MEETING NO. 8

CHEEKTOWAGA, NEW YORK
APRIL 3, 1978

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 April, 1978 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John V. Rogowski, Town Attorney; Chester L. Bryan, Town Engineer; Alfred Wnek, Superintendent of Highways; Ronald Marten, Building and Plumbing Inspector; Sal LaGreca, Assistant Manpower Program Director I; Raymond Matot, Superintendent of Buildings & Grounds; Ed Leak, Recreation Director; Dr. Louis Vendetti, Town Health Officer; Julia Reinstein, Town Historian.

I. BIDS

Item No. 2 Engineering - Furnishing of sand-clay-loam and topsoil for 1978.
Referred to Parks and Recreation Committee.

Item No. 3 Engineering - Fencing for the year of 1978.
Referred to Parks and Recreation Committee.

Item No. 4 Engineering - Dimensioned lumber and plywood for the year of 1978.
Referred to Parks and Recreation Committee.

Item No. 5 Engineering - Maintenance chemicals and grass seed for various departments for the year 1978.
Referred to Chester L. Bryan, Town Engineer.

Item No. 6 Engineering - Portable chemical toilets for Parks Dept. for 1978.
Referred to Chester L. Bryan, Town Engineer; James Matecki, Parks Director.

Item No. 7 Recreation - Refinishing of metal swimming pools and wading pools at Maryvale & Dingens Street Parks.
Referred to Ed Leak, Recreation Director.

Item No. 8 Parks - Furnishing of baseball diamond supplies for 1978.
Referred to James Matecki, Parks Director.

II. PUBLIC HEARINGS

Item No. 9 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, 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. Said proposed amendment being as follows:

Item No. 9 cont'd.

ARTICLE VIII

Stop and Yield Intersections

Stop intersections designated

Section 80 is amended by deleting therefrom the following:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
Oriole Place	East-West	Andres Place	Northbound	S.E. Corner
Oriole Place	East-West	Andres Place	Southbound	N.W. Corner

* *

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

III. RESOLUTIONS

Item No. 10 Appointment of Community Development Coordinator.

Motion by Councilman Johnson, seconded by Councilman Burst to table the item regarding appointment of Community Development Coordinator.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 11 Appointment of Special Prosecutor.

Motion by Councilman Dux, seconded by Councilman Johnson to table the item regarding appointment of Special Prosecutor.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the County of Erie, Office for the Aging, is presently reimbursing the Town of Cheektowaga for clean-up costs relating to the Town nutrition sites, and

WHEREAS, these sites presently do not include Town owned facilities, and

WHEREAS, the sites are donated by the various churches involved at no cost to the Town , NOW, THEREFORE, BE IT

RESOLVED that the Town forward the County clean-up reimbursement to those churches as it receives same from the County of Erie, effective April 1, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor Meyers, seconded by Councilman Dux

BE IT RESOLVED that the Town Board of Cheektowaga does hereby consent to the amendment of the Certificate of Incorporation of RESCUE VOLUNTEER HOSE COMPANY NO. 1 of CHEEKTOWAGA, N.Y., to effect a change in the boundaries of the territory in which the corporation operates to read as follows:

> "The territory in which the operation of the corporation will be conducted in the Town of Cheektowaga, Erie County, New York shall be the precise boundaries of the territory comprising the WALDEN FIRE DISTRICT, NO. 2 in the Town of Cheektowaga, County of Erie and State of New York,"

and, BE IT FURTHER

RESOLVED, that the members of the Cheektowaga Town Board be authorized to execute and acknowledge the consent attached to the amended Certificate of Incorporation, and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga consents to the amendment of the Certificate of Incorporation to effect a change in the boundaries in which the corporation operates.

*See next two (2) pages

C O N S E N T

We, the undersigned, members of the Town Board of the Town of Cheektowaga, being a majority of the said Town Board, hereby consent to the amendment of the Certificate of Incorporation of RESCUE VOLUNTEER HOSE COMPANY NO. 1 of Cheektowaga, New York, to effect a change in the boundaries of the territory in which the corporation operates to read as follows:

> "The territory in which the operation of the corporation will be conducted in the Town of Cheektowaga, Erie County, New York shall be the precise boundaries of the territory comprising the WALDEN FIRE DISTRICT NO. 2 in the Town of Cheektowaga, County of Erie and State of New York,"

pursuant to the foregoing amended Certificate of Incorporation.

Kenneth J Meyers
Supervisor

Frank E Swiatek
Councilman

Thomas M Johnson Jr
Councilman

George Kaczmarek
Councilman

James R Burst
Councilman

Frank J Dux
Councilman

Donald J Wegner
Councilman

STATE OF NEW YORK)
COUNTY OF ERIE) SS.
TOWN OF CHEEKTOWAGA)

On this 10 day of April, 1978, before me personally came Kenneth J. Meyers, Frank E. Swiatek, Thomas M. Johnson, Jr., Frank J. Dux, George Kaczmarek, James R. Burst, and Donald J. Wegner, to me known to be the persons described in and who executed the foregoing Consent and they thereupon severally duly acknowledged to me that they executed the same.

Richard M Molesky
Notary Public, Erie County, New York

RICHARD M. MOLESKY
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 79

STATE OF NEW YORK)
COUNTY OF ERIE) SS.
TOWN OF CHEEKTOWAGA)

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, Erie County, New York, do hereby certify that at a regular meeting of the Town Board of the aforesaid Town on the 3rd day of April, 1978, at the Town Hall of said Town, the foregoing resolution was unanimously adopted, every member present voting therefor.

I do further certify that I have compared the foregoing with the original minutes of the regular meeting of the Town Board of said Town held on the 3rd day of April, 1978, and that the foregoing is a true and correct transcript from said original minutes and the whole thereof and the resolutions duly adopted by the said Town Board are on file in my office.

I do further certify that the following members of the Town Board were present at such meeting: Kenneth J. Meyers, Frank E. Swiatek, Thomas M. Johnson, Jr., Frank J. Dux, George Kaczmarek, James R. Burst, and Donald J. Wegner, being all the persons constituting said Town Board of the Town of Cheektowaga, Erie County, New York.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Town of Cheektowaga, Erie County, New York, this 3rd day of April, 1978.

Richard M. Moleski
Town Clerk
Town of Cheektowaga, New York

(SEAL)

Item No. 13 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, an Agreement exists between the Town of Cheektowaga and the Buffalo Sewer Authority regarding the Scajaquada Tunnel (Project C-36-830), and

WHEREAS, based on a Cheektowaga share of 40% of the local funding for said project, the sum of $53,558.00 is due the Buffalo Sewer Authority for expenditures to date, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and is hereby authorized and directed to pay the sum of $53,558.00 to the Buffalo Sewer Authority on behalf of the Town.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Supervisor Meyers, seconded by Councilman Johnson

BE IT RESOLVED that the law firm of Kavinoky, Cook, Hepp, Sandler, Gardner and Wisbaum, located at 120 Delaware Avenue, Buffalo, New York, be and hereby is retained to represent the Town of Cheektowaga in any necessary appraisals, legal proceedings or condemnation proceedings with respect to easement acquisition for the Sanitary Sewer District No. 5 - Buffalo Sewer Authority Connection Project, and, BE IT FURTHER

RESOLVED that their reasonable fees and expenses in connection therewith be paid by the Town.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Samuel W. Tadio has applied for a rezoning from M-1, Light Manufacturing District to CM-General Commercial District on property located at 4925 Genesee Street, Buffalo, 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 Number seventy-six (76), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:
>
> BEGINNING at a point in the center of Genesee St., two thousand forty-seven and fifty-five hundredths (2047.55) feet westerly of the east line of Lot Number seventy-five (75); thence south on a line parallel with Transit Road, three hundred ninety-six and thirty four hundredths (396.34) feet; thence westerly on a line parallel with Genesee Street, one hundred thirty-two and four hundredths (132.04) feet; thence northerly on a line parallel with the east line of lands formerly owned by John Risser, three hundred

Item No. 16 Cont'd.

ninety-six and seventy-three hundredths (396.73) feet to the center of Genesee Street; thence easterly along the center line of Genesee Street, one hundred twenty-one and thirty-nine hundredths (121.39) feet to the point 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 27th day of February, 1978 at 6:30 o'clock p.m. Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinance 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, it appears that the proposed rezoning would not interfere with the use and enjoyment of the surrounding area by the owners or occupants thereof, NOW, THEREFORE, BE IT

RESOLVED that the above described premises be and hereby are rezoned from M-1, Light Manufacturing District to CM-General Commercial District, and BE IT FURTHER

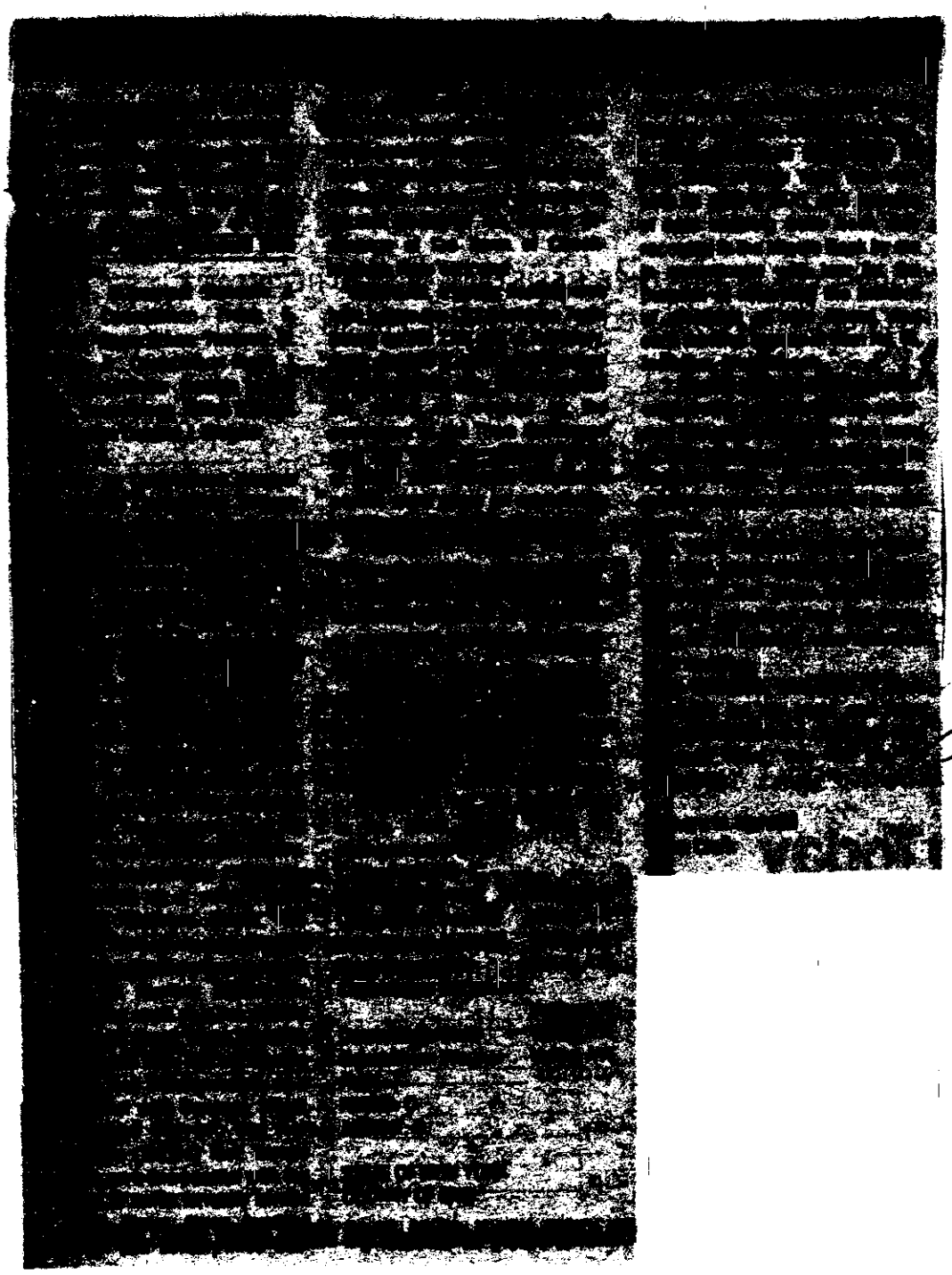
RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

ABSENT: 0

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AFFIDAVIT



STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 6 day of Apr, 1978, and ending on the _____ day of _____, 19__

J.C.

Signed Jas L. Charters
Sworn to before me, on the 6
day of Apr, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Item No. 17 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Denise J. Okoniewski has applied for a rezoning from R-Residential District to RC-Restricted Business District on property located at the northwest corner of Walden & Gualbert Avenues, Cheektowaga, New York, and being more particularly described as follows:

> BEGINNING at the point of intersection of the northerly line of Walden Avenue with the westerly line of Gualbert Street (formerly John Street), thence northerly along the westerly line of Gualbert Street, one hundred three (103.00) feet to the point of beginning; thence northerly along said last described line a distance of fifty and fifty-eight hundredths (50.58) to a point; thence westerly at right angles to Gualbert Street, one hundred twenty-one (121) feet to a point; thence southerly parallel with Gualbert Street fifty (50) feet to a point in the northerly line of Subdivision Lot Number fifty (50); thence easterly along an extension of the said last described line a distance of approximately one hundred and twenty-one (121) feet to the point 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 6th day of February, 1978 at 6:30 o'clock p.m. Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinance 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 Board and the Erie County Department of Planning have recommended denial of said rezoning, and

WHEREAS, it appears that the proposed rezoning would interfere with the use and enjoyment of the surrounding residential area by the owners or occupants thereof, and

WHEREAS, the proposed rezoning would not be conducive to preserving and maintaining the residential aspects of the surrounding neighborhood, now, therefore, BE IT

RESOLVED that the proposed rezoning of said premises from R-Residential District to RC-Restricted Business District be and hereby is denied.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

Item No. 18 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Robert Lesniowski has applied for a rezoning from C-Retail Business District to CM-General Commercial District on property located at 1455 Harlem 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. 72, Township 10, Range 7 of the Buffalo Creek Reservation and according to map filed in the Erie County Clerk's Office under Cover No. 1506 is known as subdivision lots Nos. 8 and 9, and together being seventy-two (72) feet front and rear by one hundred fourteen (114) feet in depth situate on the east side of Harlem Avenue, commencing two hundred fifty-nine (259) feet south of William St.,

Item No. 18 Cont'd.

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 6th day of February, 1978 at 6:30 o'clock p.m. Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinance 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 Board and the Erie County Department of Planning have both recommended denial of said rezoning, and

WHEREAS, it appears that the proposed rezoning to a CM-General Commercial District, with all of its allowable uses, would not be conducive to this particular location, now, therefore, BE IT

RESOLVED that the proposed rezoning of said premises from C-Retail Business to CM-General Commercial District be and hereby is denied.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, this Town Board duly held a public hearing on the 20th day of March, 1978 to consider the advisability of adoption of a proposed amendment 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side

McNAUGHTON AVENUE	South side: East side:	from the east curb line of CATHEDRAL LANE to the south curb line of ST. BONIFACE ROAD

Section 2.

(a) This amendment 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 this amendment which is 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.

Item No. 19 Cont'd.

Section 3. Territorial application.

This amendment 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 this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town, and a printed copy thereof shall be posted on the sign-board maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of the State 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 this amendment specifying the date of adoption thereof.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

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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 April 6, 1978; last publication April 6, 1978; and that no more than six days intervened between publications.

