN: Correct.

MR. HOYT: I don't mean to interrupt your questioning to get questions out of Mr. Laehy, but do you have any time

estimate on when this money is going to come in and when construction is going to start?

MR. LAEHY: Assemblyman Hoyt, you're as familiar with this, I know, and you're asking questions, bringing them out on the table in front of everyone and I appreciate this. We've been working on it. We've been scheduled for a meeting in Albany April 1st for a pre-advocation conference with the people in the D.E.C. to apply for funds under Public Law No. 92-500. We are moving ahead with it. We know that the deep rock tunnel is going to cost upwards of $14,000,000. You mentioned fifteen to twenty. This could well be by the time of escalation and, you know there, we're not going to drain the taxpayers of the City of Buffalo for the full shot. We're going to apply for Federal and State funding. And there are certain shortcuts that we hope to accomplish in our meeting of April 1. For example, we would like to bypass the so-called I and I study, Inflow and Infiltration Study which, in my judgment and our staff's judgment, has already been accomplished by the Wegman report that we paid for. This we are working on.

So, to give you a definite timetable on March 21st, I can't give you a definite timetable, but we are a heck of a lot closer to it now than we've been in the five years that you and I have been involved in this and just for the record, I live in the Delaware District; I'm within walking distance of the Delaware Lake. I understand what you're saying. We've been working on it.

MR. HOYT: Gil and I have been doing battle on this question for - -

MR. LAEHY: We've been battling, but we are very friendly.

MR. HOYT: I want to thank Mr. Laehy, but I want to make this point: That the business of applying for Federal and State funds is a laborious and painstaking and long drawn out question. That I'm not satisfied and I'm sorry, as a Buffalonian, to come into your town and say this in your Town Hall, but I'm not satisfied with your plan because of the secondary affects it will have on my city and the area that I represent and on the park, Delaware Park, and I'm not satisfied, not because of what you're not doing, but I'm not satisfied because of what we are not doing, and I've been in this business too long to be pacified or weaned by promises from governmental officials that the applications are about to be put in, that we have assurances from Albany and Washington, that our congressmen are working on it, that the green light is there and so on and so on and so on, therefore, get on with the plan and I'm making, at this time, for the record, an official protest to what you're doing because if you do go ahead and

do it and we don't, the City, the B.S.A. doesn't hold up its end of the bargain, we'll have a continuation of the status quo in the Delaware Park Lake area which has been one of pollution of the most vile sort and sanitary sewage and debris coming through that drain and it's been like that for decades and decades.

I'm going to protest the issuance of the permit, discharge permit which would legalize an illegal situation and that water is in violation of every single code, the County, State and Federal level. I'm going to protest that until we can get this group and the City of Buffalo, which I represent, off their fannies and moving on this question.

The lake's been polluted for decades now and it's about time to stop it.

MR. ROGOWSKI: Thank you, Mr. Hoyt. May I make this comment to you: You, being very firm about your objection and your protest, are you talking protest against the Town of Cheektowaga? What's your specific protest about our town? What have we failed to do?

MR. HOYT: I don't have a timetable. What I want is someone from this end (referring to Buffalo) and, more specifically, from your end too to tell me exactly when the money will be in hand, exactly when the contracts will be let, exactly when the shovels will be in the earth, exactly when the project, your engineers envision it will be completed, exactly when we'll tie into the Buffalo Sewer Authority's newly created bypass tunnel, seven and a half foot bypass tunnel, and that's what I'm after, and until I can have those facts which gives me confidence this plan will actually go ahead, I'm asking that a permit, which is not the purpose of this hearing, but will be the purpose of another hearing, a permit will not be issued to permit the Town of Cheektowaga Treatment Plant No. 5 to discharge in the Scajaquada Creek. They're doing it now, and the issuance of a permit would legalize an illegal situation.

MR. ROGOWSKI: With all due respect to your situation, you've been a councilman for the City of Buffalo for a number of years, but when you're talking about decades going by and this pollution existing, just let me make this comment, if I may: I've been on this town council since back in 1964 and the town attorney since 1970 and since my tenure in office as town attorney in 1970 or very close to that time, we were first given mandates by Albany for both District No. 5 and our old District No. 3, if I'm not mistaken. I'm talking 1970, 1971 at the uppermost. We're talking about a five year period. Albany finally came along and made these mandates to us and actually not forced us, but let it be known to us that we should join in with the City of Buffalo to arrange for this joint facility. Now, I think we've gone a long way since 1971 as the Town of Cheektowaga is concerned.

I'm very familiar with this personally; I've been on this as town attorney and we've had some very tight sessions, some very close time periods. We've had situations where we've had problems with our consulting engineers and right down the line and I feel, Mr. Hoyt, in all due respect to you as a past councilman and now, of all things, as Assemblyman of the State of New York, I think you, more than anybody else, are familiar with the red tape and the delays being forced upon us by both the State and Federal Governments and I think your assessment here today of the Town of Cheektowaga is really unfounded from my own personal knowledge of what has been happening insofar as this particular problem is concerned. I say that very respectfully. I know you've lived with this much longer than I have.

Since this matter came to the attention of this Town Board in 1970, at a point where we are mandated by the Environmental Conservation Agency in Albany, I think we've moved along very quickly, as best as could be possible, and we've had the cooperation of the City of Buffalo. Now, this situation, as you say, for many, many years existed and we happen to be an upstream community through no fault of ours. And I know that it may be your neighborhood, you may be affected by it, may not like it, but there are many things we don't like about our situation, but we've done the best we could as far as I'm concerned, with Mr. Bryan, with our consulting engineers, and with joint ventures with the Buffalo Sewer Authority.

MR. JOHNSON: Mr. Chairman, I would like to say to Mr. Hoyt, prior to allowing people here from the district to speak at this hearing, I'd like to say that you're asking an impossible question and you're making a protest against what I cannot conceive of. First of all, you're protesting a project and a portion of a project which is this discharge permit that's half of a project that will solve your problem from now on. Or from some point in the future until the end of time, I hope, or at least until the end of our experience with Delaware Park Lake as living individuals. Our part of the project is beginning now. You know the ramifications now if we held up our project. If we, for some strange reason, simply discharged no sewage during the term of our project, that would be impossible. To stop our project and delay it until we had a firm timetable for the Buffalo Sewer Authority is impossible.

The only thing that I can state is that without our part of the project now being approvable and moving ahead, then the Buffalo Sewer Authority might very well build a pipe to the borderline of Cheektowaga to receive nothing and you would still have your problems with respect to Cheektowaga because without a doubt, no EPA authority, no health authority would ever forbid us from handling the sewage from homes. And this is the only reason we exist under the present conditions. This project will solve the problems that we have as a sewer district. It will solve, ultimately, in conjunction with Gillman Laehy's project, solve your problem with Delaware Park Lake. It's the only solution.

To, in any way, protest even a phase of it is to make a hollow protest against the ultimate solution of a problem which you must now foresee yourself. You must now foresee and be able to visualize the problem that you've been complaining about for so long.

So, therefore, it's to me a hollow gesture to protest our part in this. It would be more apt if you assisted Gillman Laehy and the Buffalo Sewer Authority in any way possible and within your present position, to get the necessary State and Federal approval for their part in this project and to, in fact, move up their part in this particular problem on Scajaquada Creek, move up that particular item on their total timetable for Buffalo sewerage to a much higher place on the priority list.

If you can do this, then you'll be certainly helping Delaware Park Lake for more, and beyond that, you have the problem of Delaware Park Lake because once this sewer water is not able to contribute to Scajaquada Creek, I wonder if it's going to dry up? I wonder if it's going to be nothing but a silt pond.

So, I would say that rather than protest our particular permit, discharge permit, you would leave it off as a compliment to our moving ahead on our part of the project and assist Gillman Laehy and then move to the ultimate salvation of Delaware Park Lake by seeing that some type of circulating water moves through Delaware Park Lake and you can maintain a lake.