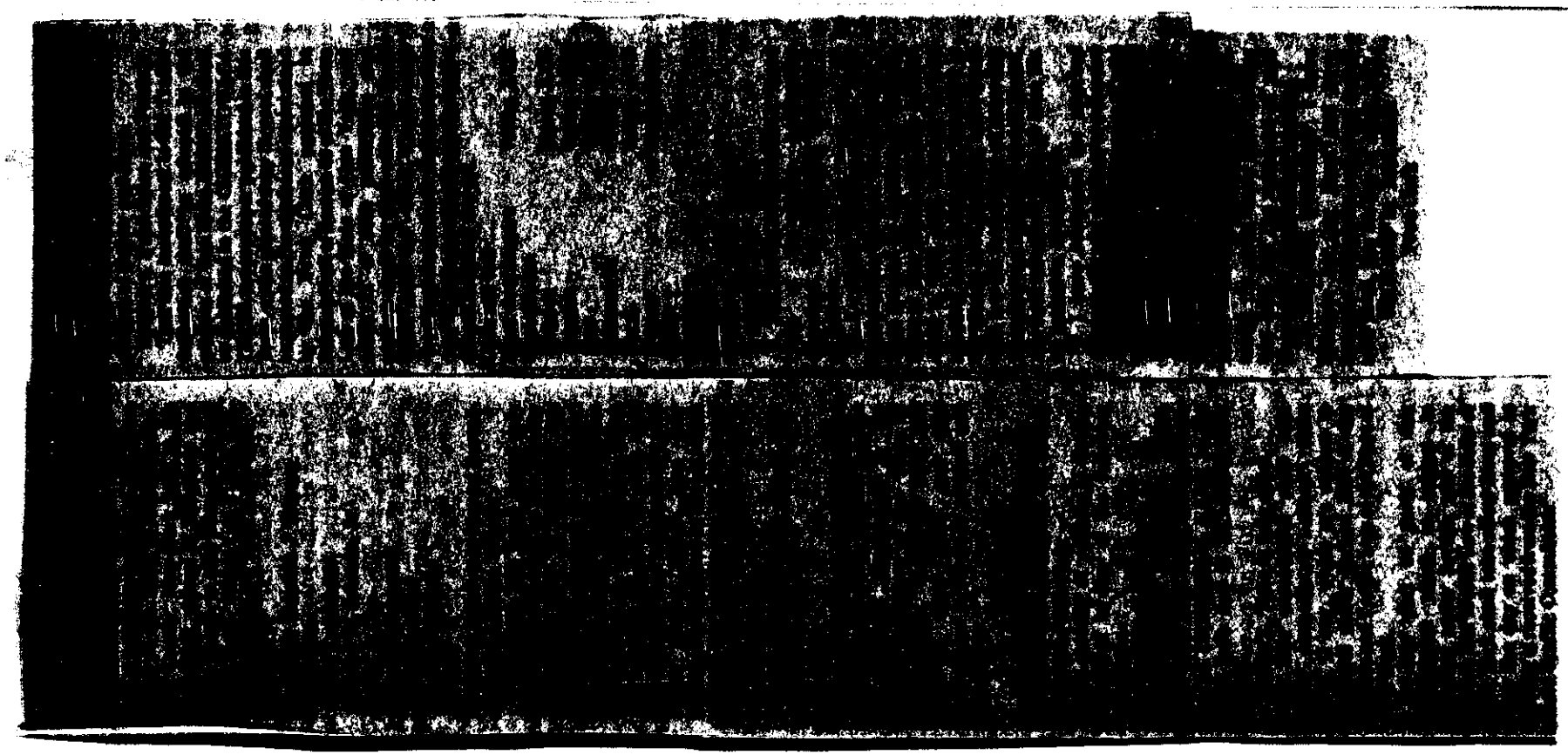
Gladys M. Seehuter

Sworn to before me this 7th day of April, 1978

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, 1979



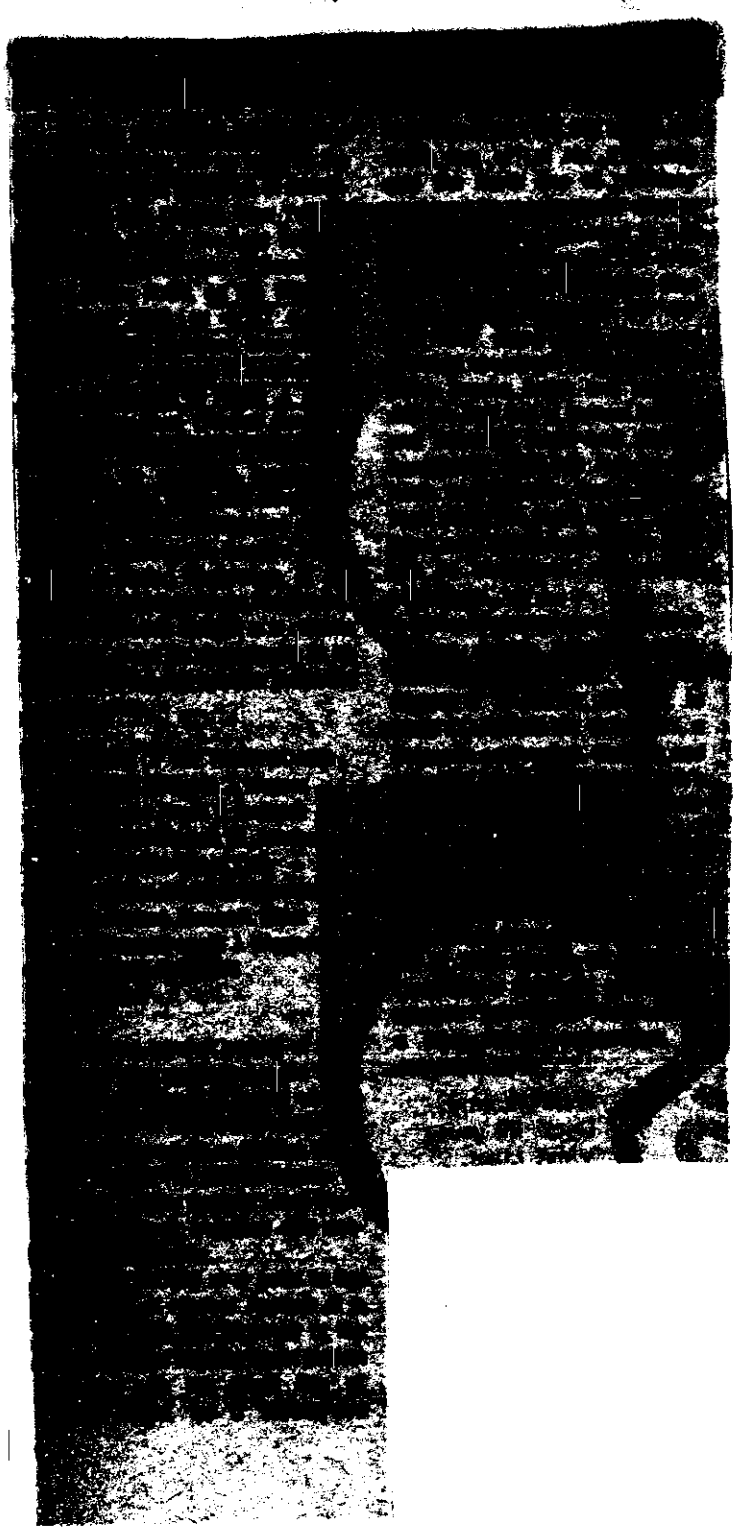
Item No. 20 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Frank J. Zinter has made application and requested the rezoning of property located at 3405 Harlem Road, Cheektowaga, New York from C-Retail Business District to CM-General Commercial District, said applicant possessing ownership of property aforementioned, NOW THEREFORE BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 17, 1978 at 6:30 o'clock P.M., Eastern Standard Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 6 day of Apr, 1978 and ending on the _____ day of _____, 19__

J.C.

Signed Jas. L. Charters
Sworn to before me, on the 6th
day of Apr, 1978

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Item No. 21 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Estelle Urbanik has made application and requested a Special Permit for property located at 3625 Genesee Street, Cheektowaga, New York, for the purpose of opening a used car lot, said applicant possessing ownership of property aforementioned, NOW THEREFORE BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 17, 1978 at 6:30 o'clock P.M., Eastern Standard Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

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

Gladys M. Beckett, 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 6, 1978; last publication April 6, 1978; and that no more than six days intervened between publications.

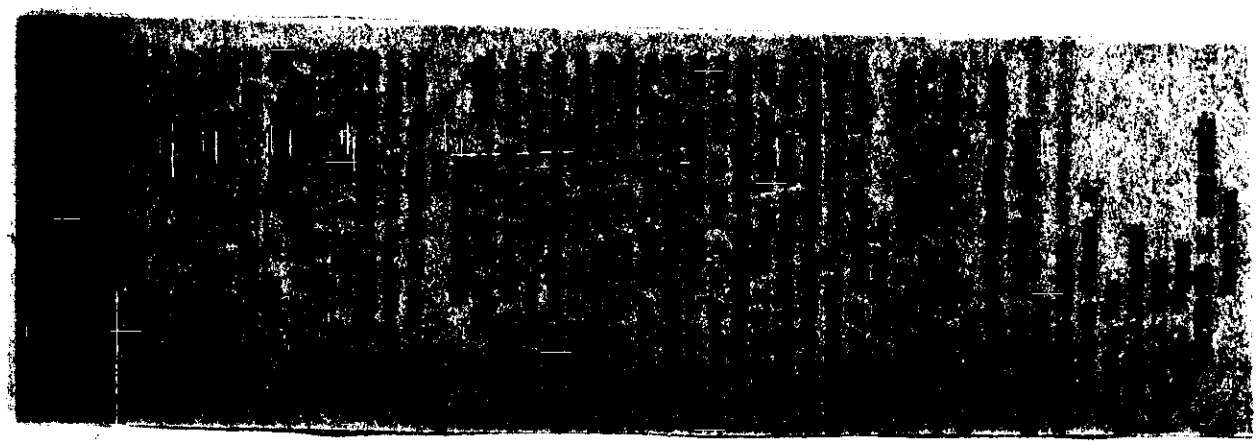
Gladys M. Beckett

Sworn to before me this 7th day of April, 1978

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, 1979



Item No. 22a Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED that Change Order No. 1 for the St. Felix Drainage Project (E.D.A. No. 01-51-03603) to Freeway Contracting Co., Inc., for construction work in the amount of $4,203.41 in addition tc the contract signed be approved, and, BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 22b Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED that Change Order No. 2 for the St. Felix Drainage Project (E.D.A. No. 01-51-03603) to Freeway Contracting Co., Inc., who requested extension of contract completion to August 1, 1978 due to unavoidable delays with no adjustment to the contract price be approved, and, BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, changes in the Town Hall Alterations and Additions Project (E.D.A. No. 01-51-23609) for engineering and architectural services of Donald T. Maharan Associates, P.C., in conjunction with revisions to the design of the Assessors Office have been made, and

WHEREAS, the charges for these services are explained in a letter from the project coordinator dated March 3, 1978, NOW THEREFORE BE IT

RESOLVED, that the voucher for additional architectural, mechanic and electrical services submitted by Donald T. Maharan Associates, P.C., 505 Delaware Avenue, Buffalo, New York 14202 in the amount of $2,825.08 be approved and paid.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Town Board in a resolution dated December 19, 1977 approved a curbing district on St. Felix Avenue between Wojcik and Colombus Streets as a result of a Public Hearing, AND

WHEREAS, the engineering firm of Nussbaumer & Clarke, Inc. made the original cost estimate for petition purposes, AND

WHEREAS, Nussbaumer & Clarke, Inc. has submitted a proposal to prepare plans and specifications and provide services during construction of the curbing project in a letter dated February 28, 1978, NOW THEREFORE BE IT

RESOLVED, that the firm of Nussbaumer & Clarke, Inc. be hired to prepare plans and specifications per the proposal for a cost of $7,060.00.

Item No. 24 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 25 Engineering Department - Approval of Change Order relative to Autumnwood Drainage Project.
Item Withdrawn.

Item No. 26 Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, changes in the Town Hall Alterations and Additions Project (E.D.A. No. 01-51-23609) for the General Construction Contract of George Herman & Associates are needed to improve the project, NOW THEREFORE BE IT

RESOLVED, that Change Order G-4 for construction work in the amount of $14,090.00, in addition to the contract be approved, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order for the George Herman & Associates Contract on behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, the U.S. Army Corp of Engineers' Scajaquada Creek Flood Control Project - Phase I channel improvement will expose a portion of the Alexander-Victoria syphon, AND

WHEREAS, the Town was notified by said Corp of Engineers that it is a local responsibility to relocate any utilities at local cost, AND

WHEREAS, work should proceed at this relocation since the Phase I channel improvement contract was awarded, NOW THEREFORE BE IT

RESOLVED, that the engineering firm of Nussbaumer & Clarke, Inc. of Buffalo, New York is hereby authorized to undertake the preparation of plans and specifications and all other related necessary work for said Alexander-Victoria syphon in accordance with the proposal outlined in the letter of March 22, 1978 to the Town Engineer, and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to sign said agreement to be dated April 4, 1978, as submitted by the engineering firm of Nussbaumer & Clarke, Inc. on behalf of the Town of Cheektowaga.

*See next several pages for copy of agreement.

RECEIVED
MAY 10 1978
Richard M. Moleski, Town Clerk

AGREEMENT

Agreement made this 4th day of April 1978, by and between the Town of Cheektowaga, New York, with its principal place of business at the Town Hall, Cheektowaga, New York 14227, party of the first part, hereinafter called the "Town," and NUSSBAUMER & CLARKE, INC., 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."

WITNESSETH:

WHEREAS, the U. S. Army Corps of Engineers is proceeding with a Flood Control Project along Scajaquada Creek, and

WHEREAS, a Contract was recently awarded, as a part of this project, for modifications of the Creek channel, including that reach where the Town maintains an existing sanitary sewer syphon crossing, and

WHEREAS, said Creek channel modifications will require relocation of the existing syphon chambers and construction of a new syphon, and

WHEREAS, engineering services are required to prepare Plans and Specifications for bidding and to monitor construction, and

WHEREAS, Nussbaumer & Clarke, Inc. has been found to be qualified to perform the required services, and

WHEREAS, by resolution of the Town Council, dated April 3rd, 1978, the proposal made by 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 hereby retains the Engineer to furnish the engineering services set forth in this Agreement upon the terms and conditions set forth herein, and the Engineer hereby agrees to perform such services in accordance herewith. All services performed by the Engineer shall be done in a professional manner and in accordance with the provisions of this Agreement.

Section I - Scope of Work

A. Preliminary Work

1. Assist the Town in meeting various administrative requirements including:

a. securing an eligibility determination for the proposed work from the regulatory agencies,

b. preparation of Application for Increase in Scope of Federal Grant for project C-36-323 if proposed work is determined eligible.

c. Preparation of a Design Memorandum for the proposed replacement facilities.

B. Final Plans and Specifications

1. Obtain field topographic survey data required for final design.

2. Prepare Design Drawings and Specifications including:

a. reviewing Corps of Engineers plans for proposed Creek channel modifications.

b. preparing detailed cost estimates based on the final Design Drawings, and

c. assisting the Town in securing approval of the Drawings and Specifications from the regulatory agencies.

C. General Services During Construction

1. Assist the Town in taking bids for construction of the syphon, and make recommendations with regard to the same.

2. Provide services of an officer, licensed engineer and/or other engineers as needed, who will observe the construction as necessary to see that it generally conforms with the requirements of the Plans and Specifications. The Engineer shall report the findings of his observations to the Town in monthly progress reports.

3. Review shop drawings submitted by contractors and manufacturers of equipment and materials for compliance with Plans and Specifications and affix to the shop drawings a stamp indicating the results of the review.

4. Issue supplemental drawings to further explain the intent of Plans and Specifications when necessary.

5. Witness and/or review tests for materials and equipment as submitted by contractors for acceptance and recommend to the Town such of those that fail to meet the standards of quality required by the Contract Documents be rejected.

6. Review monthly and final estimates for payment submitted by contractors and make recommendations for payment.

7. Notify the Town when a change in the work is proposed which will cause an adjustment in the contract cost, prepare change orders, field directives and make recommendations for approval.

Changes in the plans or procedures authorized by the Engineer will be discussed with the Town prior to implementation.

8. Cooperate with local municipal representatives.

9. Attend local meetings with the Town's representatives as requested.

10. Provide statement of completion for each contract, including all test results.

11. Provide as-built drawings of the construction from the contractors.

D. Construction Surveying

1. Provide detailed initial stake out (once only), including all manholes, chambers and other appurtenances; also, cut stakes along the route of the proposed syphon.

2. Provide detailed cut sheets to the Project Engineer and to the contractor at the same interval as in the stake out (once only).

E. Detailed Inspection

1. The Engineer shall provide a Resident Engineer and/or construction inspectors who shall (1) observe the construction, (2) witness tests for acceptance of work, materials and equipment as to the general conformance of the construction with the Plans and Specifications, and (3) make recommendations as to acceptance.

F. Litigation and/or Claim Negotiations

Any additional services required as a result of litigation and/or claim negotiations involving the project other than litigation between the parties of this Agreement shall constitute additional services.

Section II - General Provisions - Town of Cheektowaga's Responsibilities

1. Provide full information as to his requirements for this project.

2. Assist the Engineer by placing at his disposal all available information pertinent to the project, including previous reports and any other data relative to the project and be responsible for the reasonable correctness of the data furnished to the Engineers.

3. Guarantee access to, and make all provisions for the Engineer to enter upon, public and private property as required for the Engineer to perform his services under this Agreement.

4. Provide water, power and drainage, where available and required for the Engineer, to perform his services under this Agreement.

5. Examine preliminary and final submittals presented by the Engineer, obtain advice of an attorney, insurance carrier, assessor or other consultants as the Town deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of the Engineer.

6. Designate in writing a person to act as the Town's representative in respect to the Engineer's services. Such person shall have complete authority to transmit instructions, receive information and interpret and define the Town's policies and decisions with respect to materials, equipment elements and systems pertinent to the Engineer's services.

7. Bear all costs incidental to compliance with the requirements of this Section II.

Section III - General Provisions - Engineer's Responsibilities

1. The Engineer will perform and complete the services listed in Section I within the following time limits from the date of execution of this Agreement:

a. preliminary work and final Plans and Specifications, within six (6) weeks.

b. general services during construction, construction surveying and detailed inspection, within 26 weeks following authorization to advertise for receipt of bids; provided however, that the advertising time does not exceed 30 days; and further, that the construction contract is awarded within 45 days of receipt of bids.

2. The Engineer will be granted extension of these time limits for delays due to circumstances beyond his control.

3. The Engineer has, or will secure at his own expense, all personnel, equipment and facilities as necessary to accomplish the work within the required time.

4. The Engineer will supply as many copies of the various documents as necessary for review and to gain approval of the various agencies.

5. The Engineer agrees to secure compensation insurance for the benefit of, and keep insured during the life of the contract, such employees of his as are necessary to be insured in compliance with the provisions of the Workmen's Compensation Law of the State of New York.

a. During the course of this Agreement, the Engineer shall, at his sole cost, maintain in full force and effect the insurance listed below:

1) Comprehensive General Public Liability and Property Damage, including Bodily Injury and Poperty Damage, with a combined limit of $1,000,000.

2) Comprehensive Automobile Liability, including Bodily Injury and Property Damage, with a combined limit of $1,000,000. This policy shall contain Nonownership Liability and Hired Car Coverage endorsements of $1,000,000 per occurrence each.

3) Workmen's Compensation and Employer's Liability - Statutory limit for all states in which the work hereunder is to be performed, $500,000.

6. The Engineer represents that it is licensed and authorized to practice engineering in the State of New York, and there shall be attached to the Design Memorandum and Plans and Specifications the corporation seal for professional engineering.

7. The Town has entered into this Agreement in order to receive the professional services of the Engineer. The Engineer will, therefore, not make any assignment to the third party of all or any portion of the services required under this Agreement which, in effect, serves to assign responsibility for any of the services required of the Engineer under this Agreement without first obtaining the written consent of the Town.

8. 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.

9. 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.

10. It is recognized that at the request of the Town, the Engineer has initiated preliminary work prior to the execution of this Agreement which will be billable under the terms of this Agreement, and are included in the stated compensations.

11. Since the Engineer has no control over the cost of labor, materials or equipment, or over the construction contractor(s) methods of determining prices, or over competitive bidding or market conditions, his opinion of probable project cost or construction cost provided for herein is to be made on the basis of his experience and qualifications and represents his best judgment as a design professional familiar with the construction industry; but the Engineer cannot and does not guarantee that proposals, bids or the construction cost will not vary from opinions of probable cost prepared by him.

12. The Town agrees to limit the Engineer's liability to the Owner and to all construction contractors and subcontractors on the project, due to the Engineer's professional negligent acts, errors or omissions, such that the total aggregate liability of the Engineer to those named shall not exceed $50,000 (fifty thousand dollars) or the Engineer's total fee for services rendered on this project, whichever is greater.

Section IV - Compensation

1. For services rendered under this Agreement, fees and payments will be made by the Town to the Engineer.

a. Preliminary Phase and Preparation of Final Plans and Specifications

Payment for services rendered under Section I, Paragraph A, Items 1a and 1b, and Paragraph B, Items 1 and 2a thru 2c, shall be the lump sum of $7,700.00, which is to constitute full payment for these items.

The Engineer will submit monthly or periodic statements requesting payments, based upon the percentage of work completed as shown in supporting data submitted with the request.

b. Services During Construction (General Services, Surveying and Detailed Inspection)

Payment for services rendered under Section I, Paragraph C, Items 1 thru 11, Paragraph D, Items 1 and 2, and Paragraph E, Item 1, shall be at cost plus a fixed fee. The fixed fee shall be a lump sum in the amount of $1,700.00. The total compensation for Services During Construction, including the fixed fee for engineering services as listed above, shall not exceed $10,200.00, assuming construction contracts are awarded by July 1978 and that all construction is completed by October 1978. The total compensation shall be renegotiated if the time schedule stated above is extended for any reason not attributable to the actions of the Engineer. The Engineer will submit monthly or periodic statements regarding payments based upon actual cost for that period plus a portion of the fixed fee.

The method of cost computation is detailed in the attached EPA Forms 5700-41 (2-76), which are herewith made part of this Agreement.

The Engineer reserves the right to substitute other categories of direct labor, not listed in the attached form, as required for this project and to bill the charges at the average rate of such categories, as resulting from his records, without exceeding the stated total compensation.

2. Payment for any work required as a result of EPA auditing request, or of any other work not included in the scope of this Agreement, or of any work beyond the scope of original estimates from subcontractor's proposals, shall be negotiated with the Owner.

Section V - General Provisions - USEPA Provisions for Consulting Engineering Agreements

1. Appendix C-1 (attached herewith) to Title 40, Chapter I, Part 35, par. 35.937-9(c) as published in Fed. Reg. 41, No. 251, December 29, 1976, pages 56636-56638, containing, among others, provisions on Changes, Termination, Payment, Subcontracts, etc., are herewith made part of this Agreement, except as follows:

Par. 5 Termination: Written Notice of Termination shall be given at least 14 days in advance.

Par. 7 Payment: Payment shall be made to the Engineer within 30 days of the request for payment.

IN WITNESS WHEREOF, the Engineer and the Town have affixed their signatures on the day and year first set forth above.

TOWN OF CHEEKTOWAGA, NEW YORK

Chester L Bryan
Witness

By Kenneth J Meyer Supervisor
Title

Date May 9, 1978

NUSSBAUMER & CLARKE, INC.

Kenneth M. Garland
Witness

By Richard E Clarke
Title
Vice-President

Date 3/22/78

Attachments: EPA Form 5700-41 (2-76)
EPA Appendix C-1

COST OR PRICE SUMMARY FORMAT FOR SUBAGREEMENTS UNDER U.S. EPA GRANTS

(See accompanying instructions before completing this form)

Form Approved OMB No. 158-R0144

PART I - GENERAL

1. GRANTEE Town of Cheektowaga, New York	2. GRANT NUMBER C-36-323
3. NAME OF CONTRACTOR OR SUBCONTRACTOR Nussbaumer and Clarke, Inc.	4. DATE OF PROPOSAL March, 1978
5. ADDRESS OF CONTRACTOR OR SUBCONTRACTOR *(Include ZIP code)* 310 Delaware Avenue Buffalo, New York 14202	6. TYPE OF SERVICE TO BE FURNISHED Preparation of Design Memorandum and Plans and Specifications for a Sanitary Sewer Syphon

PART II - COST SUMMARY

7. DIRECT LABOR *(Specify labor categories)*	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
See Attachment "A"	371	$ ---	$2,886.80	
DIRECT LABOR TOTAL:				$ 2,886.80

8. INDIRECT COSTS *(Specify indirect cost pools)*	RATE	× BASE =	ESTIMATED COST	
Overhead	120%	$ 2,886.80	$ 3,464.16	
INDIRECT COSTS TOTAL:				$ 3,464.16

OTHER DIRECT COSTS				
a. TRAVEL			ESTIMATED COST	
(1) TRANSPORTATION 80 miles @ $0.18/mi.			$ 14.40	
(2) PER DIEM			$ ---	
TRAVEL SUBTOTAL:			$ 14.40	
b. EQUIPMENT, MATERIALS, SUPPLIES *(Specify categories)*	QTY	COST	ESTIMATED COST	
Truck Use	---	$ ---	$ 50.00	
EQUIPMENT SUBTOTAL:			$ 50.00	
c. SUBCONTRACTS			ESTIMATED COST	
			$	
SUBCONTRACTS SUBTOTAL:			$	
d. OTHER *(Specify categories)*			ESTIMATED COST	
			$	
OTHER SUBTOTAL:			$	
e. OTHER DIRECT COSTS TOTAL:				$ 64.40
TOTAL ESTIMATED COST				$ 6,415.36
11. PROFIT				$ 1,284.64
12. TOTAL PRICE				$ 7,700.00

Form Approved.
OMB No. 158-R0144

PART III - PRICE SUMMARY

COMPETITOR'S CATALOG LISTINGS, IN-HOUSE ESTIMATES, PRIOR QUOTES *(Indicate basis for price comparison)*	MARKET PRICE(S)	PROPOSED PRICE
[redacted]		[redacted]
		$

PART IV - CERTIFICATIONS

14. CONTRACTOR

14a. HAS A FEDERAL AGENCY OR A FEDERALLY CERTIFIED STATE OR LOCAL AGENCY PERFORMED ANY REVIEW OF YOUR ACCOUNTS OR RECORDS IN CONNECTION WITH ANY OTHER FEDERAL GRANT OR CONTRACT WITHIN THE PAST TWELVE MONTHS?

☒ YES ☐ NO *(If "Yes" give name address and telephone number of reviewing office)*

Mitchell and Titus, CPA's
Lincoln Building
60 East 42nd Street
New York, New York 10017 Telephone (212) 697-6020

14b. THIS SUMMARY CONFORMS WITH THE FOLLOWING COST PRINCIPLES

41 CFR 1-15.4

c.

This proposal is submitted for use in connection with and in response to *(1)* a request by the Town Engineers of Cheektowaga. This is to certify to the best of my knowledge and belief that the cost and pricing data summarized herein are complete, current, and accurate as of *(2)*, March, 1978 and that a financial management capability exists to fully and accurately account for the financial transactions under this project. I further certify that I understand that the subagreement price may be subject to downward renegotiation and/or recoupment where the above cost and pricing data have been determined, as a result of audit, not to have been complete, current and accurate as of the date above.

(3) _____ DATE OF EXECUTION

_____ SIGNATURE OF PROPOSER

_____ TITLE OF PROPOSER

14. GRANTEE REVIEWER

I certify that I have reviewed the cost/price summary set forth herein and the proposed costs/price appear acceptable for subagreement award.

_____ DATE OF EXECUTION

_____ SIGNATURE OF REVIEWER

_____ TITLE OF REVIEWER

15. EPA REVIEWER ***(If applicable)***

_____ DATE OF EXECUTION

_____ SIGNATURE OF REVIEWER

_____ TITLE OF REVIEWER

ATTACHMENT "A"

PART II - COST SUMMARY

7. Direct Labor Categories	Est. Hours	Hourly Rate	Est. Cost	Total
00 - Officer	5	$28.00	$ 140.00	
01 - Chief Engineer	5	$13.90	69.50	
02 - Project Engineer	108	$10.15	1,096.20	
05 - Engineer	54	$ 7.30	394.20	
09 - Draftsman	96	$ 6.05	580.80	
11 - Meter and Gauging	42	$ 5.15	216.30	
14 - Printman	4	$ 4.30	17.20	
21 - Chief Surveyor	5	$11.80	59.00	
22 - Survey Team	12	$ 5.70	68.40	
30 - Collator	8	$ 5.25	42.00	
31 - Typist	32	$ 6.35	203.20	
	371			$2,886.80

COST OR PRICE SUMMARY FORMAT FOR SUBAGREEMENTS UNDER U.S. EPA GRANTS
(See accompanying instructions before completing this form)

Form Approved
OMB No. 158-R0144

PART I - GENERAL

1. GRANTEE	2. GRANT NUMBER
Town of Cheektowaga, New York	C-36-323
3. NAME OF CONTRACTOR OR SUBCONTRACTOR	**4. DATE OF PROPOSAL**
Nussbaumer & Clarke, Inc.	March, 1978
5. ADDRESS OF CONTRACTOR OR SUBCONTRACTOR *(Include ZIP code)*	**6. TYPE OF SERVICE TO BE FURNISHED**
310 Delaware Avenue Buffalo, New York	Services During Construction of a Sanitary Sewer Syphon

PART II - COST SUMMARY

7. DIRECT LABOR *(Specify labor categories)*	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
See Attachment "A"		$	$	
Office Personnel	119	---	1,053.45	
Field Personnel	528	---	4,123.20	
DIRECT LABOR TOTAL:				$ 5,176.65

8. INDIRECT COSTS *(Specify indirect cost pools)*	RATE	× BASE =	ESTIMATED COST	
Overhead		$	$	
Office Personnel	120%	1,053.45	1,264.14	
Field Personnel	45%	4,123.20	1,855.44	
INDIRECT COSTS TOTAL:				$ 3,119.58

9. OTHER DIRECT COSTS

a. TRAVEL	ESTIMATED COST	
(1) TRANSPORTATION 400 mi. at $0.18/mi.	$ 72.00	
(2) PER DIEM	$	
TRAVEL SUBTOTAL:	$ 72.00	

b. EQUIPMENT, MATERIALS, SUPPLIES *(Specify categories)*	QTY	COST	ESTIMATED COST	
Newspaper advertisements for bids	--	$ ---	$ 131.77	
EQUIPMENT SUBTOTAL:			131.77	

c. SUBCONTRACTS	ESTIMATED COST	
	$	
SUBCONTRACTS SUBTOTAL:	$ -0-	

d. OTHER *(Specify categories)*	ESTIMATED COST	
	$	
OTHER SUBTOTAL:	$ -0-	
e. OTHER DIRECT COSTS TOTAL:		$ 203.77

10. TOTAL ESTIMATED COST	$ 8,500.00
11. PROFIT	$ 1,700.00
12. TOTAL PRICE	$ 10,200.00

Form Approved
OMB No. 158-R0144

PART III - PRICE SUMMARY

13. COMPETITOR'S CATALOG LISTINGS, IN-HOUSE ESTIMATES, PRIOR QUOTES *(Indicate basis for price comparison)*	MARKET PRICE(S)	PROPOSED PRICE
[redacted]		[redacted]
		$

PART IV - CERTIFICATIONS

14. CONTRACTOR

14a. HAS A FEDERAL AGENCY OR A FEDERALLY CERTIFIED STATE OR LOCAL AGENCY PERFORMED ANY REVIEW OF YOUR ACCOUNTS OR RECORDS IN CONNECTION WITH ANY OTHER FEDERAL GRANT OR CONTRACT WITHIN THE PAST TWELVE MONTHS?

☒ YES ☐ NO *(If "Yes" give name address and telephone number of reviewing office)*

Mitchell and Titus, CPA's
Lincoln Building
60 East 42nd Street
New York, New York 10017 Telephone (212) 697-6020

14b. THIS SUMMARY CONFORMS WITH THE FOLLOWING COST PRINCIPLES

41 CFR 1-15.4

14c.

This proposal is submitted for use in connection with and in response to *(1)* a request by the Town Engineers of Cheektowaga. This is to certify to the best of my knowledge and belief that the cost and pricing data summarized herein are complete, current, and accurate as of

(2), March, 1978 and that a financial management capability exists to fully and accurately account for the financial transactions under this project. I further certify that I understand that the subagreement price may be subject to downward renegotiation and/or recoupment where the above cost and pricing data have been determined, as a result of audit, not to have been complete, current and accurate as of the date above.

(3)

DATE OF EXECUTION

SIGNATURE OF PROPOSER

TITLE OF PROPOSER

14. GRANTEE REVIEWER

I certify that I have reviewed the cost/price summary set forth herein and the proposed costs/price appear acceptable for subagreement award.

DATE OF EXECUTION

SIGNATURE OF REVIEWER

TITLE OF REVIEWER

16. EPA REVIEWER ***(If applicable)***

[redacted]

DATE OF EXECUTION

SIGNATURE OF REVIEWER

TITLE OF REVIEWER

ATTACHMENT "A"

PART II - COST SUMMARY

7. Direct Labor Categories	Est. Hours	Hourly Rate	Est. Cost	Total
00 - Officer	4	$28.00	$ 112.00	
01 - Chief Engineer	4	$13.90	55.60	
02 - Project Engineer	42	$10.15	426.30	
05 - Engineer	32	$ 7.30	233.60	
09 - Draftsman	12	$ 6.05	72.60	
14 - Printman	2	$ 4.30	8.60	
21 - Chief Surveyor	2	$11.80	23.60	
22 - Survey Team	12	$ 5.70	68.40	
30 - Collator	4	$ 5.25	21.00	
31 - Typist	5	$ 6.35	31.75	
40 - Construction Coordination	48	$15.40	739.20	
44 - Inspector	480	$ 7.05	3,384.00	
	647			$5,176.65

REQUIRED PROVISIONS
CONSULTING ENGINEERING AGREEMENTS

1. General
2. Responsibility of the Engineer
3. Scope of Work
4. Changes
5. Termination
6. Remedies
7. Payment
8. Project Design
9. Audit; Access to Records
10. Price Reduction for Defective Cost or Pricing Data
11. Subcontracts
12. Labor Standards
13. Equal Employment Opportunity
14. Utilization of Small or Minority Business
15. Covenant Against Contingent Fees
16. Gratuities
17. Patents
18. Copyrights and Rights in Data

1. GENERAL

(a) The Owner and the Engineer agree that the following provisions shall apply to the EPA grant-eligible work to be performed under this agreement and that such provisions shall supersede any conflicting provisions of this agreement.