MR. HOYT: I listened with interest to your comments. Let me preface that for five years, I've been attempting to get the Buffalo Sewer Authority and Buffalo City Government to treat this problem as it should have been treated years ago and that's as a river system. And the reason there's so much difficulty here is you have a City of Buffalo, a Buffalo Sewer Authority created by the State Legislature, a sewer authority is not a line department like the Parks Department, Streets Department. The Buffalo City Mayor has very little authority over the B.S.A. You have responsibility by the County of Erie.

The reason this problem existed so long, there's no one willing to take charge of pulling this problem together. Item one.

Item two, you asked me why I'm here challenging what seems to be a decent engineering solution to this age old problem. I'm not doing that, sir. You did not listen to me. I applaud you personally getting on with the task that should have been done decades ago. Cheektowaga's hands are not clean in this. The City of Buffalo's are not clean either. But you're going ahead, that's fine. What I'm vehemently protesting is the timing of it, because, as you go ahead and get your money from Albany and if you get it, good for you, that's fine, and I'll help you as an assemblyman, I'll help you in Washington, but think of what you just said.

You put it in, you build this brand new sewer line. It's all shiny and all covered up and what you've done is to plug it into the side of that tunnel where it's coming anyway. Now, that's great for you. It takes Cheektowaga off the hook, but you know anything about repairing rights? We're downstream and the same effluent coming into the same drain swollen with the same ground water, the same run-off kicks into Delaware Park Lake and this problem continues.

MR. JOHNSON: Would you suggest we not build our portion of the project?

MR. HOYT: I'm suggesting that there be much more coordination between the Town of Cheektowaga and the B.S.A, between the City of Buffalo, and I'm saying that what you're doing is fine, and I've been in this for years. I know about the Corps of Engineers report; I know about the flooding that affects the Cheektowaga problems, it kicks down into Delaware Park Lake and I've pleaded with the Corps of Engineers not to go ahead with that problem until they've considered what the downstream affects of clearing the water off your banks are.

It's a highly technical problem. There's an overlay of politics on it which doesn't help. Yes, you have to go at it. Your timetable - - you have to go ahead with your collection of money.

MR. JOHNSON: We have to. If we don't, there will never be a solution to Delaware Lake.

MR. HOYT: But your solution is an insolent parochial solution. It's great for Cheektowaga, but it will affect us downstream until there's a receiver drain to receive what you're piping off. Then we have a bypass around the lake. Then the Department of Public Works, which has authority over the lake, can get on with the mechanical task to fix the lake so it's better than to just look at, you can utilize it. But I want to repeat so as there's no misunderstanding, and I don't mean to raise my voice to you because you're doing what you have to do as a Cheektowaga Councilman, as I tried to do when I was a councilman in the City of Buffalo - -

MR. HALICKI: One of the things you may not be familiar with, but this particular No. 5 Plant was set up in a phase program to upgrade the amount of pollution that's created. Phase 1 was created and now all of a sudden the standards changed and we never completed the other stages. So, in the meantime, this program comes along and also, in our discussions with Mr. Friedman, he told this Town Board on many occasions that they'll not talk to a separate

town. They want strictly county sewer districts. So this delayed the program. Finally, we got that cleared away. We sat down with these gentlemen. We worked, I think, up a pretty good contract for both sides. It's got to help the Buffalo Sewer Authority because they are going to have a larger facility to take care of this and I've been on this board eight years and, believe me, we've been talking about this problem for eight years, not five, because we had okays from the Planning Board of Niagara and Erie County was going to have this Plant No. 5 continue on. Am I correct, sir?

MR. FLOYD: Yes.

MR. HALICKI: So we haven't been standing still. It's a matter of the aid changes hands from becoming an independent plant, they felt we should go to this program. This is what we've done in a relatively short time. I don't think we've talked to these gentlemen two years, but I think we've done a lot in this short period.

MR. HOYT: I think the plan is sensible and I want to repeat one point. I'm protesting the timing and because, from my point of view, it's going to be a continuation of the status quo which is the illegal polluting that the Town of Cheektowaga's doing by pouring half-treated sewage into an open creek which then goes down and twelve, fifteen times a year kicks into a city park, that until there's a receiver line which Mr. Laehy stated publicly there are no definite plans for, that because of the timing and because of your not really correcting the total problem, the total problem has not been corrected, that I'm going to protest this.

MR. JOHNSON: I believe this is a public hearing for the residence of the district in part, at least.

MR. ROGOWSKI: Let me say this at this point. The notice also states that one of the purposes of this hearing and not just the main purpose, is to discuss the environmental effects of the project. We are going off on another tangent about costs and delays and so forth. Let's get down to the object of the hearing. People should be heard about this hearing and state their opinions about the environmental effects of the projects. Now, anybody else here wishes to be heard on the subject? Mrs. Becker?

MRS. BECKER: Mr. Chairman, I don't know if I'm allowed to speak because I'm not from District 5. But as an environmentalist, I'm interested in solving not only Cheektowaga's

problems, but Buffalo's problems. Waters underground are steadily going down. Our trees are dying because the water which should be left on the surface of the earth is being pushed into the sewers and into the lake. Now, Cheektowaga has secondary treatment already. Our difficulty seems to be that our storm waters enter into our sanitary sewers.

Now, it would seem, environmentally, at least, that to spend the money for storm sewers to take that water and to pour it clean into the creek is much better, environmentally than having that vast amount of water going into the treatment plant no matter how well it's done and increasing our lake rising again. So I do feel that our difficulty is really with storm waters more than sanitary sewers.

Now, at the present time, I think the Buffalo Sewer Authority has only primary treatment. We already have secondary treatment which shows that the Town certainly has advanced as far as treating our sewage. Our difficulty is when storm waters come and Cheektowaga is a very moist town, you might say, we have many areas where there's a lot of water and no one can help it, but if we had storm sewers, and I wish our engineer would comment on that, perhaps that would be a good solution too.

MR. ROGOWSKI: Thank you, Mrs. Becker.

MR. BRYAN: A large part of this project consists of preventing storm waters from entering the sanitary sewer system. This is a major part of the project. So we'll be doing this.

MR. ROGOWSKI: Thank you.

MR. MEYERS: I would just like to comment on Mr. Hoyt's remarks. I respect your protest, Mr. Hoyt, and, first of all, we should make sure that we are protesting, you know, to the right people. As far as the timetable, I think the Town of Cheektowaga would like to know that timetable. I think the B.S.A. would like to know that timetable. And I don't really think that timetable is really in our hands at this time. At least, I don't believe it is. But, you know, you talk about Cheektowaga collecting its portion and going to the City, going to the City line and saying, "Well, we've done ours". Well, really, we haven't, because as long as the discharge is going into that lake and creating that problem, it still effects the Town of Cheektowaga. I certainly don't appreciate reading in the paper that Cheektowaga's polluting Delaware Lake. It's true; I'm not denying it. But it's a thing that concerns me. I'm not concerned if we just get our project done and say the hell with everybody else. I don't think that's our intention or the B.S.A.'s intention. But they can't control that either. We're working with higher levels of

government. We're talking about a portion of our project and possibly their project, we're talking $20,000,000 for just the link through the City of Buffalo and our connection. So I don't think anybody is just going to jump into that and start funding out without some help someplace.

If we proceed with what Mr. Friedman has told us, and, in fact, these very same questions were brought up to Mr. Friedman, "What about the City of Buffalo; are they ready to receive this?" He said, "Don't worry about the City of Buffalo. Proceed with your plans. Do what you're supposed to do, what we're asking you to do and let the City of Buffalo, through the B.S.A., take care of their problems." Well, that's fine. But we're going to continue in a greater effort than we did in the past about supervising the debris and the stuff that's presently in the creek. So this is a program that we've entered into. We've had meetings with the Highway Department and we're going to - - He has plans and which he's putting into practice now and hopefully to increase some drought this year to stop the open debris, the bottles and the tires and all that from going in through the storm sewers and doing the very same thing, not just where we're entering the debris going into the storm water and that entering into Delaware Lake. So we're proceeding with that. It's to help correct some of the condition, not a hundred per cent, of course, until the whole operation is done, but we're very concerned about this even though it's not our city, but we don't want, as a neighbor, to be criticized that we're affecting recreational facilities in the City of Buffalo. I know if the situation - - if Lancaster was doing that to us, we would be very much up in arms. So I think it's our intention to push that way and try to correct that the best way we can with cooperation with the B.S.A. and with the State.