(b) The work under this agreement is funded in part by a grant from the U. S. Environmental Protection Agency. Neither the United States nor the U. S. Environmental Protection Agency (hereinafter, "EPA") is a party to this agreement. This agreement which covers grant-eligible work is subject to regulations contained in 40 CFR 35.936, 35.937, and 35.939 in effect on the date of execution of this agreement. As used in these clauses, the words "the date of execution of this agreement" mean the date of execution of this agreement and any subsequent modification of the terms, compensation or scope of services pertinent to unperformed work.

(c) The rights and remedies of the Owner provided for in these clauses are in addition to any other rights and remedies provided by law or under this agreement.

2. RESPONSIBILITY OF THE ENGINEER

(a) The Engineer shall be responsible for the professional quality, technical accuracy, timely completion, and the coordination of all designs, drawings, specifications, reports, and other services furnished by the Engineer under this agreement. The Engineer shall, without additional compensation, correct or revise any errors, omissions or other deficiencies in his designs, drawings, specifications, reports and other services.

(b) The Engineer shall perform such professional services as may be necessary to accomplish the work required to be performed under this agreement, in accordance with this agreement and applicable EPA requirements in effect on the date of execution of this agreement.

(c) Approval by the Owner or EPA of drawings, designs, specifications, reports, and incidental engineering work or materials furnished hereunder shall not in any way relieve the Engineer of responsibility for the technical adequacy of his work. Neither the Owner's nor EPA's review, approval or acceptance of, nor payment for, any of the services shall be construed to operate as a waiver of any rights under this agreement or of any cause of action arising out of the performance of this agreement.

(d) The Engineer shall be and remain liable in accordance with applicable law for all damages to the Owner or EPA caused by the Engineer's negligent performance of any of the services furnished under this agreement, except for errors, omissions or other deficiencies to the extent attributable to the Owner, Owner-furnished data or any third party. The Engineer shall not be responsible for any time delays in the project caused by circumstances beyond the Engineer's control. Where new or advanced processes, methods or technology (see 40 CFR 35.908) are recommended by the Engineer and are utilized, the Engineer shall be liable only for gross negligence to the extent of such utilization.

3. SCOPE OF WORK

The services to be rendered by the Engineer shall include all services required to complete the task or Step in accordance with applicable EPA regulations (40 CFR Part 35, Subpart E in effect on the date of execution of this agreement) to the extent of the scope of work as defined and set out in the engineering services agreement to which these provisions are attached.

4. CHANGES

(a) The Owner may, at any time, by written order, make changes within the general scope of this agreement in the services or work to be performed. If such changes cause an increase or decrease in the Engineer's cost of, or time required for, performance of any services under this agreement, whether or not changed by any order, an equitable adjustment shall be made and this agreement shall be modified in writing accordingly. Any claim of the Engineer for adjustment under this clause must be asserted in writing within 30 days from the date of receipt by the Engineer of the notification of change unless the Owner grants a further period of time before the date of final payment under this agreement.

(b) No services for which an additional compensation will be charged by the Engineer shall be furnished without the written authorization of the Owner.

(c) In the event that there is a modification of EPA requirements relating to the services to be performed under this agreement subsequent to the date of execution of this agreement, the increased or decreased cost of performance of the services provided for in this agreement shall be reflected in an appropriate modification of this agreement.

5. TERMINATION

(a) This agreement may be terminated in whole or in part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this agreement through no fault of the terminating party: *Provided*, That no such termination may be effected unless the other party is given (1) not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate and (2) an opportunity for consultation with the terminating party prior to termination.

(b) This agreement may be terminated in whole or in part in writing by the Owner for its convenience: *Provided*, That such termination is for good cause (such as for legal or financial reasons, major changes in the work or program requirements, initiation of a new Step) and that the Engineer is given (1) not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate and (2) an opportunity for consultation with the terminating party prior to termination.

(c) If termination for default is effected by the Owner, an equitable adjustment in the price provided for in this agreement shall be made, but (1) no amount shall be allowed for anticipated profit on unperformed services or other work, and (2) any payment due to the Engineer at the time of termination may be adjusted to the extent of any additional costs occasioned to the Owner by reason of the Engineer's default. If termination for default is effected by the Engineer, or if termination for convenience is effected by the Owner, the equitable adjustment shall include a reasonable profit for services or other work performed. The equitable adjustment for any termination shall provide for payment to the Engineer for services rendered and expenses incurred prior to the termination, in addition to termination settlement costs reasonably incurred by the Engineer relating to commitments which had become firm prior to the termination.

(d) Upon receipt of a termination action pursuant to paragraphs (a) or (b) above, the Engineer shall (1) promptly discontinue all services affected (unless the notice directs otherwise), and (2) deliver or otherwise make available to the Owner all data, drawings, specifications, reports, estimates, summaries, and such other information and materials as may have been accumulated by the Engineer in performing this agreement, whether completed or in process.

(e) Upon termination pursuant to paragraphs (a) or (b) above, the Owner may take over the work and prosecute the same to completion by agreement with another party or otherwise. Any work taken over by the Owner for completion will be completed at the Owner's risk, and the Owner will hold harmless the Engineer from all claims and damages arising out of improper use of the Engineer's work.

(f) If, after termination for failure of the Engineer to fulfill contractual obligations, it is determined that the Engineer had not so failed, the termination shall be deemed to have been effected for the convenience of the Owner. In such event, adjustment of the price provided for in this agreement shall be made as provided in paragraph (c) of this clause.

6. REMEDIES

Except as may be otherwise provided in this agreement, all claims, counter-claims, disputes, and other matters in question between the Owner and the Engineer arising out of or relating to this agreement or the breach thereof will be decided by arbitration if the parties hereto mutually agree, or in a court of competent jurisdiction within the State in which the Owner is located.

7. PAYMENT

(a) Payment shall be made in accordance with the payment schedule incorporated in this agreement as soon as practicable upon submission of statements requesting payment by the Engineer to the Owner. If no such payment schedule is incorporated in this agreement, the payment provisions of paragraph (b) of this clause shall apply.

(b) Monthly progress payments may be requested by the Engineer and shall be made by the Owner to the Engineer as soon as practicable upon submission of statements requesting payment by the Engineer to the Owner. When such progress payments are made, the Owner may withhold up to ten percent of the vouchered amount until satisfactory completion by the Engineer of work and services within a Step called for under this agreement. When the Owner determines that the work under this agreement or any specified task hereunder is substantially complete and that the amount of retained percentages is in excess of the amount considered by him to be adequate for the protection of the Owner, he shall release to the Engineer such excess amount.

(c) No payment request made pursuant to paragraph (a) or (b) of this clause shall exceed the estimated amount and value of the work and services performed by the Engineer under this agreement, which estimates shall be prepared by the Engineer and supplemented or accompanied by such supporting data as may be required by the Owner.

(d) Upon satisfactory completion of the work performed hereunder, and prior to final payment under this agreement for such work, or prior settlement upon termination of the agreement, and as a condition precedent thereto, the Engineer shall execute and deliver to the Owner a release of all claims against the Owner arising under or by virtue of this agreement, other than such claims, if any, as may be specifically exempted by the Engineer from the operation of the release in stated amounts to be set forth therein.

8. PROJECT DESIGN

(a) In the performance of this agreement, the Engineer shall, to the extent practicable, provide for maximum use of structures, machines, products, materials, construction methods, and equipment which are readily available through competitive procurement, or through standard or proven production techniques, methods, and processes, consistent with 40 CFR 35.936–3 and 35.936–13 in effect on the date of execution of this agreement, except to the extent that advanced technology may be utilized pursuant to 40 CFR 35.908 in effect on the date of execution of this agreement.

(b) The Engineer shall not, in the performance of the work called for by this agreement, produce a design or specification such as to require the use of structures, machines, products, materials, construction methods, equipment, or processes which are known by the Engineer to be available only from a sole source, unless such use has been adequately justified in writing by the Engineer.

(c) The Engineer shall not, in the performance of the work called for by this agreement, produce a design or specification which would be restrictive in violation of Sec. 204(a)(6) of the Federal Water Pollution Control Act (PL. 92–500). This statute requires that no specification for bids or statement of work shall be written in such a manner as to contain proprietary, exclusionary, or discriminatory requirements other than those based upon performance, unless such requirements are necessary to test or demonstrate a specific thing, or to provide for necessary interchangeability of parts and equipment, or at least two brand names or trade names of comparable quality or utility are listed and are followed by the words "or equal." With regard to materials, if a single material is specified, the Engineer must be prepared to substantiate the basis for the selection of the material.

(d) The Engineer shall report to the Owner any sole-source or restrictive design or specification giving the reason or reasons why it is considered necessary to restrict the design or specification.

(e) The Engineer shall not knowingly specify or approve the performance of work at a facility which is in violation of Clean Air or Water standards and which is listed by the Director of the EPA Office of Federal Activities pursuant to 40 CFR Part 15.

9. AUDIT; ACCESS TO RECORDS

(a) The Engineer shall maintain books, records, documents and other evidence directly pertinent to performance on EPA grant work under this agreement in accordance with generally accepted accounting principles and practices consistently applied, and 40 CFR 30.605, 30.805, and 35.935-7 in effect on the date of execution of this agreement. The Engineer shall also maintain the financial information and data used by the Engineer in the preparation or support of the cost submission required pursuant to 40 CFR 35.937-6(b) in effect on the date of execution of this agreement and a copy of the cost summary submitted to the Owner. The United States Environmental Protection Agency, the Comptroller General of the United States, the United States Department of Labor, Owner, and [the State water pollution control agency] or any of their duly authorized representatives shall have access to such books, records, documents and other evidence for the purpose of inspection, audit and copying. The Engineer will provide proper facilities for such access and inspection.

(b) The Engineer agrees to include paragraphs (a) through (e) of this clause in all his contracts and all tier subcontracts directly related to project performance which are in excess of $10,000.

(c) Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards and established procedures and guidelines of the reviewing or audit agency(ies).

(d) The Engineer agrees to the disclosure of all information and reports resulting from access to records pursuant to paragraphs (a) and (b) above, to any of the agencies referred to in paragraph (a) above, provided that the Engineer is afforded the opportunity for an audit exit conference and an opportunity to comment and submit any supporting documentation on the pertinent portions of the draft audit report and that the final audit report will include written comments of reasonable length, if any, of the Engineer.

(e) Records under paragraphs (a) and (b) above shall be maintained and made available during performance on EPA grant work under this agreement and until three years from date of final EPA grant payment for the project. In addition, those records which relate to any "Dispute" appeal under an EPA grant agreement, or litigation, or the settlement of claims arising out of such performance, or costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution of such appeal, litigation, claim or exception.

10. PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA

(This clause is applicable if the amount of this agreement exceeds $100,000.)

(a) If the Owner or EPA determines that any price, including profit, negotiated in connection with this agreement or any cost reimbursable under this agreement was increased by any significant sums because the Engineer or any subcontractor furnished incomplete or inaccurate cost or pricing data or data not current as certified in his certification of current cost or pricing data (EPA Form 5700-41), then such price or cost or profit shall be reduced accordingly and the agreement shall be modified in writing to reflect such reduction.

(b) Failure to agree on a reduction shall be subject to the Remedies clause of this agreement.

(NOTE - Since the agreement is subject to reduction under this clause by reason of defective cost or pricing data submitted in connection with certain subcontracts, the Engineer may wish to include a clause in each such subcontract requiring the subcontractor to appropriately indemnify the Engineer. It is also expected that any subcontractor subject to such indemnification will generally require substantially similar indemnification for defective cost or pricing data required to be submitted by his lower tier subcontractors.)

11. SUBCONTRACTS

(a) Any subcontractors and outside associates or consultants required by the Engineer in connection with the services covered by this agreement will be limited to such individuals or firms as were specifically identified and agreed to during negotiations, or as are specifically authorized by the Owner during the performance of this agreement. Any substitutions in or additions to such subcontractors, associates, or consultants will be subject to the prior approval of the Owner.

(b) The Engineer may not subcontract services in excess of thirty percent (or _____ percent, if the Owner and the Engineer hereby agree) of the contract price to subcontractors or consultants without prior written approval of the Owner.

12. LABOR STANDARDS

To the extent that this agreement involves "construction" (as defined by the Secretary of Labor), the Engineer agrees that such construction work shall be subject to the following labor standards provisions, to the extent applicable:

(a) Davis-Bacon Act (40 U.S.C. 276a-276a-7);

(b) Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333);

(c) Copeland Anti-Kickback Act (18 U.S.C. 874); and

(d) Executive Order 11246 (Equal Employment Opportunity);

and implementing rules, regulations and relevant orders of the Secretary of Labor or EPA; and the Engineer further agrees that this agreement shall include and be subject to the "Labor Standards Provisions for Federally Assisted Construction Contracts" (EPA Form 5720-4) in effect at the time of execution of this agreement.

13. EQUAL EMPLOYMENT OPPORTUNITY

In accordance with EPA policy as expressed in 40 CFR 30.420-5, the Engineer agrees that he will not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national origin.

14. UTILIZATION OF SMALL AND MINORITY BUSINESS

In accordance with EPA policy as expressed in 40 CFR 35.936-7, the Engineer agrees that qualified small business and minority business enterprises shall have the maximum practicable opportunity to participate in the performance of EPA grant-assisted contracts and subcontracts.

15. COVENANT AGAINST CONTINGENT FEES

The Engineer warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees. For breach or violation of this warranty the Owner shall have the right to annul this

agreement without liability or in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

16. GRATUITIES

(a) If it is found, after notice and hearing, by the Owner that gratuities (in the form of entertainment, gifts, or otherwise) were offered or given by the Engineer, or any agent or representative of the Engineer, to any official, employee or agent of the Owner, of the State, or of EPA with a view toward securing a contract or securing favorable treatment with respect to the awarding or amending, or the making of any determinations with respect to the performance of this agreement, the Owner may, by written notice to the Engineer, terminate the right of the Engineer to proceed under this agreement or may pursue such other rights and remedies provided by law or under this agreement: *Provided*, That the existence of the facts upon which the Owner makes such findings shall be in issue and may be reviewed in proceedings pursuant to the Remedies clause of this agreement.

(b) In the event this agreement is terminated as provided in paragraph (a) hereof, the Owner shall be entitled (1) to pursue the same remedies against the Engineer as it could pursue in the event of a breach of the contract by the Engineer, and (2) as a penalty in addition to any other damages to which it may be entitled by law, to exemplary damages in an amount (as determined by the Owner) which shall be not less than three nor more than ten times the costs incurred by the Engineer in providing any such gratuities to any such officer or employee.

17. PATENTS

If this agreement involves research, developmental, experimental, or demonstration work and any discovery or invention arises or is developed in the course of or under this agreement, such invention or discovery shall be subject to the reporting and rights provisions of Subpart D of 40 CFR Part 30, in effect on the date of execution of this agreement, including Appendix B of said Part 30. In such case, the Engineer shall report the discovery or invention to EPA directly or through the Owner, and shall otherwise comply with the Owner's responsibilities in accordance with said Subpart D of 40 CFR Part 30. The Engineer hereby agrees that the disposition of rights to inventions made under this agreement shall be in accordance with the terms and conditions of aforementioned Appendix B. The Engineer shall include provisions appropriate to effectuate the purposes of this condition in all subcontracts involving research, developmental, experimental, or demonstration work.

18. COPYRIGHTS AND RIGHTS IN DATA

(a) The Engineer agrees that any plans, drawings, designs, specifications, computer programs (which are substantially paid for with EPA grant funds), technical reports, operating manuals, and other work submitted with a Step 1 Facilities Plan or with a Step 2 or Step 3 grant application or which are specified to be delivered under this agreement or which are developed or produced and paid for under this agreement (referred to in this clause as "Subject Data") are subject to the rights in the United States, as set forth in Subpart D of 40 CFR Part 30 and in Appendix C to 40 CFR Part 30, in effect on the date of execution of this agreement, including the right to use, duplicate and disclose, such Subject Data, in whole or in part, in any manner for any purpose whatsoever, and have others do so. For purposes of this article, "grantee" as used in said Appendix C shall refer to the Engineer. If the material is copyrightable, the Engineer may copyright such, as permitted by said Appendix C, and subject to the rights in the Government as set forth in Appendix C, but the Owner and the Federal Government reserve a royalty-free, nonexclusive, and irrevocable license to reproduce, publish and use such materials, in whole or in part, and to authorize others to do so. The Engineer shall include provisions appropriate to effectuate the purpose of this condition in all subcontracts expected to produce copyrightable Subject Data.