MR. HOYT: If I just may make one comment: Your brought up a second portion of pollution what we've been talking about to date and what your plan is attempting to remedy. It's the sanitary sewage question, and what now you've mentioned which is really the secondary or second part of the pollution problem is the surface debris that floats, you know, being railroad ties or mattresses, all kinds of junk that comes whooshing down that tunnel after that big rainstorm in Cheektowaga and settles on the banks of Delaware Lake and, of course, that's not intercepted by what they call the Delavan-Main Street interceptor. It's not taken out through the normal course and ends up on the banks of Delaware Lake. The City of Buffalo had to take twenty-two loads of debris - - it wasn't so marked, but I imagine it's from Cheektowaga. I'd just as soon not get all that debris from the Town of Cheektowaga.

The remedy which was originally designed for an ice breaker arrangement, uses the Pine Ridge Road area as a dummy PA project in the 1950's. You also must be aware of the fact that Cheektowaga bought a portion of that land in which the tunnel was constructed from the City of Buffalo so that the

mout of that tunnel is in Cheektowaga. And the effect that has, that land sale in the 1930's and the fact that the grid was never built on the ice breaker which would collect out, would seive out the surface debris is the B.S.A. which controls the tunnel, has no authority over what goes into the eastern end of that tunnel because it's legally in the boundaries of the Town of Cheektowaga, which means that we have to come to you, the City has to come to you, hat in hand, say, "Will you please make sure the junk doesn't come down the tunnel and into our lake". They've been after Cheektowaga for years. The City of Buffalo loaned the Town of Cheektowaga a boom, John Downing, Deputy Mayor, we thought that would work. It's been a dismal failure. It has not worked at all. I'll believe you, and again I respect your position, when I see an item in the Town of Cheektowaga budget for maintenance of stream banks where you've got some Town employees collecting that stuff so that when a flash rainstorm comes, it doesn't sweep it off the banks and end up down there in our lake or when you have a firm contract and are building that great system which was designed in the early 1930's as a WPA project.

I know negotiations have been going on, but I'm a little bit unsettled because negotiations are always going on.

MR. ROGOWSKI: Let me make this statement at this time. At the invitation of Mr. Regan, we met in his office a week ago, I think it was the 12th of March, regarding the very problem you're talking about, namely, the trash rack. Now, at that point, it was made clear to us that all communities, just not the City of Buffalo and the Town of Cheektowaga, also the County of Erie is concerned about this situation and Mr. Regan took it upon himself to call this meeting and we had representatives of Mr. Kemp's office, Mr. LaFalse's office, Mr. Nowak's office, plus the State people involved, Buffalo Sewer Authority engineers, the County Attorney's office, Mr. Howard from the Mayor's office in the County, and at that point, it was made very clear that we are now making a joint project whereby the County of Erie hopefully will pick up part of the tab, if possible, for this trash rack, so-called, at the mouth of the tunnel. Now, I also would like to make it clear and put on the record that we have had, we've employed people under the S.E.T.A. Program, we've employed them in the Town of Cheektowaga.

We've tried the program and it may not have worked as well as we may have wanted it to work and may have to make some changes as far as the supervisory structure is concerned, but we've made this effort. It's not a question of having this rack at the tunnel; it's policing the stream upstream so the debris does not come to the rack. I think the real answer is, as you say, is to police that stream along the banks and I'm talking about going all the way upstream in order to avoid the debris even coming to the rack as much as possible. Now, I think we've done this to the best extent possible at this time. I'm sure there's room for improvement.

I discussed with Mr. Bryan, prior to discussing it with Mr. Regan, and Mr. Bryan told me some pitfalls about the problem and we hope to correct that. I hope we'll be able to police the streams better than we have in the past.

MR. HALICKI: I believe it was two years ago we did a project two or three years ago from the Depew Village line to Pine Ridge Road in that creek, and one area right here at Union Road, the shopping plaza, they took out sixty-two shopping carts out of that creek and again it comes - - a lot of that stuff does come from Lancaster and Depew. It's not always our stuff. We've cleaned it, believe it or not, but it's unfortunate that people do this. It's unfortunate. It's unfortunate, but it might not even be a Town person throwing mattresses and tires in there, et cetera.

MR. JOHNSON: As of this year, we do have a regular program of an assigned work force that does clean that particular creek and there has been cooperation with the Village of Depew for that same goal and this regular patrol and regular cleaning is what's going to prevent accumulation such as Councilman Halicki just mentioned that could rush down in an extremely heavy storm of some sort. But, basically, I'd like to return to the problems of the people in the district because there are people in the district that suffer from sanitary sewer backups and such and also they're going to have to pay, in part, for this project, and I think Chet Bryan's suggestions were the most important. A significant portion of the project will be elimination of storm water entering the sanitary sewer system and this alone limits the size of the overall project and the cost of the overall project in piping and facilities to the taxpayers. And at the same time, moves along with the main project itself which intends to bypass the plant which cannot handle high rainfalls, but that, along with bypassing the plant, is going to eliminate this type sanitary sewer backup in the district that's produced a moratorium in the extension of the district in which I live, District 7, and I believe there are some people here from District 7 that are concerned about just that, and this $3,000,000, the first phase, Chet - -

MR. MEYERS: Before we go into that, I would like to comment on Mr. Hoyt one more time. We spent a lot of time and we spent meetings downtown with them discussing this and I must honestly admit that, you know, I thought the Town could have done a lot more even in the time we were talking about this policing action. Now, really, the Town Board shouldn't be speaking in behalf - - because we have an elected Highway Superintendent. This is directly his responsibility.

And before that meeting that Mr. Kogowski attended with Mr. Regan, Mr. Bryan and myself met with the

Highway Superintendent and have gone over a plan which was relatively new and it comes to this date now he has a whole working force composed of S.E.T.A. people with one of his regular foremen and it's just a ditch action, a police action they are taking throughout with the program. They showed us - - they had a quite detailed map of what they were doing, what they were removing and they have really advanced now. It's now basically being put into the working stages. As far as an interceptor, they have plans for that also which they intend to get in this year.

So, I can say, like up to this time, I hopefully see this procedure and these projects extending out from here tonight - - I think, maybe, we can't say right now what affect it's going to have, but in the next two or three or four months, it gives us a chance to implement this program. I think we're going to see a bigger improvement which really wouldn't take much improvement at the present time, but in talking with them, they've got a lot of background work and I think now is the time to put their background work into effect and I think we're going to see that effect.

MR. ROGOWSKI: Anybody from the audience at this point? The Board has had their say and the officials from the other areas have had their say and I appreciate Mr. Hoyt's attendance here tonight and I think his comments are something we should really consider. Anybody else in the audience wishes to be heard on this matter? If not, I'll bring this hearing to a close.

MR. JOHNSON: I'd like to know, first of all, if there's anybody here from the Erie County Health Department?

MR. ROGOWSKI: Anybody here from the Erie County Health Department?

MR. JOHNSON: The reason being there are people from District 7, and how much work is going to be done in District 7 which will relate to that problem in District 7.

MR. ROGOWSKI: There's no one here from that agency. Anybody else wish to be put on record as far as - - yes, sir?

MR. HOFFER: I'm Richard Hoffer from Meadowlawn Road and I think our question has almost been answered as far as the sewer conditions are concerned. We have, oh, quite a bit of footage on Meadowbrook Road and we can't do anything with it because of the

sewer moratorium and we wanted to see what was going on as far as anything, getting any permits to build. Because of the moratorium, we can't sell the land and we can't build on it. At the same time, we're still taxed just as high as anybody else.

MR. ROGOWSKI: I appreciate your problem and I'm sure all the council members do too. Unfortunately, no one from the County is here to answer that question at this time, but that problem will be alleviated eventually, but it will be a long time, unfortunately. The County controls that.