(b) All such Subject Data furnished by the Engineer pursuant to this agreement are instruments of his services in respect of the project. It is understood that the Engineer does not represent such Subject Data to be suitable for reuse on any other project or for any other purpose. Any reuse by the Owner without specific written verification or adaptation by the Engineer will be at the risk of the Owner and without liability to the Engineer. Any such verification or adaptation will entitle the Engineer to further compensation at rates to be agreed upon by the Owner and the Engineer.

Item No. 27 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28 Highway Department - Rejection of bids for two (2) 1978 - 10 wheel Tandem Trucks.

Item Withdrawn.

Item No. 29 Highway Department - Readvertise for bids for two (2) 1978 - 10 wheel Tandem Trucks.

Item Withdrawn.

Item No. 30 Motion by Councilman Burst, seconded by Councilman Kaczmarek

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 Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways, 3145 Union Road, Cheektowaga, New York; said Notice to be published in the EXAMINER, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m. on April 17, 1978 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 7:00 P.M., April 17th, 1978 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, S. Cheektowaga, New York. Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, 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.

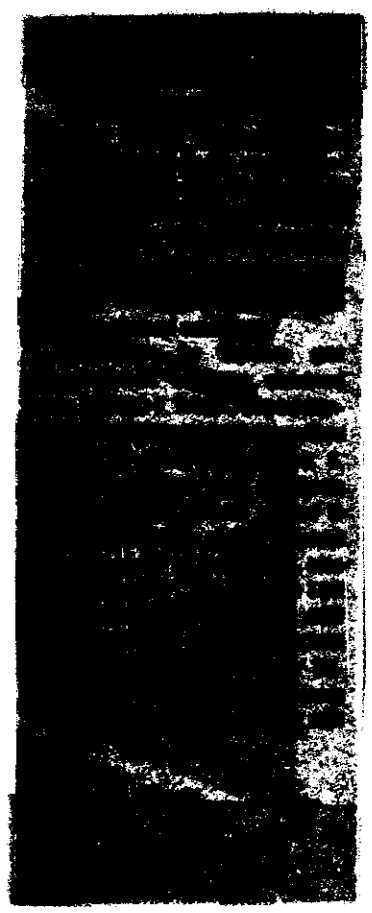
Signed_____
RICHARD M. MOLESKI
TOWN CLERK

DATED: March 28, 1978
PUBLISHED: April 6, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE



AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 6 day of Apr., 1978 and ending on the _____ day of _____, 19__

LC

Signed Mrs A. Charters
Sworn to before me, on the 6 day of Apr, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Item No. 31 Motion by Councilman Burst, seconded by Councilman Kaczmarek

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on February 27, 1978 for snow removal equipment to fit two (2) 1978 Diesel Tandem Dump Trucks and for two (2) Dump Body and Hoist for 1978 Diesel Tandem Dump Truck for use by 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 completed, now, therefore, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*See next page

ALFRED F. WNEK
SUPERINTENDENT
OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

March 30, 1978

Honorable Kenneth J. Meyers
Honorable Town Board Members
Town of Cheektowaga

Dear Sirs:

Bids were received, opened and read at the Town Board meeting of February 27th, 1978 for Snow Removal Equipment to fit two (2) 1978 Diesel Tandem Dump Trucks also for Two (2) Dump Body and Hoist for 1978 Diesel Tandem Dump Truck.

After reviewing bids, I recommend awarding the Snow Removal Equipment to Roberts Equipment, 829 Sheridan Dr., Tonowanda, N. Y.

Also, Two (2) Dump Body & Hoist to T. W. Truck Equippers, 2025 Walden Ave., Buffalo, N. Y.

I trust this meets with your approval, I remain,

Very truly yours,

Alfred F. Wnek

Alfred F. Wnek
Superintendent of Highways

AFW/tj
cc: J. Rogowski, Attorney
R. Moleski, Town Clerk
Town Board Members
file

"When better roads are built — Checktowaga will build them"

Item No. 31 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Councilman Burst, seconded by Councilman Kaczmarek

WHEREAS, bids were duly received by this Town Board at a meeting thereof for the purchase of new trees for spring planting by 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 completed, now, therefore, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*See next page

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

March 22, 1978

HONORABLE KENNETH MEYERS, SUPERVISOR
HONORABLE MEMBERS OF THE TOWN BOARD
Town of Cheektowaga, New York 14227

Gentlemen:

Re: Award of contract for new trees for spring planting

After reviewing the bids submitted by three bidders, my findings are as follows:

TYPE OF TREE	LINCOLN PARK NURSERY	ELMA NURSERY	SCHICHTEL NURSERY
1. Norway Maple	$ 11.35 ea.	$ 8.50 ea.	$ 8.20 ea.
2. Littleleaf Linden Maple	15.60 "	14.50 "	9.40 "
3. Pyrus Bradford	16.60 "	9.80 "	12.90 "
4. Malus American Beauty	12.10 "	8.45 "	9.75 "
5. Col. Norway Maple	13.10 "	11.80 "	10.40 "
6. Kwanzan Cherry	14.60 "	11.80 "	7.80 "
7. Shademaster Locust	16.10 "	11.80 "	9.75 "
8. Crimson King Maple	14.60 "	14.50 "	11.40 "

In view of the above re-cap, may I suggest that the Honorable members award bids to the lowest responsible bidders as follows:

Schichtel's Nursery of 6745 Chestnut Ridge Road, Orchard Park, New York
Norway Maple @$8.20 ea.
Little Leaf Linden Maple @ $9.40 ea.
Col. Norway Maple @$10.40 ea.
Kwanzan Cherry @ $7.80 ea.
Shademaster Locust @ $9.75 ea
Crimson King Maple @ $11.40

Elma Nursery, 8300 Clinton St., Elma New York
Pyrus Calleryana Bradford @ $9.80 ea.
Malus American Beauty @ $ 8.45 "

I trust this will meet with your kind approval.

Very truly yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg

"When better roads are built — Cheektowaga will build them"

Item No. 32 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Councilman Burst, seconded by Councilman Kaczmarek

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 20, 1978 for road materials for use by 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 completed, now, therefore, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*See next ten (10) pages

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 29, 1978

Honorable Kenneth J. Meyers, Supervisor
Honorable Town Board
Town Hall, Cheektowaga, New York

Gentlemen:

Bids were opened and read at the Town Board meeting on March 20th, 1978 at 7:00 P.M. for road materials for the Town of Cheektowaga Highway Department. After checking and tabulating bids, I recommend rejecting County Line Co. bids for the best interest of the Town of Cheektowaga because of the time involved to pick up the material and the added cost of gasoline, etc. and as specified in the bid, they are more than 15 miles away from the Highway Department. They are located in Akron, New York.

The results were tabulated and a copy of the prices are attached hereto.

Therefore, I recommend awarding the contracts to the lowest responsible bidders as shown on the attached tabulated copies.

I trust this meets with your approval.

Very truly yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
Superintendent of Highways

AFW/mss
enclosure
Copies: Richard Moleski - Town Clerk
John Rogowski - Town Attorney
Town Board Members
Files

RECEIVED
MAR 31 1978
Richard M. Moleski, Town Clerk

"When better roads are built — Cheektowaga will build them"

[redacted] 1978 to April 2, 1979

ROAD MATERIAL BI[redacted] RECEIVED ON MARCH 20, 1978 [redacted]

	LANCASTER STONE PROD. INC. 5833 Main St. 632 1020	BUFFALO SLAG CO. 111 Great Arrow Av. Buffalo, NY 14216	BUFFALO CRUSHED STONE INC. 8615 Wehrle Dr.	COUNTY LINE CO County Line Rd Akron, NY 1400
READY MIX(PER TON)				
#1 Fine Binder	51 DB or 2A Dense - $13.25	code $12.75 - 41075	#2A Binder-13.25 #1 Binder -13.40	dens #1-12.90/12.6
#2 Course Binder	1A or 2B Binder-12.75	12.75 41135	1A Binder-12.75 #2-Binder-12.75	#2- 12.25
AC Top Arm. Ct.	14.25	14.50 41105	14.25	14.50
B Top	14.75	14.00 41035	14.75	14.50
[illegible]TATE MIX	1A Top- 14.25	14.25 41115	1A Top 14.25	13.65
[illegible]X SEAL	Stone Kote-Top 15.80	NB	Weld Kote 15.90	NB
STOCKPILE(WINTER MIX)	15.00	NB	15.00	15.00
SYLVAX(high performance patch)	42.00	NB	NB	Co-line all weather- 15.00
#S SN	1A Base 11.95	12.10 41150	11.95	45SX- 11.65
EXTRA FINE TOP	14.75	14.50 41105	14.75	14.75
69W	9.10	NB	10.00	9.00
#1-Comm. Binder	item added by bidder - $13.40			
#2-Comm. Binder	item added by bidder - $12.75			

RECEIVED
MAR 31 1978
Michael M. Moleski, Town Clerk

[redacted] Road Materials- [redacted] page 2

	LANCASTER STONE PROD.	BUFFALO SLAG CO.	BUFFALO CRUSHED STONE CO. INC.	COUNTY LINE CO. COUNTY LINE RD AKRON, NEW YORK
ONE (PER TON)				
) Stone screening	(when $4.10 available)	$4.00	$4.10	$3.00
. Cr. Stone	3.70	4.80	3.70	#1 Stone-$3.10
A Cr. Stone	4.20	5.10	4.20	3.75
2	3.50	3.60	3.50	3.00
2-S	no bid	3.60	3.50	--
and 2 mixed	3.55	4.10	3.55	3.05
3	3.25	3.20	3.25	#3-2.90--3A2.90
3 and 4 mixed	3.30	--	--	2.90
4	3.20	NB	3.25	#4-290--4A-2.90
4A	3.20	NB	3.25	2.90
nk Run Screenings	3.55	3.50	3.55	--
ne Quarry Run	2.25	3.50	2.65	--
~~ne Quarry Run~~	~~2.25~~ duplication	~~3.50~~	2.65	--
usher Run - #2"	3.10	3.10	#1"-3.20	1"-2.85
3"	3.10	3.10	2"-3.00	2"-2.75
			3"-3.00	3"-2.65
ip Rap	2.90 (unselected)	3.50	2.85	2.50 (unselected)
usher Screenings	2.65	NB	2.65	--
ling Stone	3/8"-3.85	NB	3.85	3/8"-3.40
usher Run - 6"	NB	NB	2.85	--
- Cr. Screening (Surge Pile)	NB	--	2.85	

	LANCASTER STONE PROD. INC.	BUFFALO SLAG	BUFFALO CRUSHED STONE CO.	COUNTY LINE CO. INC.
Slag - Bank Run (per Ton)	NB	$ 1.50 per T 1.70 per yd.		
		NOTE: R/B Slag available at Woodlawn Pl. #1810 or Lackaw. Pl. #1820		Gabion -$2.80 per T D/W mix(#1 and #0 blended $3.10 per T Stone Fill - $1.75 per T

OP SOIL	LANCASTER STONE PROD. INC.	SCHULTZ WILFRED	CUSTOM TOP SOIL INC.
Regular - delivered	5.00 per T	7.00 per Cu. Yd.	7.00 per Cu. Yd.
Picked up	2.00 per T (Barton pl.)	6.50 per Cu. Yd.	5.00 per Cu. Yd.
Screened Delivered	no bid	9.00 per Cu. Yd.	10.90 per Cu. Yd.
Picked up	No bid	8.00 per Cu. Yd.	8.90 per Cu. Yd.
Schredded - Delivered	no bid	8.00 per Cu. Yd	8.90 per Cu. Yd.
Picked up	no bid	7.00 per Cu. Yd.	6.90 per Cu. Yd.

* If price change- will advise & change will be made accordingly

*Prices will be adjusted, should mfgrs. increase or decrease prices during contract period.

CEMENT and MORTAR	DUCH BLDRS.	LO BUGLIO BLOCK	THRUWAY BLDRS.
CEMENT	$2.90 per bag (94# bag)	$3.10 per bag (94# bag)	#3.30 per bag (94# bag)
MORTAR	$2.55 per bag (70# bag)	$2.70 per bag (70# per bag)	$2.89 per bag (70# per bag)

	LOBUGLIO BLOCK CO.	THRUWAY BLDRS. *PRICES WILL BE ADJUSTED, SHOULD NEGRS. INCREASE OR DECREASE PRICES DURING CONTRACT PERIOD. Wood Pallets - $8.00 ea.-Cr. on r
NCRETE BLOCKS		
6" Standard Hollow	115/cube .298 ea. cube 34.27	120/cube .46 ea. cube 55.20
6" ½ block hollow	230/cube .189 ea. cube 43.27	240/cube .31 ea. cube 74.40
8" standard hollow	90/cube .383 ea. cube 34.47	90/cube .59 ea. cube 53.10
8 ½ block hollow	120/cube .232 ea. cube 27.84	180/cube .38 cube 68.40
10" standard hollow	67/cube .468 ea. cube 31.36	80/cube .73 cube 58.40
10 ½ block hollow	134/cube .274 ea. cube 36.72	156/cube .45 cube 70.20
crete Brick Standard	720/cube 85.00 M cube 61.20	800/cube 132.00 M cube 105.00
	ROBERT BUYERS, INC.	PINE HILL CONCRETE CO.
CRETE MIX		
ag Type	32.85 per cu. yd.	34.95 3000# 5½ bag - 33.85
- 2 - 3 Mix	31.74 " " "	Approx. 5 3/4 bag - 34.40 cu.y $3.00 heated
2 - 3 Mix with calcium	1/2% - Add 1.40 per load	1/2% - .05 per bag cement
	1% " 2.80 " "	1% .10 " " " " "
	1½% " 4.20 " "	1½% .15 " " " " "
	2% " 5.60 " "	2% .20 " " " " "

	ROBERT BUYERS, INC.		PINE HILL CONCRETE CO.
SHORT LOADS 1 - 2 - 3 Mix CUBIC YARDS		By 6 Bag	
1/4	42.94	43.23	41.85
1/2	50.87	51.47	48.70
3/4	58.84	59.63	55.55
1	59.74	60.85	62.40
1 1/4	67.69	69.06	69.25
1 1/2	75.63	77.28	76.10
1 3/4	83.55	85.49	82.95
2	84.48	86.70	89.80
2 1/4	99.42	94.91	96.65
2 1/2	100.35	103.13	103.50
2 3/4	108.29	111.34	110.35
3	109.22	112.55	117.20
3 1/4	117.16	120.76	124.05
3 1/2	125.09	128.98	130.90
3 3/4	133.03	137.19	137.75
4	133.96	138.40	144.60
4 1/4	141.90	146.61	151.45
4 1/2	149.83	154.83	158.30
4 3/4	157.77	163.04	165.15
5	158.70	164.25	172.00

	ROBERT BUYERS, INC.		PINE HILL CONCRETE CO.
SHORT LOADS 1 - 2 - 3 Mix (Cont) CUBIC YARDS		By 6 Bag	
5 1/4	166.64	172.46	180.60
5 1/2	174.57	180.68	189.20
5 3/4	182.50	188.89	197.80
6	190.44	197.10	206.40
6 1/4	198.38	205.31	215.00
6 1/2	206.31	213.53	223.60
6 3/4	214.25	221.74	232.20
7	222.18	229.95	240.80
7 1/4	245.98	238.16	249.40
7 1/2	238.05	246.38	258.00
7 3/4	245.98	254.59	266.60
8	253.90	262.80	275.20
8 1/4	261.85	271.01	284.80
8 1/2	269.79	279.23	293.40
8 3/4	277.73	287.44	302.00
9	285.66	295.65	310.60
9 1/4	293.60	303.86	319.20
9 1/2	301.53	312.08	327.80
9 3/4	309.46	320.29	336.40
10	317.40	328.50	344.00