MR. JOHNSON: You have to understand, Mr. Hoffer, this project is being initiated now and, hopefully, the second phase will be refunded in July, and the further along it moves, the more opportunity the Health Department will have to re-evaluate its posture and the better chance you have. So this hearing is very important to you, very important to us, and the sooner that we get past this particular step and into the actual project, the sooner you'll get relief.

MR. HOFFER: Well, I think this line is certainly going to help Buffalo too as far as the Delaware Park Lake is concerned because, certainly, once they get going on both ends, it's going to clear up that too.

MR. JOHNSON: That's right.

MR. MEYERS: Not to prolong the meeting, we had similar meetings, and a gentleman had land on Dean Road which is in that district, we had a man from the County representing them and we went over his project as far as building. Well, you know, it's quite a while, doesn't look like it's going to be next year or two years from now, but we have to look into the future as far as the situation improving in that area, but you do have the option like applying to the County for a septic tank and you apply now for the septic tank, and when the sewer is available, you disconnect.

They've allowed this and under certain circumstances, they'll allow you to do this. It's an added expense to you, but it doesn't render the land useless.

MR. JOHNSON: You have to have a hundred by two hundred foot lot.

MR. MEYERS: That's the ultimate condition, that

when it's available to you, you disconnect that and tie in.

MR. HOFFER: Probably you get into trouble with your neighbors then.

MR. ROGOWSKI: Do I hear a motion from the Board?

MR. MEYERS: I move to adjourn.

MR. ROGOWSKI: To close the hearing?

MR. MEYERS: Yes.

MR. HALICK: I second it.

MR. ROGOWSKI: Oh, there's someone else who wishes to speak. Would you please state your name, please?

MRS. McMICHAEL: My name is Dorothy McMichael. I'm speaking tonight as chairman and representative of the Niagara Group of the Sierra Club.

The Sierra Club has long been concerned with the disturbingly high discharge by Cheektowaga Treatment Plant No. 5 of raw and partially treated sewage into the Scajaquada Creek and with the resulting deterioration, not only of Scajaquada Creek, but also of Delaware Park Lake in Buffalo. The sewage thus accumulating daily in the Scajaquada Creek and in Delaware Park Lake into which Scajaquada Creek empties, during high water periods, poses serious health hazards to the people of Cheektowaga and Buffalo, as well as severely detracting from any recreational or aesthetic use of the creek and lake.

At the present time, Cheektowaga's Sewage Treatment Plant No. 5 discharges more than ten million gallons of effluent per day into the creek. This is much more than the creek can accept without biologically and chemically deteriorating, such that the 1973 Erie County Stream Survey on Page 229 describes Scajaquada Creek below Plant No. 5 as "literally an open sewer".

From the creek's headwater in the Town of Lancaster to east of the Town's Treatment Plant No. 5, the creek flows at a steady rate. The water is fairly clear with the

creek bed visible at a depth of three feet.

At the point where the effluent from Plant No. 5 enters the creek, there is a great increase in volume and a distinct change in water clarity and odor. From this point to the beginning of the Scajaquada drain, about 7/8 mile, it is impossible to see the creek bed due to the turbid condition of the water. There is a froth on much of the surface, and floating and suspended material is visible. The water appears to be brownish in color. From a comparison of two findings, the exacerbating influence of Plant No. 5 on pollution indicators is obvious:

1. The B.O.D. count has doubled to a level four times greater than the minimal level indicating pollution, 5 mg/liter.

2. The D.O. is now half of what it was before No. 5 effluents entered the creek. Where upstream, even the minimum count was above 3 mg/l, the minimum count now would cause the death of all but the heartiest aquatic life.

3. Now, even the maximum percentage of oxygen saturation in the water is below the level needed to indicate a normal organic load, seventy-five per cent. This fact, substantiated by the B.O.D. statistics, is conclusive proof of an abnormally high count of organic material.

Cheektowaga now proposes to remedy this dangerous health hazard, by eliminating all discharges from Plant No. 5 into the Scajaquada Creek, and instead, channeling these discharges by pipe to the Buffalo Sewer Authority's Bird Island Treatment Plant, where Cheektowaga's raw sewage would presumably be given tertiary treatment. This excellent solution omits only one point. Unfortunately, it is the most important point: Time. Cheektowaga does not state when this proposed sewage link-up plan will be put into operation.

The Sierra Club strongly urges that Cheektowaga inform its citizens of the timetable for this link-up plan and that the link-up plan be put into effect immediately. It should be noted that Cheektowaga currently has a permit application before the Environmental Protection Agency and the New York State Department of Environmental Conservation requesting permission of these bodies to continue its same untenable cause of action of dumping over ten million gallons of effluents daily into Scajaquada Creek without any indication of when any link-up plan will be put into operation.

The Sierra Club endorses a plan which would eliminate the present untenable and unlawful dumping of sewage into Scajaquada Creek and thus into Delaware Park Lake and calls upon Cheektowaga to put together such a plan with a definite timetable for action. Thank you.

#10

MR. ROGOWSKI: Thank you very much. May we have that motion?

MR. MEYERS: I move to adjourn.

MR. ROGOWSKI: Moved by Councilman Meyers to adjourn.

MR. HALICKI: I'll second it.

MR. ROGOWSKI: Roll call.

MR. MEYERS: Yes.

MR. SWIATEK: Yes.

MR. HALICKI: Yes.

MR. JOHNSON: Yes.

MR. ROGOWSKI: The hearing is closed. Thank you very much.

* * * * * * * * * * * *

ARTHUR J. CAPRIO, Stenographer

Cheektowaga, New York 14225

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SPECIAL MEETING NO. 10

CHEEKTOWAGA, NEW YORK
March 24, 1975

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town on the 24th day of March, 1975 at 7:00 P.M., Eastern Daylight Saving Time there were:

PRESENT: Councilman Felix T. Wroblewski
Councilman Kenneth J. Meyers
Councilman Donald A. Halicki
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson

ABSENT: Supervisor Daniel E. Weber
Councilman Frank E. Swiatek

Also present were: Mary F. Holtz, Deputy Town Clerk; James Kirists, Deputy Town Attorney; Chester Bryan, Town Engineer.

John V. Rogowski, Deputy Supervisor, presiding.

The Special Town Board Meeting was held prior to the public hearing on the Fire Prevention Code.

Item No. 2 This was the time and place that it shall be determined by the Town Board,at a public hearing called for that purpose, whether the "Fire Prevention Code" of the Town of Cheektowaga, enacted August 20, 1956, shall be repealed and whether the "Fire Prevention Code Recommended by the American Insurance Association", being particularly the 1970 edition thereof, shall be adopted and enacted.

The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof has been duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No persons appearing in opposition to the proposed change, the Supervisor declared the hearing closed. Enactment must be within twenty (20) days.

Item No. 3 Transfer of monies from General Fund to satisfy payment of money judgement and cost of improvements in Storm Drainage District #1.

Motion by Councilman Halicki, seconded by Councilman Wroblewski

BE IT HEREBY RESOLVED that the Deputy Supervisor is authorized to temporarily loan General Fund Monies of $391,000.00 to Storm Drainage District #1 Capital Fund until April 8, 1975, at which time Bond Anticipation Notes will be sold and the temporary loan repaid.

Upon Roll Call....
AYES: Councilmen Wroblewski, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilman Swiatek

Item No. 4 Resolution authorizing Deputy Supervisor to sign Agreement with Nussbaumer & Clarke regarding Sewer District No. 5

Motion by Councilman Meyers, seconded by Councilman Halicki

WHEREAS, this Town Board in a resolution dated October 24, 1975 authorized the consulting engineering firm of Nussbaumer and Clarke, Inc. to prepare plans and specifications for Phase I of the Town Sewer District No. 5 project, and

WHEREAS, the retainer fee to be charged by said consulting engineers was to be in accordance with current Consulting Engineer Council suggested fee schedules, and

WHEREAS, services of the engineers are necessary to further continue the Sewer District No. 5 project in order to be consistent with the State-Federal Grant-In-Aid Program, and

WHEREAS, said all inclusive contract was presented to this Town Board for approval and acceptance, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor or the Deputy Supervisor be and hereby is authorized to sign said agreement on behalf of the Town, a copy of which is attached hereto and made a part hereof.