	PINE HILL CONCRETE CO.	
FINE AGGREGATE	3.50 per T FOB Pavement Pit Lancaster, N.Y.	
CEMENT		
Item 15 - 2A Portland	8.80 per BBL	
Class A Concrete Aggregate only	14.75 + 6.00 truck = 20.75	
Class B Aggregate only	14.75 = 6.00 truck = 20.75	
Class B Concrete W/Possolith - 3 oz. per 100# cement	@ 25¢ per dosage	
SAND	5.25 per yd. 3.50 per T - FOB Pits	
PEA GRAVEL	4.00 per T - FOB Pits	
WASHED GRAVEL (Various Sizes)		
2"	3.50 per T - FOB Pits	
3" - 4"	2.75 per T - FOB Pits	
GRAVEL		
5/8"	4.00 per T Picked Up	Add 1.60 per T for Trucking
2 "	3.50 per T Picked Up	
3 - 4"	2.75 per T Picked Up	
GRIT	3.50 per T Picked Up	

NOTE: Pine Hill Concrete Co. was the only bidder for the items listed on this page

	KRANTZ ASPHALT CO., INC.	MIDLAND ASPHALT CORP.	WESTERN BITUMINOUS PRODUCTS I
ROAD OIL			
Item 64P Asphalt for Penetration Construction	.49 per gallon	AC-5 .490 per gal.	(64P) Asphalt Cement .49 per gal.
Item 64A Asphalt for Penetration Construction (Foamed)	N/B	N/B	N/B
Item 69R - RC-3 - MC5 Asphalt Cutback Surface Treatment	.51 per gallon	RC Cut Back Asphalt .510 per gal.	Medium Curing Asphalt (MC) .57 per gal.
Item 67B - MC0 - Heavy Duty Layer Cold Application	.51 per gallon	N/B	N/B
Item 67C - MC5 - Asphalt Cutback Surface Treatment	.51 per gallon	MC Cut Back Asphalt .510 per gal.	N/B
Item 69M - Heavy Surface - Treatment Cutback	.51 per gallon	N/B	N/B
Item 70 - Road Mix & Heavy Surface Treatment W/Additive	.51 per gallon	70B .465 per gal.	N/B
Item 70B Grade C - Surface Treatment Asphalt Emulsion Gr.C	.465 per gallon	70B Grade C .465 per gal.	N/B
Item 66 B - Cationic Emulsified Asphalt	.465 per gallon	66B .465 per gal.	N/B
Item 66D	No Bid	Thru Mix Paver 66D .485 per gal.	N/B
MC-1 Penetrating Oil	.51 per gallon	N/B	N/B
Slurry Seal	No Bid	N/B	N/B
		HFRS-2 .465 per gal.	Asphalt Emulsion .465 per gal.
		HFMS-2 .485 per gal. Thru Mix Paver	Road Tar .645 per gal.
		70M Grade A .485 per gal. Thru Mix Paver	Liquid Calcium Chloride .355 per gal.
			Dust Oil .355 per gal.

KRANTZ ASPHALT CO., INC. MIDLAND ASPHALT CORP. WESTERN BITUMINOUS PRODUCTS INC.

	ALTERNATE Add to Above	
	Anti-Strip Additive	.04
	For Pugmill or Mix-Paver	.02
	For hand patching Less than 1000 gal per day - add $35.00 per hour. Over 1000 gal. per day - No additional charge.	

Item No. 33 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 34 Motion by Councilman Dux, seconded by Supervisor Meyers

RESOLVED that a Buildings and Grounds Maintenance Department petty cash fund be authorized in an amount of $25.00, effective the date of this resolution.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Councilman Dux, seconded by Councilman Kaczmarek

WHEREAS, the Town of Cheektowaga is in need of re-roofing at the Cheektowaga Police and Court Building, and

WHEREAS, it would be in the public interest to obtain said re-roofing through public bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders in connection with said re-roofing, notice to be published in the CHEEK-TOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 17th day of April, 1978 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York for the purpose of receiving sealed bids at a public meeting.

* *

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 17, 1978, at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road for the purpose of re-roofing the Cheektowaga Police and Court Building in the Town of Cheektowaga, New York.

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.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheek-towaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

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

RICHARD M. MOLESKI, TOWN CLERK

DATED: April 3, 1978

* *

Item No. 35 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-BELOW

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

Gladys M. Hechter, 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 6, 1978; last publication April 6, 1978; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 7th day of April, 1978

Naidine C. Williams

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

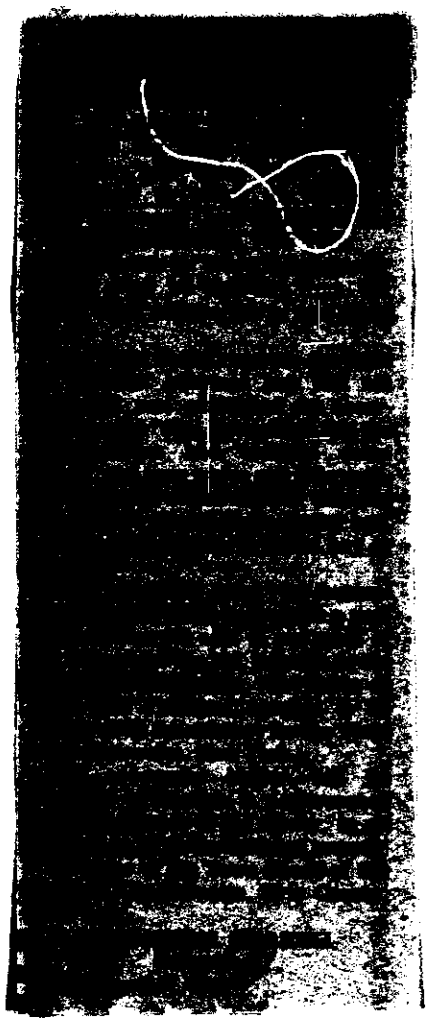
NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 79

Item No. 35 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

[redacted]

AFFIDAVIT-BELOW



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

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 20, 1978 for the purchase of various items of baseball equipment for use in the Cheektowaga Recreation Department, as a result of advertisement therefor, and such bids were referred to the Director of Recreation for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report has been completed, now, therefore, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the list attached hereto and made a part hereof.

*See next four (4) pages; Item No. 7c has been deleted from the bid award.

BID ITEMS

Item 1 BATTERS HELMETS

A) Gladiator BH Little League approved helemt. High impact shell, ensolite padding.

List price and make / dozen Sizes S $82.80 Laux

M _____

L _____

X _____

Item 2 CATCHERS HELMETS

A) ABC Little League approved catchers helmet. Impact composition padding, full ear coverage, inculdes strap and buckle to attach mask.

List price and make / dozen Sizes S $94.80 Ludtka

M _____

L _____

X _____

Item 3 MASKS

A) Sportcraft softball mask with replaceable stretch straps.

List price and make / dozen $69.95 Ludtka

B) Premier B25 Little League approved mask, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.

List price and make / dozen $77.76 Kicks

C) Premier B24 Little League approved masks, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.

List price and make / dozen $92.28 Kicks

D) Gladiator GCM-W/F, side deflector flaps, full vision, elasticized web harness and soft vinyl pads.

List price and make / dozen $129.60 Laux

E) Rawlings PWM-1, pro use, nylon coated wire frame, snap on padding, vinyl covering, harness with triple adjustment.

List price and make / dozen $202.56 Kicks

Item 4 BODY PROTECTORS

A) Wilson A3250-JZ, Little League approved, adustable neck pad, cotton padding, adjustable body straps, water repellent, vinyl bound for durability.

List price and make / dozen $116.95 Ludtka

B) Gladiator YPBR Little League approved, adjustable and replaceable body straps.

List price and make / dozen $132.72 Laux

C) Wilson A3212-JR, adjustable neck pad and body straps, cotton padding, water repellent.

List price and make / dozen $142.56 Kicks

D) Rawlings - Pro Model, nylon twill, cotton back, ribbed padding, extended shoulder piece.

List price and make / dozen $172.56 Kicks

E) Bladder filled umpire chest protectors.
Spu Rawlings
List price and make / dozen $274.56 Kicks

Item 5 SHIN GUARDS

A) Rawlings 9C-Little League approved, combination calf and ankle pad, armor lite plastic caps, shin and instep pieces, adjustable elastic straps.

List price and make / dozen $94.56 Kicks

B) Rawlings 76C-1 Youth Model approved, combination calf and ankle pad, armor lite plastic caps, shin and instep pieces, adjustable elastic straps.

List price and make / dozen $130.56 Kicks

C) Gladiator GLG-BR, Babe Ruth use, 11" shin plate, ultra lite padding, replaceable straps.

List price and make / dozen $214.80 Laux

D) Wilson A3420 shin plate, calf and ankle pad, plastic caps, shin and instep pieces, adjustable elastic straps.

List price and make / dozen $190.56 Kicks

Item 6 CATCHERS GLOVES

A) Wilson A2516 double flex, leather (steer hide) split X laced webs, finger control cut out, skip crotch lacing.

List price and make / dozen $214.56 Kicks

B) Cooper 652 single flex, leather (steer hide) extended palm pro toe feature, hinged webs skip crotch lacing.

List price and make / dozen $202.56 Kicks

C) Rawlings MJDE - single flex, leather, (steer hide)

List price and make / dozen $274.56 Kicks

Item 7 BASEBALLS

A) Wilson - A1074

List price and make / dozen $23.16 Kicks

B) Wilson - A1082

List price and make / dozen $23.16 Kicks

(1)

[redacted]

D) Wilson - A1010P

List price and make / dozen $32.74 Kicks

NOTE: For item #7 only Wilson Baseballs will be excepted.

Item 8 BATS

A) Adirondack models 125 LL and 125

List price and make / dozen $40.20 125 LL

$53.40 125 Kicks

B) Little League aluminum bat
XBH Sportcraft
List price and make / dozen $89.90 Ludtka

C) Softball wood bat
Adrondeck 171
List price and make / dozen $31.80 Kicks

Softball aluminum bat
XBH Sportcraft #06156
List price and make / dozen $89.90 Ludtka

Item 9 EQUIPMENT BAGS

Extra large, heavy duty army duffle utility bag to hold all types baseball equipment, heavy duty reinforced canvas material.

List price and make / dozen $84.88 Kicks
Rawlings DB8

Item 10 UMPIRE INDICATORS

Palm sized, plastic counter keeps track of balls, strikes and outs. Sportcraft

List price and make / dozen $8.10 Ludtka

Item 11 SCOREBOOKS

25 Game schedule

List price and make / dozen $12.88 Kicks
43-4551 Spaulding

Item No. 36 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 37 Motion by Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED that Edward J. Leak, Director of Recreation, be and hereby is authorized to attend the New York State Recreation and Parks Conference to be held at Monticello, New York from April 16th through April 19th, 1978, and BE IT FURTHER

RESOLVED that Edward J. Leak be reimbursed for his expenses of said trip, at a cost not to exceed two hundred dollars ($200.00).

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, the Cheektowaga Youth Bureau conducts youth employment programs, and

WHEREAS, it is presently being considered by the Federal Government as a possible sub-grantee for a Youth Conservation Corps Program, NOW THEREFORE BE IT

RESOLVED that Kenneth J. Kopacz is hereby authorized to attend Youth Employment Conferences in Washington, D.C. on April 6th and 7th, and in Albany, New York on April 13th, 1978, and BE IT FURTHER

RESOLVED that he be reimbursed all necessary travel expenses, at a cost not to exceed $350.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, Mr. Henry Kryzkowski a C.E.T.A. laborer employed in the Cheektowaga Parks Department is enrolled in the Department of the Army, Armed Forces Reserve, and

WHEREAS, Mr. Henry Kryzkowski has received orders to report for Active Duty Training effective April 3, 1978 through April 14, 1978, NOW THEREFORE BE IT

RESOLVED that the Cheektowaga Town Board approve a leave of absence for Mr. Kryzkowski, , Cheektowaga, New York for the period of April 3, 1978 through April 14, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

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

RESOLVED that the following be and hereby is hired under the position listed below, at the salary rate specified, starting date established by the department head:

Laborer in the Sanitation Department at an hourly rate of $4.8583/hour

Fisher, Marvin , Chktg., NY 14206

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, Title II, and

WHEREAS, for the purpose of hiring a Career Trainee the Town of Cheektowaga has authorized the County of Erie a Cheektowaga CETA slot, NOW THEREFORE BE IT

RESOLVED that the County of Erie is authorized a Career Trainee position in the O.J.T. (On the Job Training) section of the Comprehensive Employment Training Office with an annual salary comparable to the County pay scale, plus fringe benefits, and BE IT FURTHER

RESOLVED that the salary for Career Trainee is to be deducted from the Cheektowaga portion of the Erie County Consortium allocation.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Johnson, seconded by Councilman Burst

BE IT RESOLVED that permission is hereby given to New York State Electric & Gas Corporation to install 1 - 3350 lumen mercury lamp on Rondelay Drive, Pole 9, L-3346, in the Town of Cheektowaga, at an annual increase of $40.00, in accordance with the attached proposal which is hereby made a part of this resolution.

*See next page

March 20, 1978

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Rondelay Drive

Install 1 - 3350 lumen mercury lamp @ $40.00 ea. ---------- $ 40.00
(P-9, L-3346 - at dead end across from house #113)

TOTAL ANNUAL INCREASE - $40.00

NEW YORK STATE ELECTRIC & GAS CORPORATION

Item No. 42 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 43 Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED, that the following fund transfers under the 1977 Community Development Block Grant funding year be and hereby are affected:

FROM	AMOUNT	TO
Contingency	$ 1,091.25	.54 St. Felix Drainage Part I
.12 Tiorunda Neighborhood Improvements, I	$ 5,252.37	.54 St. Felix Drainage Part I
.62 Marrano-Kelly Park, Part I	$ 5,042.79	.54 St. Felix Drainage Part I
.62 Marrano-Kelly Park, Part I	$22,189.71	.56 Oehman-Rosary Drainage, I-B
.12 Tiorunda Neighborhood Improvements, I	$15,606.00	.66 Kokomo Drainage
.12 Tiorunda Neighborhood Improvements, I	$23,777.00	.65 Chapel-Northcrest-Southcrest Drainage

and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Mr. John Mowatt, Erie County Community Development Director, 95 Franklin Street, Buffalo, New York 14202.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 44 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 3rd, 1978 be and the same are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NO. FROM	CHECK NO. TO	AMOUNT
GENERAL FUND	5344	5447	$ 262,051.72
GENERAL FUND - INVESTMENT	none		350,000.00
SPECIAL DIST. FUND	4095	4147, 4150	225,559.32
SPECIAL DIST. - INVESTMENT	none		600,000.00
HIGHWAY FUND	3365	3399	50,271.06
PART TOWN FUND	850	860	5,103.32
CAPITAL FUND	15	22	136,736.78
H.U.D.-C.D.B.G. FUND	37	39, 57-58	313.49
TRUST AND AGENCY FUND	534	535	36,491.34
			$ 1,666,527.03

Item No. 44 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 45 Building Permits.
Item Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 46 NOTICE OF CLAIM - Susan and Ronald Witkowski vs. Town of Cheektowaga. Claim referred to Town Insurance Company; Item Received and Filed.

Item No. 47 NOTICE OF CLAIM - Wayne and Katharine Sherer vs. Town of Cheektowaga. Claim referred to Town Insurance Company, Town Attorney-John V. Rogowski and Supervisor Meyers; Item Received and Filed.

Item No. 48 NOTICE OF CLAIM - John N. Michalik vs. Town of Cheektowaga. Item Referred to Town Insurance Company and Supervisor Meyers; Received and Filed.

Item No. 49 Allstate Insurance Company - Claim Department: Notice of Subrogation Rights.

Item referred to Town Insurance Company, Town Attorney-John V. Rogowski and Supervisor Meyers; Received and Filed.

Item No. 50 William St. Citizens & Taxpayers Protective Ass'n., Inc. - Correspondence re: Merger of Village of Sloan Police Force to Cheektowaga Police Department.

Item referred to Honorable Town Board Members; Received and Filed.

Item No. 51 G.J. Measer, Publisher - CHEEKTOWAGA BEE - Request legal advertising for Town of Cheektowaga.

Item referred to Honorable Town Board Members and Town Attorney-John V. Rogowski; Received and Filed.

Item No. 52 G. Aloysius, 81 Kendale Rd. - Correspondence requesting solution to water problem on Kendale Road.

Item Referred to Honorable Town Board Members, Town Engineer-Chester L. Bryan and Sewer Maintenance Foreman-John Tabaczynski; Received and Filed.

VI. SUSPENSION OF RULES

* *

Motion by Councilman Burst, seconded by Councilman Swiatek to Waive the Rules for Item No. 53.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

* *

Item No. 53 Authorization for Town to purchase premises at northwest corner of Towers Blvd. and French Road.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Towers Boulevard is a Town highway which intersects with French Road, and

WHEREAS, it appears that traffic safety would be enhanced and improved by relocating a portion of Towers Boulevard so that it is in line with Nancy Pl. which runs southerly from the south side of French Road, and

WHEREAS, it appears that a signal at the intersection of Towers Boulevard and French Road may be of value in improving the traffic safety at the intersection of French Road, Towers Boulevard and Nancy Place, and the County of Erie has indicated a willingness to perform a traffic study by its Department of Public Works, Division of Highways provided the Town is willing to accept the Towers Boulevard highway straightening project, and

WHEREAS, in order to straighten said Towers Boulevard as aforesaid, it is necessary that the Town acquire ownership to a portion of land located at the northwest corner of Towers Boulevard and French Road which premises are more particularly described in Exhibit A which is attached hereto and made a part hereof, and

WHEREAS, the Town has called for an appraisal of said premises and said appraisal has been received by the Town, and

WHEREAS, the owner of said premises has indicated his willingness to sell said premises to the Town for not more than the appraised value thereof, now, therefore, BE IT

RESOLVED that the Town of Cheektowaga be and hereby is authorized to purchase the premises described in Exhibit A from Bella Vista Apartments, Inc. for the sum of $11,500.00; said price being not more than the appraised value of said premises as obtained by the Town.

*See next page

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 № 94, Township 10 and Range 7 of the Buffalo Creek Reservation, described as follows:

Beginning at the point of intersection of the north line of French Road (sixty-six (66) feet wide) and the west line of Towers Boulevard (sixty (60) feet wide): thence west along the north line of French Road one hundred fifty-seven and ninety-four hundredths (157.94) feet to a point: thence north along a line one hundred thirty-seven (137) feet to the southwest corner of subdivision lot № 49, Map Cover № 2248: thence east along the south line of said subdivision lot № 49, one hundred thirteen and forty-four hundredths (113.44) feet measured to a point in the west line of Towers Boulevard: thence south along a curve to the left whose radius is two hundred eighteen and nine hundredths (218.09) feet, fifty-seven and eighty-nine hundredths (57.89) feet to a point of reverse curve: thence continuing along a curve to the right whose radius is one hundred thirty-two and nine hundredths (132.09) feet, eighty-one and eighty-three hundredths (81.83) feet to the point of tangent: thence south three and thirty-five hundredths (3.35) feet to the point of beginning.

- - - - - - - - - - - - - - - - - -

EXHIBIT A

6A-94-1 CM 2288-Arb.D

Item No. 53 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

* *

Motion by Councilmen Wegner, seconded by Councilman Kaczmarek to Waive the Rules for Item No. 54.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

* *

Item No. 54 Highway Department - Award of Bid for two (2) 1978 - 10 wheel Tandem Trucks.

Motion by Councilman Burst, seconded by Councilman Kaczmarek

WHEREAS, bids were duly received by the Town Board at a meeting thereof held on February 27, 1978 for two (2) 1978 - 10 wheel Tandem Trucks for use by 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 completed, now, therefore BE IT

RESOLVED that the bid be awarded to the Maier Schule GMC Inc., of 1745 Walden Avenue, Cheektowaga, New York 14225 for the sum of $60,000 ($62,500 less $2,500 for trade in) it being the lowest responsible bidder, meeting specifications, as set forth in the tabulation of bids attached hereto, and made a part hereof.

*See next page

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

April 3, 1978

HONORABLE KENNETH MEYERS, SUPERVISOR
HONORABLE MEMBERS OF THE TOWN BOARD
TOWN OF CHEEKTOWAGA, NEW YORK 14227

Gentlemen:

Re: award of bid for (2) 10-wheel Tandem Trucks

Bids were received and opened and read at the Town Board meeting of February 27, 1978, for two (2) 1978 10-wheel Tandem Trucks.

A review of bids indicates the following tabulation:

	MAIER SCHULE GMC INC.	INTERNATIONAL HARVESTER	BISON FORD TRUCK SALES INC.
Bid Price	$62,500.00	$62,000.00	$59,560.00
Less trade-in	2,500.00	2,500.00	2,500.00
NET PRICE	$60,000.00	$59,500.00	$57,060.00

A.F.W.
4ow

After reviewing said bids, I find that the two apparent bidders, International Harvester and Bison Ford Truck sales, have failed to comply with the specifications and I find that the bid of Maier Schule GMC Inc., of 1745 Walden Ave., Cheektowaga, NY meets with all specifications, and therefore, I recommend that the bid be awarded to Maier Schule GMC Inc. of 1745 Walden Ave., Cheektowaga, New York, for the two (2) 1978 10-wheel Tandem Trucks.

I trust that this will meet with your kind approval.

Very truly yours,

TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg
John Rogowski
R. Moleski, Town Clerk
Town Board Members
file

"When better roads are built — Cheektowaga will build them"

Item No. 54 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Kaczmarek, Burst and Wegner
NAYES: Councilman Dux
ABSENT: 0

* *

Motion by Councilman Burst, seconded by Councilman Swiatek to Waive the Rules for Item Nos. 55 and 56.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

* *

Item No. 55 Authorization for two Police Officers to attend funeral in N.Y.C. for two slain Police Officers.

Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Police Officers Norman R. Cerullo and Christie D. Masone of the New York City Police Department were killed in the line of duty on April 2, 1978, and

WHEREAS, the New York City Police Department is honoring these two officers with a "Inspector's Funeral" and have requested police officers from throughout the entire country to attend the funerals which will take place on April 5, 1978 and April 6, 1978, and

WHEREAS, the Cheektowaga Police Benevolent Association has requested the Town Board to authorize two officers of the Cheektowaga Police Department to be granted administrative leave and a marked Cheektowaga Police vehicle to attend said funerals, and

WHEREAS, on previous funerals of this nature, the Town has paid for gasoline and hotel expenses and the Police Benevolent Association paid all other expenses, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes Officer Richard E. Thurnherr and one more officer to be designated by the Acting Chief of Police to attend the said "Inspector's Funerals" in New York City and hereby grants each officer two days administrative leave therefor, and authorizes the use of a marked Cheektowaga Police vehicle, and BE IT FURTHER

RESOLVED that gasoline and hotel expenses for said purpose be reimbursed by the Town, said total amount for both officers not to exceed the sum of $250.00, it being understood that all other expenses be paid by the Police Benevolent Association.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 56 Motion by Councilman Kaczmarek, seconded by Councilman Dux to adjourn the meeting in memory of Police Officers Norman R. Cerullo and Christie D. Masone of New York City Police Department, killed in the line of duty on April 2, 1978.

RICHARD M. MOLESKI, TOWN CLERK

MEETING NO. 9

CHEEKTOWAGA, NEW YORK
April 17, 1978

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 April, 1978 at 7:00 P.M. Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John Rogowski, Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; Ray Matot, Superintendent of Buildings and Grounds; Julia Reinstein, Town Historian, Dr. Louis Vendetti, Town Health Officer; Ron Marten, Building and Plumbing Inspector; Chester Bryan, Town Engineer; Ron Zoeller, Working Foreman in the Sanitation Department; Alfred Wnek, Superintendent of Highways; Judge Dennis L. Repka.

I. BIDS

Item No. 2 Building Maint. Dept. - Re-roofing of Cheektowaga Police & Court Bldg.
Referred to Ray Matot, Superintendent of Buildings and Grounds; Chester Bryan, Town Engineer.

Item No. 3 Highway - Street sweeper brooms & push brooms
Referred to Alfred Wnek, Superintendent of Highways.

II. RESOLUTIONS

Item No. 4 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, this Town Board, at a regular meeting held on the 27th day of February, 1978 duly adopted a Resolution calling for a public hearing to be held at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 20th day of March, 1978 at 7:00 o'clock p.m., Eastern Standard Time, to consider the advisability of adopting and enacting a "DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP,: and

WHEREAS, notice of said public hearing was duly published as required by law, not less than ten (10) days prior to the date of the hearing; and

WHEREAS, pursuant to said resolution, a public hearing on said "DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP" was duly held by this Town Board at the Cheektowaga Town Hall in the Town of Cheektowaga, New York, on the 20th day of March, 1978 at 7:00 o'clock P.M., Eastern Standard Time; and at which hearing all persons interested in the subject matter had an opportunity to be heard, and were heard; and, at the conclusion thereof, this Town Board took the matter under advisement, and has now determined that it is in the public interest to adopt and enact a "DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP."

NOW, THEREFORE, BE IT RESOLVED, that a "DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP" be, and the same hereby is, adopted and enacted, providing as follows:

* See next eight (8) pages for copy of DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP

DRAINAGE SYSTEMS ORDINANCE

AND

OFFICIAL DRAINAGE SYSTEMS MAP

ARTICLE I

Definitions

SECTION

1. Rules of Construction of Language
2. Terms Defined

ARTICLE II

Intent, Establishment and Implementation

3. Legislative Intent
4. Official Map, Establishment
5. Implementation: General Regulations

ARTICLE III

Drainage Systems

6. Drainage Systems

   A. Design and Construction of Improvements
   B. Easements and Dedicated Rights-of-Way
   C. Filing of Easement and Dedicated Rights-of-Way
   D. Offsets to Buildings at Ditches and Waterways

ARTICLE IV

General Provisions

7. Severability
8. When Effective
9. Penalties for Offenses

ARTICLE I

DEFINITIONS

1. RULES ON CONSTRUCTION OF LANGUAGE

The following rules of construction of language shall apply to the test of this chapter:

A. Words used in the present tense include the future tense.

B. Words used in the singular include the plural, and words used in the plural include the singular.

C. The word "person" includes an individual, firm or corporation.

D. The word "shall" is always mandatory.

2. TERMS DEFINED

For the purpose of this chapter, certain terms or words used herein shall be interpreted or defined as follows:

ACCESSORY BUILDING - A building customarily incidental and subordinate to the principal building, and, except as otherwise provided, located on the same lot with such principal building.

BUILDING - A combination of any materials, whether portable or fixed, having a roof, to form a structure affording shelter for persons, animals or property.

DEDICATION - An appropriation of land to a public use, made by the owner, and accepted for such use by or on behalf of the public.

DEVELOPER - Shall mean any individual, firm, company, association, society, corporation or group, that constructs or erects, or proposes to construct or erect structures or other improvements on a parcel of land.

DRAINAGE SYSTEM - Shall mean a ditch, channel, creek, waterway, culvert, pipe, conduit, storm water detention facility or related structure which carries or stores, or is proposed to carry or store, storm and surface water and runoff, but in compliance with the requirements of Public Law 92-500 excludes sewage and industrial wastes other than unpolluted cooling water.

EASEMENT - A right-of-way granted for the limited use of private lands for a public purpose.

FINAL PLAT - A drawing or drawings, complete and in final form, showing all details required by law and by ordinances, requirements and regulations of the Town of Cheektowaga, to be submitted to the Town Planning Board for review and recommendations, and which if approved by the Town Board of the Town of Cheektowaga shall be filed in the Erie County Clerk's Office.

LOT - A parcel of land occupied or capable of being occupied by a principal building or use or a group of principal buildings or uses that are united by a common interest or customary accessory building or uses, and including such open spaces to be used in connection with such building or uses. A "lot" may or may not be a "lot" of record.

LOT LINES - The property lines bounding the lot. Where any property line parallels a street and is not coincident with the street line, the street line shall be construed as the property line for the purpose of complying with regulations of this chapter.

MAJOR NATURAL WATERWAY - A creek or channel which can be located on aerial photographs or maps prepared from such photographs, is shown on United States Geological Survey Maps, and has a tributary area greater than 400 acres.

OFFICIAL MAP - A map established and adopted by the Town Board of the Town of Cheektowaga under Section 270 of the Town Law and for the purposes set forth in this ordinance.

OFFSET - The least horizontal distance from any existing or proposed building or structure to the nearest point in an indicated boundary or property line of an easement or right-of-way.

PERSON - Shall mean any individual, firm, company, association, society, corporation or group.

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 details outlined in the "Zoning Ordinance of the Town of Cheektowaga, New York."

STORMWATER DETENTION FACILITY - An impounding and storage facility to detain runoff and control the release rate to minimize downstream flooding.

STRUCTURE - Anything constructed or erected which requires permanent location on the ground or attachment to something having such location, but not including a trailer.

SUBDIVIDER - The authorized representative or agent of the owner of a subdivision, or the owner of a subdivision.

SUBDIVISION - The partitioning or division of a parcel of land into two or more lots, sections or sites along an existing or proposed street, highway, easement or right-of-way for sale or for rent as building lots, regardless of whether the lots to be sold or offered for sale, or leased are described by metes and bounds or by reference to a map or survey of the property or by any other method of description. The term "subdivision" includes re-subdivision of land, but does not include the sale or exchange of land between adjoining property owners where such sale or exchange of land does not result in the creation of additional building lots.

TOWN ENGINEER - The Town Engineer of the Town of Cheektowaga, New York.

TRAILER - A vehicle used for living or sleeping purposes and standing on wheels so that it can be moved readily.

WATERWAY OR WATERCOURSE - Shall mean a channel in which flow of water occurs, either continuously or intermittently.

ARTICLE II

INTENT, ESTABLISHMENT AND IMPLEMENTATION

3. LEGISLATIVE INTENT

The Town Board of the Town of Cheektowaga, New York, finds that inappropriate realignment of creeks, ditches and waterways, encroachment of development onto creeks, ditches and waterways, and containment of such creeks, ditches and waterways in conduits or pipes of insufficient capacity, adversely affect the desirability of adjacent areas for development, cause erosion and stormwater damage to be sustained by existing homes, businesses, and other improved property, create health and safety hazards due to occasional flooding, and hinder maintenance operations. It is the intent of this ordinance to prevent the harmful disposition of drainage systems, to protect and provide for the orderly development and maintenance of drainage systems and thus to promote the health, safety and general welfare of the community.

4. OFFICIAL MAP, ESTABLISHMENT

The location and boundaries of drainage systems in the Town of Cheektowaga, New York, outside the limits of the incorporated Villages of Sloan and Depew, are showon on an official map, entitled "Official Drainage Systems Map for the Town of Cheektowaga, New York", which, with all explanatory matter thereon, is hereby adopted and incorporated into this Ordinance. and such Official Drainage Systems Map shall be as much a part of this Ordinance as if fully set forth and described herein.

The Official Drainage Systems Map consists of the following map sections, which are on file with the Town Clerk, and such additional or revised map sections as the Town Board may adopt in future action:

Southeast section of the Town of Cheektowaga, Map Sections: A-2, A-3, A-4, A-5, B-1, B-2, B-3, B-4, B-5, C-2, C-3, C-4, C-5.

The Official Drainage Systems Map shall be final and conclusive with respect to drainage systems.

5. IMPLEMENTATION: GENERAL REGULATIONS

A. No subdivision of any parcel of land or lot or tract shall be effected, except in accordance with provisions of this ordinance.

B. No existing lot or lot of record shall be developed except in accordance with provisions of this ordinance.

C. Such parts of subdivision plans and site plans that involve realignment, alteration or containment in pipes or conduits of creeks, ditches and waterways shown on the Official Drainage Systems Map, shall be prepared by a person or corporation licensed to practice engineering in the State of New York.

The above requirement does not preclude licensed land surveyors from doing such other work, related to the preparation and submission of plans for realty subdivisions and site plans, as is provided by the State Education Law. All realty subdivision plans and site plans shall also comply with applicable requirements of the New York State Department of Environmental Conservation, the U.S. Army Corps of Engineers, the Flood Damage Prevention Ordinance of the Town of Cheektowaga, New York, and all other laws, rules and regulations appertinent thereto.

D. Subdivision plans and site plans shall be reviewed by the Town Engineer for compliance with this ordinance prior to final plat approval or the issuance of a building permit.

E. Where indicated on the Official Drainage Systems Map, land shall be reserved for easements and dedicated rights-of-way to be acquired, at a future date, by the Town of Cheektowaga, for the construction, improvement and maintenance of drainage systems. Such land may not be used for other purposes without the consent of the Town Board of the Town of Cheektowaga.

F. No owner, subdivider, developer or other person shall erect structures upon, contain in pipes or conduits, or alter the banks and alignment, or cause encroachment by placement of fill upon the stream bed or banks of any creek, ditch, waterway or watercourse shown on United States Geological Survey Maps, except by approval of the Town Board of the Town of Cheektowaga, New York, and subject to a public hearing. Any fill placed or construction effected in violation of this ordinance shall be removed by the owner or owners of the parcel of land, and the stream bed and banks shall be restored to their original state.

ARTICLE III

DRAINAGE SYSTEMS

6. DRAINAGE SYSTEMS

A. Design and Construction of Improvements

In the process of subdivision of parcels of land, or in the process of development of single lots and lots of record, the subdivider or developer will be required to construct drainage systems shown on the Official Drainage Systems Map, providing easements or dedicated rights-of-way as shown on the Official Drainage Systems Map.