* See next few pages.

A G R E E M E N T

AGREEMENT made this 24th day of March, 1975 by and between the TOWN OF CHEEKTOWAGA, NEW YORK, a municipal corporation with its principal place of business at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, party of the first part, and hereinafter called the "Town", and NUSSBAUMER & CLARKE, INC., a licensed engineering corporation in the State of New York, with offices at 310 Delaware Avenue, Buffalo, New York 14202, party of the second part, hereinafter called the "Engineer".

W I T N E S S E T H:

WHEREAS, the Town is required to develop and carry out a Water Pollution Abatement and Control Program for Cheektowaga Sewer District No. 5 in accordance with the requirements of the New York State Department of Environmental Conservation (NYSDEC), and

WHEREAS, a Wastewater Facilities Report and an Infiltration/Inflow Study, prepared by another Engineer, are essentially completed and are pending approval,

WHEREAS, engineering services are required for the preparation of plans and specifications for proposed sewage pumping stations, overflow retention facilities, interceptor sewers, force mains, and appurtenant work, as described in Wastewater Facilities Report; provision of (1) services during construction, (2) Operation and Maintenance Manual, (3) start up, operation and maintenance assistance and (4) related engineering services, and

WHEREAS, by resolution of the Town Board dated October 24, 1974, the proposal made to the Engineers is accepted as the basis for this agreement,

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

The Town agrees to employ and does hereby employ the Engineers to provide the engineering services as hereinafter detailed, which services shall conform to good engineering practices.

The services rendered by the Engineers under this Contract shall include the following:

Section I Preparation of Final Plans and Specifications

1. Based upon the approved Wastewater Facilities Report, prepare final plans and specifications for the required pumping stations, force mains, interceptor sewers, overflow retention facilities and appurtenant, related work.

2. Indicate where borings are required along the line of the proposed work. Review the sub-surface data provided from the boring logs.

3. Prepare cost estimates based upon final plans and specifications.

4. Consult with the Town's representatives during the course of the work.

5. Consult with the Department of Environmental Quality, Erie County Health Department and State Department of Environmental Conservation representatives as may be required.

6. Cooperate with the Town in securing the approval of the final plans and specifications by the State Department of Environmental Conservation.

7. Assist the Town in the taking of bids and make recommendations as to award of construction contracts.

8. Include ten sets of plans and specifications in the design fee.

9. Make arrangements in plans and specifications to permit bidding the work in more than one contract if desired by the Town.

Section II Services during Construction

Provide services during construction of the work for which contracts are let as follows:

A. General Services

1. Provide services by an officer and/or other engineers as needed, who will periodically inspect the construction to see that it generally conforms with the requirements of the plans and specifications.

2. Review shop drawings submitted by contractors and manufacturers of equipment.

3. Issue supplemental drawings to further explain intent of plans and specifications when necessary.

4. Review tests for materials and equipment as submitted by contractors for acceptance and reject such of these that fail to meet the standard of quality required by the contract documents.

5. Review monthly estimates for payment submitted by contractors, and make recommendations for payments.

6. Witness tests for acceptance of work and equipment as to the general conformance of the construction with the plans and specifications and make recommendations as to acceptance.

7. Notify the Town when the need arises requiring a change in the work which will cause adjustment in the contract cost. The Engineer will assist in the preparation of change orders and make recommendations for approval.

8. Review final estimates for payment submitted by contractors, and make recommendations for payment.

B. Detailed Inspection

1. Provide resident engineers and inspectors as requested who will provide technical observation of the work to see that it generally conforms with the intent of the plans and specifications.

2. Maintain a record of any changes on a set of prints kept by the resident engineer showing "as built" information. One copy of this set of "as built" information will be provided to the Town.

Section III Surveying

1. Take necessary field topography to prepare the plans for the work as described in Section I, Item 1.

2. Provide field "stake out" of boring locations for obtaining subsurface boring data.

3. Provide main vertical and horizontal control, including grade stakes, of all construction work for which construction contracts are awarded.

4. Provide land surveys for right-of-way acquisition, establishment of undeveloped streets, easements, etc., as may be required.

Section IV Operation and Maintenance Manual

1. Provide an Operating and Maintenance Manual applicable to District No. 5 Main Pumping Station and appurtenant structures, in conformance with the requirements of the State of New York Department of Environmental Conservation Memorandum dated September 25, 1970 from Mr. Paul Eastman, P. E., Director of Division of Pure Waters.

In the event that action subsequent to the memorandum is taken by the New York State Department of Environmental Conservation which changes the scope of the required work in connection with preparation of the Operation and Maintenance Manual, the Engineers shall notify the Town of such change and shall provide an estimate of the effect of the change.

2. The Engineers will provide 8 copies of the approved Operation and Maintenance Manual for distribution to the Town and Government Agencies as required. Additional copies will be provided at cost plus 10% for handling.

Section V Start Up, Operation and Maintenance Assistance

1. The Town shall provide the necessary personnel required for operation of the District No. 5 Pumping Station and said personnel shall be under the direction of the Engineers for training and indoctrination during the initial start up operation of the Pumping Station.

Section VI Miscellaneous Services

1. Prepare contract plans and specifications for obtaining soil test borings along the route of the sewers and at the site of the various structures.

2. Obtain soils test borings along the route of the sewers and at the site of the various structures.

3. Provide special materials and equipment necessary to the performance of the work described herein including those provided by the Engineers and those provided by any consulting firm or engineer engaged by the Engineers.

4. Make studies to determine alternate routes if requested by the Town during the course of the preliminary design.

5. Assist the Town in making applications to State and Federal Agencies for grants toward construction, including preparation of Environmental Assessment Statement, attending public hearings, etc.

6. Prepare Sewer System Evaluation Survey.

7. Prepare addenda as required to Wastewater Facilities Report and Infiltration/Inflow Study.

8. Provide property maps and legal descriptions if requested by the Town.

9. If changes are made in the final plans as construction proceeds, modify the contract plans to show the actual manner of construction, and provide a complete set of drawings showing the work as finally constructed.

10. Assist the Town in providing easement maps and descriptions.

Section VII General Provisions

1. The Engineers represent that the corporation is licensed to practice its profession in the State of New York, and there shall be attached to the plans and specifications a corporate seal.

2. The Engineers agree to secure compensation for the benefit of, and keep insured during the life of the contract, such employees as are necessary to be insured in compliance with the provisions of

the Workmen's Compensation Law of the State of New York, and will also comply with the Labor Law of the State of New York, and such other laws as affect this contract.

3. The Engineers agree that they will not assign or transfer, convey or otherwise dispose of this contract, or their duties, right of interest therein, or of their power to execute the same without the consent in writing of the Town.

4. The Engineers cannot guarantee the performance of the work by the Contractors nor can they assume responsibility for the Contractors; failure to perform without defects and deficiencies, but will use reasonable care to see that the contractors perform work without defects and deficiences, and reasonably conform with the requirements of the plans and specifications.

5. The Engineers will not be responsible for the constuction, means, methods, techniques, sequences or procedures or the safety precautions incident thereto.

6. The Town agrees to supply to the Engineers all existing records, which they have, relating to the contract, at no cost to the Engineers.

7. Any supplemental plans or additional drawings required as well as the original plans will be prepared in pencil on cloth or mylar.

8. All approved original drawings prepared by the Engineers shall become the property of the Engineers. Any reproductive tracings required by the Town will be furnished upon request.

9. Additional copies of plans and specifications in excess of the ten (10) to be provided as a part of the contract shall be provided by the Engineers upon request.

10. If any work designed or specified by the Engineers is abandoned or suspended in whole or in part, the Engineers are to be

paid for service rendered prior to receipt of written notice from the owner of such abandonment in accordance with the fee provisions for final plans. Said fee to be based on the latest estimated cost of construction as prepared by the Engineers.

Section VIII Payments

A. Preparation of Final Plans and Specifications

1. For services rendered under Section I, Items No. 1 through 9, the Engineers shall receive a fee computed in general accordance with the following schedule as suggested by the latest ASCE Manual No. 45, dated 1972, using Curve A, less an allowance for the preparation of the Wastewater Facilities Report as prepared by others.

Net Construction Cost	*% Fee to be Used For This Contract
$ 500,000	8.50
$ 1,000,000	7.50
$ 5,000,000	6.40
$ 10,000,000	6.00

* For a final fee estimate in between the figures shown, the Engineer's fee shall be determined to the nearest hundredth of a per cent by a straight line interpolation.

An allowance of $40,000 will be made for that portion of the Wastewater Facilities Report (prepared by others) that pertains to the work to be performed under this Contract. The following is a schedule of the work to be performed and the deduction to be made from the fee for each item of work as an allowance for the report as prepared by others.

Item of Work	Allowance For WWFR
1. Main Pumping Station Additions	$ 6,400
2. Northeast Interceptor With Connections	10,400
3. McNaughton Sewer	800
4. Interceptor - Pump Station & City Line	10,400
5. Overflow Retention Facilities	10,400
6. Roycroft Relief Sewer	1,600
Total	$40,000

The allowance for the Wastewater Facilities Report for each item of work will be divided into two equal parts and made when the plans and specifications are 20% and 40% complete as described in Item 2 following.

2. Payment of the fee for plans and specifications shall be made in accordance with the following schedule:

Eighty per cent (80%) of this fee shall be the compensation to the Engineers for the Preparation of Plans and Specifications. Partial payments consisting of five (5) equal payments shall be made when the work is 20%, 40%, 60%, 80% and 100% completed and shall be based on the latest estimated construction cost including contingencies. The final payment is to be made when plans and specifications are complete, approved and delivered to the Town ready for bidding. Each major portion of the work will be treated as a separate project for billing purposes and the fee for each major portion will be determined according to the schedules under this Section, Part A, Item 1. A major portion shall be:

1. Sewers
2. Pumping Stations
3. Overflow Retention Facilities

The last payment shall be less 10% of the latest estimated construction cost including contingencies so that the total payment can be adjusted to the construction costs plus change orders, if bids are taken within a nine-month period following plan completion.

If bids are not received within nine months after submittal of the plans and specifications approved and ready for bidding, the final payment shall be made and shall be based on the latest estimated construction cost including contingencies.

If the Town decides not to advertise for bids on a portion of the project for which plans and specifications are completed, the fee shall be based on the latest estimated construction cost including contingencies for the portion not bid.

B. <u>Services during Construction</u>

1. For general services to be performed under Section II, Part A, Items No. 1 through 8, the Engineer shall receive the balance of twenty per cent (20%) of this fee according to the percentages indicated in Part A, Item No. 1 above. The fee shall be based on the awarded

construction bid plus change orders issued during the course of construction. Payment shall be paid monthly, based upon the net estimates approved for payment from time to time, covering the work of the contractor or sub-contractors executed and actually in place to the satisfaction of the Town. Final payment shall be made to the Engineer within thirty (30) days after the work has been satisfactorily completed and accepted by the Town.

2. Payment for services of resident engineers and inspectors, as listed in Section II, Part B, Item No. 1, shall be made on the basis of salary cost multiplied by 2.25 plus identifiable expenses. Payment for overtime, if requested, shall be made at the rate of salary cost multiplied by 1.5. Salary cost is defined as actual salary plus 30% (to cover vacation, holidays, sick leave, pension, payroll tax, social security, etc.). Payments shall be made monthly.

C. Surveying

1. For field work and surveying services to be performed under Section III, Items No. 1 through 4, the Town will be billed at a per diem rate of $360.00 per 8 hour day for a fully equipped three-man survey crew. This rate shall be effective through the calendar year 1975 and will be escalated in subsequent years to reflect any increased costs.

D. Operation and Maintenance Manual

1. For services and work in preparation of an Operation and Maintenance Manual, as specified in Section IV, Items No. 1 and 2, compensation shall be paid by the Town to the Engineers at a per diem rate. Payment for these services shall be made on the basis of salary cost (as defined in Part B above) times a multiplier of two and five tenths (2.5). Payment for the preparation of the Operation and Maintenance Manual shall not exceed $50,000, based on the per diem rates as stated above, and shall be made upon approval of said manual by the Department of Environmental Conservation.

E. Start-Up, Operation and Maintenance Assistance

1. For providing training and indoctrination to the District No. 5 Main Pumping Station operator and his assistants in the start-up and operation of the pumping station, as specified in Section V, Item No. 1, compensation shall be paid by the Town to the Engineers at a per diem rate. Payment of these services shall be made on the basis of salary cost (as defined in Part B above) times a multiplier of two and five-tenths (2.5)..

F. Miscellaneous Services

1. For performing miscellaneous services under Section VI, Items No. 1 and No. 4 through 10, the Engineer shall receive compensation at a per diem rate. Payment for these services shall be made on the basis of salary cost (as defined in Part B above) times a multiplier of two and five-tenths (2.5). Payments shall be made monthly.

2. For obtaining soil test borings and special materials and equipment under Section VI, Items No. 2 and 3, the Engineer shall receive payment by the Town for cost incurred plus 10% for handling. Payment will be made upon submittal of invoices to the Town. Title to special materials and equipment purchased shall revert to the Town upon payment of invoice.

G. General Provisions

1. For providing reproductive tracings (Section VII, Item No. 8); additional copies of plans and specifications (Section VII, Item No. 9); payment will be made by the Town at commercial cost plus 10% for handling in addition to the contract fees.

H. Travel and Miscellaneous Expenses

1. Travel expenses, related to Section I, Items 1 through 9, to and from local offices are included in the fees. However, should the Engineers be requested to go to other points outside Erie County such as Albany or New York City, regarding project business, then travelling expenses, room, meals and other miscellaneous expenses incurred (except the first four (4) trips outside Erie County) shall be charged and paid in

addition to the contract fees. Mileage will be charged and paid in addition to the contract fees at $0.15 per mile. Other expenses will be at cost.

2. The first four (4) trips outside Erie County, and the expenses incurred, shall be included in the contract fee under Section VIII, Part A Items No. 1 through No. 9. This allowance is for the entire project.

3. Travel expenses, related to the services of resident engineers and inspectors, as listed in Section II, Part B, shall be charged at $0.15 per mile, plus identifiable expenses at cost.

4. Mileage, related to field work and surveying, Section III, will be charged at $0.15 per mile.

5. Direct identifiable expenses and charges, as approved, pertaining to (1) the preparation of plans and specifications, (2) services during construction including detailed inspection and (3) surveying will be reimbursed at cost plus 10% for handling.

I. Extra Work

1. No extra work beyond the scope of this Agreement shall be performed by the Engineers unless the Town shall, in writing, specifically direct such work to be performed, and an authorization for such work shall have been duly given by resolution of the Town. Compensation to the Engineers shall be on a per diem basis. The per diem basis shall be salary cost (as defined in Part B, Item 2 above) times a multiplier of 2.5.

Section IX Termination

1. The Town reserves the right to terminate this Agreement at any time prior to completion of the work contemplated by giving two weeks written notice of termination to the Engineer by certified mail.

2. The fee to be paid to the Engineer upon such termination shall be based upon the value of the services performed by the Engineer to the date of termination. Payments shall be made as stated in Section VIII of this contract.

Section X Accountability

The Engineer shall be fully accountable for his performance under this contract and agrees to answer under oath all questions relevant to the performance thereof and to any transaction, act or omission had, done or omitted in connection therewith if called before any Judicial, County or State Officer or Agency empowered to investigate the contract or his performance.

Section XI Miscellaneous Provisions

1. The Town shall furnish the Engineer all relevant data in its possession for the purpose of aiding the Engineer in the performance of its obligations under this Agreement.

2. The Town shall direct its officers, agents and employees to render all reasonable assistance to the Engineer in connection with his performance under this Agreement.

3. The Town shall be responsible for the reasonable correctness of the data furnished to the Engineer.

4. The Engineer shall use reasonable care in the interpretation of the data supplied to him by the Town, and shall promptly advise the Town of any suspected incorrectness of the data furnished.

5. The Engineer, his agents and employees shall at all times conduct themselves consistent with their status as independent consultants and shall not represent themselves as employees or agents of the Town of Cheektowaga.

6. The Engineer shall in all respects comply with the pertinent provisions of the laws, rules and regulations of the United States, the State of New York and the County of Erie, and particularly with the Labor Laws and the laws against discrimination.

Section XII Per Diem Billing

Per diem bills may be rendered monthly and may be submitted separately for each item of work or services provided herein.

IN WITNESS WHEREOF, the Town of Cheektowaga has caused its seal to be hereunto affixed and to be signed by its duly authorized officer, and the Engineers have hereunto subscribed their names, the day and year first above written.

TOWN OF CHEEKTOWAGA, NEW YORK

(SEAL)

Supervisor

NUSSBAUMER & CLARKE, INC.

(SEAL)

President

Item No. 4 cont'd

Upon Roll Call....

AYES: Councilmen Wroblewski, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilman Swiatek

Item No. 5 Resolution to appoint Fiscal Officer on behalf of the Town regarding joint venture between Sewer District No. 5 and Buffalo Sewer Authority.

This item was withdrawn.

Motion by Councilman Halicki, seconded by Councilman Wroblewski to suspend the Rules

Item No. 6 Authorization for Reynders Electric Co. to install new traffic signals on French and Kelly

Motion by Councilman Meyers, seconded by Councilman Johnson

WHEREAS, the Department of Public Works of the County of Erie has authorized a revised Traffic Control Signal at French Road and Kelly Drive, NOW, THEREFORE, BE IT

RESOLVED that Reynders Electric Co., 22 Brookfield, Lancaster, New York, 14086, be authorized to install the new traffic control signals to the following specifications:

SIGNAL - FRENCH ROAD (COUNTY ROUTE #321) and KELLY DRIVE. Pedestrian indications . . . Push Buttons and Vehicle Detector at Kelly approach to French Road.

1. (a) This signal shall dwell with steady GREEN vehicular indications facing French Road approaches and steady RED vehicular indications facing the Kelly Drive approach, and the French Road crosswalk Pedestrian indications shall show at steady "DON'T WALK" until actuated by:

(b) The Pedestrian Push Buttons, or the vehicular detector which will cause . . .

1. Five (5) second steady AMBER indications visible to French Road approaches, and Five (5) second Steady RED indications visible to Kelly Drive approaches, and Five (5) second steady DON'T WALK" indications visible to either Pedestrian Crosswalk approach, FOLLOWED BY . . .

2. Thirteen (13) second steady RED indications visible to French Road approaches,
AND Thirteen (13) second steady GREEN indications visible to Kelly Drive approaches,
AND Thirteen (13) second Flashing "WALK" indications visible to either Pedestrian Crosswalk approach, FOLLOWED BY. . .

3. Five (5) second steady RED indications visible to French Road approaches,
AND Five (5) second steady AMBER indications visible to Kelly Drive approaches,
AND Five (5) second flashing "DON'T WALK" indications visible to either Pedestrian Crosswalk approach after which all indications shall return to the continuous Phase 1. (a) in operation prior to actuation

Actuation will be inoperative for sixty (60) seconds to clear French Road traffic following actuated operation.

AND BE IT FURTHER

RESOLVED that the cost of installation be submitted to the Deputy Supervisor of the Town of Cheektowaga.

Item No. 6 cont'd

Upon Roll Call....
AYES: Councilmen Wroblewski, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilman Swiatek

Item No. 7 Warrant List

Motion by Councilman Halicki, seconded by Councilman Wroblewski

RESOLVED that the following named voucher and warrant submitted to the Town of Cheektowaga for the meeting of March 24th, 1975 be and hereby is approved and that Deputy Supervisor pay said warrant:

FUND	CHECK NO.	AMOUNT
Special Districts	193	$21,879.35

Upon Roll Call....
AYES: Councilman Wroblewski, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilman Swiatek

Item No. 8 Hiring of employees under the E.E.A. Program of 1971

Motion by Councilman Wasielewski, seconded by Councilman Halicki

WHEREAS, funds are presently available under the Emergency Employment Act of 1971, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the positions listed below, at a salary rate as specified, established by the Department head:

Laborer in the Cheektowaga Central School System at a rate of $3.75 per hour

Arne, Raymond F. , Chkt., N.Y. 14227

Laborer in the Depew Central Schools at a rate of $3.75 per hour

Kotlik, Eugene T. , Chkt., N.Y. 14043
Pitzroniak, John Sloan, N.Y. 14212
Szymanski, Stanley F. , Chkt., N.Y. 14225

Administrative Trainee in the Erie Cnty. Community College, Orchard Park, at a rate of $8,518.64 per year

Napierski, David J. Chkt., N.Y. 14206
Przespo, Eugene R. Chkt., N.Y. 14227

Laborer in the Erie Cnty, Community College, Orchard Park, at a rate of $3.75 per hour

Fitzhugh, Donald L. Chkt., N.Y. 14225
Kawa, Michael A. Depew, N.Y. 14043
Krzykowski, Henry R. W., Chkt., N.Y.

Truck Drive in Erie Cnty. Community College, Orchard Park, at a rate of $6,508.00 per year

Danielewicz, Ronald M. Chkt., N.Y. 14227

Nowak, Bernard E. N.Y. 14212

Upon Roll Call....
AYES: Councilmen Wroblewski, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilman Swiatek

Item No. 9 Authorization for John V. Rogowski and Benedict T. Holtz to appear in New York City regarding Bond Anticipation Notes

Motion by Councilman Halicki, seconded by Councilman Wasielewski

BE IT RESOLVED that John V. Rogowski, as Deputy Supervisor and Town Attorney and Benedict T. Holtz, as Town Clerk, be and hereby are authorized to appear in New York City on April 7th, and April 8th, 1975 for the purpose of delivering and executing certain Bond Anticipation Notes and renewals on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that their necessary and reasonable expenses therefor be reimbursed by the Town of Cheektowaga.

Upon Roll Call....
AYES: Councilmen Wroblewski, Meyers, Halicki, Wasielewski & Johnson
NAYES: 0
ABSENT: Supervisor Weber, Councilmen Swiatek

Item No. 10 Motion by Councilman Halicki, seconded by Councilman Wasielewski to adjourn the meeting.

MARY F. HOLTZ
Deputy Town Clerk

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BIDS
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NO.	ITEM	PAGE
	Meeting No. 11 April 7, 1975	
2	Work Uniforms.	1
3	Corrugated Metal Pipe.	1
4	Fencing for Parks Department.	1
5	Two (2) Movable Tennis Surfaces, Protective Padding & Portable Stage.	1
6	Installation of Windows in Town Hall.	1
7	Voting Machines.	1
8	Highway Department - Stone, Asphalt, Winter Mix, Road Oil, etc.	2
9	Highway Department - Mobile Radios and Truck Equipment.	2
	Meeting No. 12 April 21, 1975	
2	Recreation - catcher's helmets, batter's helmets, etc.	1
3	Six-passenger pick-up truck.	1
4	Two (2) used Wayne Sweeper Model 984, one (1) 1969 and one (1) 1970.	1
5	Park Improvements - Losson Road, Eiffel Park and Dartwood Park.	1

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PUBLIC HEARINGS
****

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	Meeting No. 11 April 7, 1975	
10a	Traffic Amendment - Signal on French and Kelly Drive (Delete Old Ordinance).	2-3
10b	Traffic Amendment - Signal on French and Kelly Drive (Put in New Light).	4-5
	Meeting No. 12 April 21, 1975	
6	Street Lighting - Parwood Drive.	1-2
7	Traffic Ordinance Amendment - Stop & Yield Intersections - Gardenville Pkwy.	2-3

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GENERAL COMMUNICATIONS
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	Meeting No. 11 April 7, 1975	
11	Hugh L. Carey, Governor - Correspondence re: State and Local Fire Training and Advisory Services.	6
12	N.Y.S. Dept. of Transportation - Notice of Order re: Intersection of NY 277, Union Road, at Walden Avenue.	6
13	NOTICE OF CLAIM - Brown-Devlin Associates vs. Town of Cheektowaga.	6
14	NOTICE OF CLAIM - John F. Burzynski vs. Town of Cheektowaga.	6
15	NOTICE OF CLAIM - Edward Heilig vs. Town of Cheektowaga.	6
16	NOTICE OF CLAIM - Albin Block and Lucy Block vs. Town of Chktg.	6
17	NOTICE OF CLAIM - Joseph Malkiewicz, as father and natural guardian of Lorie A. Malkiewicz, and Individually vs. Town of Cheektowaga.	6
18	James J. Makowski, Executive Secretary, Chktg. Traffic Safety Comm. - Correspondence re: Paving of Beryl Drive.	6
19	Dominick Selvaggio, - Request Town Board to ban parking on the north side of So. Creek Drive.	6
	Meeting No. 12 April 21, 1975	
8	Designation of Restricted Highway - Portion of Walden Avenue.	4
9	Erie County Department of Health - Change in Erie County Sanitary Code.	4
10	Erie County Department of Health - Notice of Hearing regarding Sanitary Code.	4
11	NOTICE OF CLAIM - John M. Nailos and William Nailos vs. Town of Cheektowaga and Niagara Frontier Transportation Authority.	4
12	Board of Fire Commissioners, Pine Hill Fire District No. 5 - letter regarding request for sign on gate of American Optical Company.	4
13	Cheektowaga Chamber of Commerce - letter regarding Niagara Thruway Toll.	4
14	Western Regional Off-Track Betting Corporation - letter regarding Derby Day.	4

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DEPARTMENTAL COMMUNICATIONS
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NO.	ITEM	PAGE
	Meeting No. 11 April 7, 1975	
20	Building Permits.	6
21	Town Clerk's Office - Call for Public Hearing for Rezoning at 2345 Walden Avenue.	6-7
22	Highway Department - Award of Bids for New Trees.	8-9
23	Highway Department - Award of Bids for Sweeper Brooms and Push Brooms.	9-10
24	Highway Department - Advertise for Bids for Two (2) used Wayne Sweepers.	10
25	Highway Department - Acceptance of Map Plans for Sub Lot #1 and Sub Lot #2 on Cloverleaf Drive.	11
26	Highway Department - Acceptance of Martinique Heights Subdivision.	11
27	Engineering Department - Advertise for Bids for one six (6) passenger pick-up truck.	11-12
28	Engineering Department - Advertise for Bids for specialized park work: tree trimming, clearing, removal, etc. for Losson Rd., Eiffel and Dartwood Parks.	13-14
29	Engineering Department - Advertise for Bids for furnishing and delivery of various building materials for the Cheektowaga Maryvale Community Center.	15
30	Engineering Department - Rejection of Bids for Truck Chassis; Readvertise for Bids.	16-17
31	Engineering Department - Award of Bid for Ice Resurfacer.	18-19
32	Engineering Department - Authorization for Nussbaumer & Clarke, Inc. to provide survey services and work for maps and easements for Northeast Interceptor Sewer.	19
33	Engineering Department - Authorization for Nussbaumer & Clarke, Inc. to commence work for remainder of W.P.C.P. 5 Project.	19
34	Louis A. Vendetti, M.D., Town Health Officer - Requests Authorization to attend the Annual Convention of the Air Pollution Control Assoc.	20
35	Supervisor's statement of funds for January and February, 1975.	20
	Meeting No. 12 April 21, 1975	
15	Building Permits.	4
16	Highway - Notice to Bidders for Gravel, Grit and Top Soil.	4-5
17	Highway - Award of bid for Road Materials.	6
18	Award of Bids for Mobile Radios.	6-7

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20	Engineering - Award of bid for truck and refuse packer.	8-9
21	Engineering - Award of bid for corrugated matal pipe.	9
22	Engineering - Award of bid for tennis surfaces.	10
23	Engineering - Award of bid for work uniforms.	11
24	Engineering - Award of bid for fencing.	12
25	Cheektowaga Traffic Safety Commission - letter regarding parking problem in South Creek area.	13
26	Cheektowaga Traffic Safety Commission - letter regarding Marc Equity's request for all concerned agencies to close their west drive on William Street.	13
27	Health report for March, 1975.	13
27a	Disclosure Statement.	13

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37	Decision on Fire Prevention Code.	22
38	Traffic Signal at French and Towers Boulevard.	22
39	Decision on Rezoning - Dingens St., corner of Crisfield Avenue.	22-23
40	Decision on Rezoning - Property located at 3637 Union Road.	24
41	Call for Public Hearing to Amend the Traffic Ordinance - "Stop and Yield Intersection" -- W. Gardenville Pkwy.	24
42	Preference to Town Residents on Civil Service List.	25
43	Ruling of the Federal Court in the Niagara County Charter Case.	25
44	Change Agreement between Victor Reinstein and the Town of Chktg. re: Property on Losson Road.	25-26
45	Resolution re: Zoning Ordinance Changes.	26-28
46	Retain Counsel in law suits pertaining to Sewer District #5.	29
47	Authorization for Deputy Supervisor to sign ATU Application for State Aid Reimbursement.	29
48	Reappointment to the Board of Assessment Review.	29
49	Hiring of Employees under CETA, Title II.	29-30
50	Change in Salary of Employee under CETA, Title II.	30
51	Hiring of Employees under the EEA Program.	30-31
52	Change in Position of two (2) Employees under EEA Program.	31
53	Hiring of Employees under CETA, Title VI.	31
54	Warrant List.	31
55	Transfer of Funds.	32
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28	Town Clerk's Office - Call for Public Hearing on Special Permit on 1978 William St.	13
29	Call for Public Hearing on Amendment to Traffic Ordinance on South Creek Drive.	13a
30	Proposed legislation to eliminate Niagara Thruway Tolls.	14
31	Authorization for Supervisor or Deputy Supervisor to execute a premium finance agreement.	14-15

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33	Rescind resolution of April 7, 1975 re: Truck Chassis.	17
34	Readvertise for bids for Truck Chassis.	17
35	Amendment regarding M1 District in Town Zoning Ordinance.	17
36	Part-time employee for Parks Department.	17
37	Secretary to Recreation Department.	17
38	Authorization for Jerry Gabryszak to attend conference.	17
39	Engineering - Notice to Bidders for Topsoil and Sand, Clay, Loam.	17-18
40	Engineering - Notice to Bidders for Weed Killer, Fertilizer, Lime and Grass Seed.	19
41	Engineering - Hire two (2) Inspectors for Sanitary Sewer Infiltration Program.	20
42	Hiring of employees under CETA, Title II.	20
43	Hiring of employees under CETA, Title VI.	20-21
44	Hiring of employees under EEA Program.	21
45	Change of position for employee under CETA, Title VI.	21
46	Decision on Public Hearing regarding ITA Buffalo Limousine, Inc.	21
47	Agreement between Cheektowaga Youth Bureau and State University College at Buffalo.	21-22
48	Annual Cheektowaga Paint-up, Clean-up and Fix-up Drive.	23
49	Pledge of Allegiance Day.	23
50	Proclamation regarding Kentucky Derby Day.	24
51	Proclamation regarding Family Unity Week, May 4 to May 11.	25
52	Transfer of Funds.	26
53	Warrant List.	26

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59	Authorization to pay judgment to Buffalo Sewer Authority on behalf of Town of Cheektowaga Drainage District No. 1.	34
60	PROCLAMATION re: Designation of June 1st as VFW Week.	34
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54	Channel 17 - requests use of Cheektowaga Community Center.	26-27

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5	Highway - Award of bid for Road Materials.	2-3
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8	Authorization for reconstruction of Losson Road Park Comfort Station.	3-4
9	Award of bid for installation of windows in Town Hall.	4
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11	Authorization for N.Y.S. Electric & Gas to investigate conversion from gas to electric lights on Towers Blvd.	4-5
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13	Street Lighting Proposal - Honorine Drive.	6-7
14	Appointment of Senior Citizens Group Leader.	7
15	Appointment of part-time laborer in Parks Department.	7