To facilitate maintenance by property owners, local drainage ditches that will, generally, be located at or near lot lines, shall have minimum side slopes of (3:1) one foot of vertical rise for each three feet of horizontal distance. Other channels and ditches shall have side slopes as indicated on the Official Drainage Systems Map. To prevent erosion and facilitate maintenance, no channel or ditch shall be constructed with side slopes steeper than (2-1/2:1) one foot of vertical rise for each two and one-half feet of horizontal distance, except that the Town Engineer may approve steeper slopes where stone filled gabions or rip-rap are to be used to support banks.

Where sizes of culverts, pipes and conduits, or areas of required stormwater detention facilities, or widths of ditches, easements or rights-of-way are not indicated on the Official Drainage Systems Map, dimensions, elevations, areas, widths, and other design details shall be submitted to the Town Engineer for approval. Local drainage systems shall have minimum capacities to accommodate runoff to be realized from ten year storms. Drainage improvements, channels, ditches and culverts along the line of major natural waterways shall have capacities adequate for run-off that will result from fifty year storms. The basis of design for all proposed drainage systems shall be submitted to the Town Engineer for approval.

The Town Board of the Town of Cheektowaga may consider the construction of a drainage system to be a Town responsibility. In such case, the subdivider or developer shall provide a dedicated right-of-way, conforming to widths and areas shown on the Official Drainage Systems Map, to allow for the eventual construction of the said drainage system by the Town of Cheektowaga.

B. Easements and Dedicated Rights-of-Way

Where indicated on the Official Drainage Systems Map, easements drafted to last forever shall be granted for use of private land to accommodate ditches, creeks, waterways, pipes, conduits and related drainage systems. Such easements shall have the minimum widths indicated on the

Official Drainage Systems Map, and shall have access to public highways acceptable to the Superintendent of Highways of the Town of Cheektowaga.

Easements drafted to last forever shall also be granted to accommodate subdivision rear yard drains, and local drainage systems for which easement widths are not shown on the Official Drainage Systems Map. Such easements shall have minimum widths of twenty-three (23) feet plus the width or diameter of the required ditch, pipe or other improvement. Greater widths may be required by the Town Engineer to facilitate maintenance operations, and access to public highways.

For the purpose of this chapter, easement deeds shall state that land levels within the easement cannot be changed, that planting of trees or erection of fences and structures within the easement are prohibited, and that such restrictions are binding on all heirs, successors and assigns forever.

Where indicated on the Official Drainage Systems Map, rights-of-way for storm sewers, ditches, creeks, waterways, pipes, conduits, storm water detention facilities, and related construction shall be dedicated and deeded to the Town of Cheektowaga. Such dedicated rights-of-way shall have minimum widths indicated on the Official Drainage Systems Map, and shall have access to public highways acceptable to the Superintendent of Highways of the Town of Cheektowaga.

Dedicated rights-of-way, having widths acceptable to the Town Engineer, may also be required at locations other than those indicated on the Official Drainage Systems Map.

Along major natural waterways, such additional widths of easements or dedicated rights-of-way (in addition to the minimum widths that can be read or scaled from the Official Drainage Systems Map) shall be provided, as may be necessary to reserve fifty (50) foot wide, open spaces for maintenance, measured from tops of banks to the boundary lines of the rights-of-way or easements. Where tops of banks are inadequately defined, the minimum distance on either side shall be sixty (60) feet measured from edge of stream bed to the boundary lines of the rights-of-way or easements.

C. Filing of Easement and Dedicated Right-of-Way Deeds

Coincidentally with the filing of the approved final plat of a subdivision, the subdivider or developer shall file separate deeds and descriptions of easements and dedicated rights-of-way in the Erie County Clerk's Office. The subdivider or developer shall submit to the Town Clerk of the Town of Cheektowaga copies of documents indicating that easement and dedicated right-of-way deeds and descriptions have been filed in the Erie County Clerk's Office. Such documents shall indicate the date, liber and page of filing.

D. Offsets to Buildings at Ditches and Waterways

Where the Official Drainage Systems Map indicates an easement or where the Town Engineer directs that an easement be provided for a drainage system, no building or accessory building shall be erected within ten (10) feet of the boundaries or limits of such easements.

Where the Official Drainage Systems Map indicates a right-of-way that is to be dedicated to the Town of Cheektowaga, or where the Town Engineer directs that such a dedicated right-of-way be provided for a creek, waterway, pipe or conduit, no building or accessory building shall be erected within twenty (20) feet of the boundaries or limits of such right-of-way.

Where easements are to be granted, along side lot lines, to accommodate pipes or conduits carrying rear yard drainage, offsets to buildings will not be required.

7. SEVERABILITY

The declaration of any portion of this Ordinance by a court of competent jurisdiction to be invalid shall not invalidate the entire Ordinance but only that part so declared to be invalid, and the remainder of the said Ordinance shall remain in full force and effect.

8. EFFECTIVE DATE

Upon adoption by the Town Board, this Ordinance shall take effect ten (10) days after its publication and posting as required by the laws of the State of New York, except this Ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk under the corporate seal of the Town, showing the date of its passage and entry in the minutes.

9. VIOLATIONS

The violation of any of the provisions of this Ordinance is an offense for which the violator shall be subject to a fine of not more than Two hundred and fifty ($250.00) Dollars or to imprisonment for a period of not more than fifteen (15) days, or both. Each week's continued violation shall constitute a separate and additional violation and shall be punishable hereunder.

In addition to the foregoing penalties, the Town of Cheektowaga may institute any appropriate action or proceeding to prevent, correct or restrain any violation of this Ordinance.

Item No. 4 cont'd

BE IT FURTHER RESOLVED, that a copy of this Resolution, and the DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP hereby adopted and enacted, shall be entered in the minutes, and published at least once in the EXAMINER, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and

BE IT FURTHER RESOLVED, that the affidavit of such publication shall be filed with the Town Clerk.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 20 day of Apr, 19 78 and ending on the ____ day of _____, 19__

XC

Signed Jno. L. Charters
Sworn to before me, on the 20
day of Apr, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 80

• Legal Notice •

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 Roads, in said Town on the 17th day of April, 1978 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmorek
Councilman James R. Burst
Councilman Donald J. Wegner
ABSENT: 0

Motion by Councilman Johnson Seconded by Councilman Kaczmarek

WHEREAS, this Town Board, at a regular meeting held on the 27th day of February, 1978, duly adopted a Resolution calling for a public hearing to be held at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 20th day of March, 1978 at 7:00 o'clock p.m., Eastern Standard Time, to consider the advisability of adopting and enacting a "DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP," and

WHEREAS, notice of said public hearing was duly published as required by law, not less than ten (10) days prior to the date of the hearing; and

WHEREAS, pursuant to said Resolution, a public hearing on said "DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP" was duly held by this Town Board at the Cheektowaga Town Hall in the Town of Cheektowaga, New York, on the 20th day of March, 1978 at 7:00 o'clock p.m., Eastern Standard Time; and at which hearing all persons interested in the subject matter had an opportunity to be heard, and were heard; and, at the conclusion thereof, this Town Board took the matter under advisement and

2. TERMS DEFINED

For the purpose of this Chapter, certain terms or words used herein shall be interpreted or defined as follows:

ACCESSORY BUILDING - A building customarily incidental and subordinate to the principal building, and, except as otherwise provided, located on the same lot with such principal building.

BUILDING - A combination of any materials, whether portable or fixed, having a roof, to form a structure affording shelter for persons, animals or property.

DEDICATION - An appropriation of land to a public use, made by the owner, and accepted for such use by or on behalf of the public.

DEVELOPER - Shall mean any individual, firm, company, association, society, corporation or group, that constructs or erects, or proposes to construct or erect structures or other improvements on a parcel of land.

DRAINAGE SYSTEM - Shall mean a ditch, channel, creek, waterway, culvert, pipe, conduit, storm water detention facility or related structure which carries or stores, or is proposed to carry or store, storm and surface water and runoff, but in compliance with the requirements of Public Law 92-500 excludes sewage and industrial wastes other than unpolluted cooling water.

EASEMENT - A right-of-way granted for the limited use of private lands for a public purpose.

FINAL PLAT - A drawing or drawings, complete and in final form, showing all details required by law and by ordinances, requirements and regulations of the Town of Cheektowaga to be submitted to the Town Planning Board for review and recommendations, and which if approved by the Town Board of the Town of Cheektowaga shall be filed in the Erie County Clerk's Office.

LOT - A parcel of land occupied or capable of being occupied by a principal building or use or a group of principal buildings or uses that are united by a common

SUBDIVISION - The partitioning or division of a parcel of land into two or more lots, sections or sites along an existing or proposed street, highway, easement or right-of-way for sale or for rent as building lots, regardless of whether the lots to be sold or offered for sale, or leased are described by metes and bounds or by reference to a map or survey of the property or by any other method of description. The term "subdivision" includes re-subdivision of land, but does not include the sale or exchange of land between adjoining property owners where such sale or exchange of land does not result in the creation of additional building lots.

TOWN ENGINEER - The Town Engineer of the Town of Cheektowaga, New York.

TRAILER - A vehicle used for living or sleeping purposes and standing on wheels so that it can be moved readily.

WATERWAY OR WATERCOURSE - Shall mean a channel in which flow of water occurs, either continuously or intermittently.

ARTICLE II
INTENT, ESTABLISHMENT AND IMPLEMENTATION

3. LEGISLATIVE INTENT

The Town Board of the Town of Cheektowaga, New York, finds that inappropriate realignment of creeks, ditches and waterways, encroachment of development onto creeks, ditches and waterways, and containment of such creeks ditches and waterways in conduits or pipes of insufficient capacity, adversely affect the desirability of adjacent areas for development, cause erosion and stormwater damage to be sustained by existing homes, businesses, and other improved property, create health and safety hazards due to occasional flooding, and hinder maintenance operations. It is the intent of this ordinance to prevent the harmful disposition of drainage systems, to protect and provide for the orderly development and maintenance of drainage systems

subdivision plans and site plans shall also comply with applicable requirements of the New York State Department of Environmental Conservation, the U.S. Army Corps of Engineers, the Flood Damage Prevention Ordinance of the Town of Cheektowaga, New York, and all other laws, rules and regulations appertinent thereto.

D. Subdivision plans and site plans shall be reviewed by the Town Engineer for compliance with this ordinance prior to final plat approval or the issuance of a building permit.

E. Where indicated on the Official Drainage Systems Map, land shall be reserved for easements and dedicated rights-of-way to be acquired, at a future date, by the Town of Cheektowaga, for the construction, improvement and maintenance of drainage systems. Such land may not be used for other purposes without the consent of the Town Board of the Town of Cheektowaga.

F. No owner, subdivider, developer or other person shall erect structures upon, contain in pipes or conduits, or alter the banks and alignment, or cause encroachment by placement of fill upon the stream bed or banks of any creek, ditch, waterway or watercourse shown on United States Geological Survey Maps, except by approval of the Town Board of the Town of Cheektowaga, New York, and subject to a public hearing. Any fill placed or construction effected in violation of this ordinance shall be removed by the owner or owners of the parcel of land, and the stream bed and banks shall be restored to their original state.

ARTICLE III
DRAINAGE SYSTEMS

6. DRAINAGE SYSTEMS

A. Design and Construction of Improvements

In the process of subdivision of parcels of land, or in the process of development of single lots and lots of record, the subdivider or developer will be required to construct drainage systems shown or

Rights-of-Way

Where indicated on the Official Drainage Systems Map, easements drafted to last forever shall be granted for use of private land to accommodate ditches, creeks, waterways, pipes, conduits and related drainage systems. Such easements shall have the minimum widths indicated on the Official Drainage Systems Map, and shall have access to public highways acceptable to the Superintendent of Highways of the Town of Cheektowaga.

Easements drafted to last forever shall also be granted to accommodate subdivision rear yard drains, and local drainage systems for which easement widths are not shown on the Official Drainage Systems Map. Such easements shall have minimum widths of twenty-three (23) feet plus the width or diameter of the required ditch, pipe or other improvement. Greater widths may be required by the Town Engineer to facilitate maintenance operations, and access to public highways.

For the purpose of this chapter, easement deeds shall state that pond levels within the easement cannot be changed, that planting of trees or erection of fences and structures within the easement are prohibited, and that such restrictions are binding on all heirs, successors and assigns forever.

Where indicated on the Official Drainage Systems Map, rights-of-way for storm sewers, ditches, creeks, waterways, pipes, conduits, storm water detention facilities, and related construction shall be dedicated and deeded to the Town of Cheektowaga. Such dedicated rights-of-way shall have minimum widths indicated on the Offical Drainage Systems Map, and shall have access to public highways acceptable to the Superintendent of Highways of the Town of Cheektowaga.

Dedicated rights-of-way, having widths acceptable to the Town Engineer, may also be required at locations other than those indicated on the Official Drainage

granted, along side lot lines, to accommodate pipes or conduits carrying rear yard drainage, offsets to buildings will not be required.

7. SEVERABILITY

The declaration of any portion of this Ordinance by a court of competent jurisdiction to be invalid shall not invalidate the entire Ordinance but only that part so declared to be invalid, and the remainder of the said Ordinance shall remain in full force and effect.

8. EFFECTIVE DATE

Upon adoption by the Town Board, this Ordinance shall take effect ten (10) days after its publication and posting as required by the laws of the State of New York, except this Ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk under the corporate seal of the Town, showing the date of its passage and entry in the minutes.

9. VIOLATIONS

The violation of any of the provisions of this Ordinance is an offense for which the violator shall be subject to a fine of not more than Two hundred and fifty ($250.00) Dollars or to imprisonment for a period of not more than fifteen (15) days, or both. Each week's continued violation shall constitute a separate and additional violation and shall be punishable hereunder.

In addition to the foregoing penalties the Town of Cheektowaga may institute any appropriate action or proceeding to prevent, correct or restrain any violation of this Ordinance.

BE IT FURTHER RESOLVED, that a copy of this Resolution, and the DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP hereby adopted and enacted, shall be entered in the minutes, and published at least once in the EXAMINER, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and

BE IT FURTHER RESOLVED, that the affidavit of such publication

the public interest to adopt and enact a "DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP."

NOW, THEREFORE, BE IT RESOLVED, that a "DRAINAGE SYSTEMS ORDINANCE AND OFFICIAL DRAINAGE SYSTEMS MAP" be, and the same hereby is, adopted and enacted, providing as follows:

DRAINAGE SYSTEMS ORDINANCE
AND
OFFICIAL DRAINAGE SYSTEMS MAP

ARTICLE I
Definitions

SECTION

1. Rules of Construction of Language
2. Terms Defined

ARTICLE II
Intent, Establishment and Implementation

3. Legislative Intent
4. Official Map, Establishment
5. Implementation: General Regulations

ARTICLE III
Drainage Systems

6. Drainage Systems
A. Design and Construction of Improvements
B. Easements and Dedicated Rights-of-Way
C. Filing of Easement and Dedicated Rights-of-Way
D. Offsets to Buildings at Ditches and Waterways

ARTICLE IV
General Provisions

7. Severability
8. When Effective
9. Penalties for Offenses

ARTICLE I
DEFINITIONS

1. RULES ON CONSTRUCTION OF LANGUAGE

The following rules of construction of language shall apply to the text of this chapter.

A. Words used in the present tense include the future tense.

B. Words used in the singular include the plural, and words used in the plural include the singular.

C. The word "person" includes an individual, firm or corporation.

D. The word "shall" is always mandatory.

[illegible] of customary accessory building or uses, and including such open spaces to be used in connection with such building or uses. A "lot" may or may not be a "lot" of record.

LOT LINES - The property lines bounding the lot. Where any property line parallels a street and is not coincident with the street line, the street line shall be construed as the property line for the purpose of complying with regulations of this chapter.

MAJOR NATURAL WATERWAY - A creek or channel which can be located on aerial photographs or maps prepared from such photographs, is shown on United States Geological Survey Maps, and has a tributary area greater than 400 acres.

OFFICIAL MAP - A map established and adopted by the Town Board of the Town of Cheektowaga under Section 270 of the Town Law and for the purposes set forth in this ordinance.

OFFSET - The least horizontal distance from any existing or proposed building or structure to the nearest point in an indicated boundary or property line of an easement or right-of-way.

PERSON - Shall mean any individual, firm, company association, society, corporation or group.

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 details outlined in the Zoning Ordinance of the Town of Cheektowaga, New York.

STORMWATER DETENTION FACILITY - An impounding and storage facility to detain runoff and control the release rate to minimize downstream flooding.

STRUCTURE - Anything constructed or erected which requires permanent location on the ground or attachment to something having such location, but not including a trailer.

SUBDIVIDER - The authorized representative or agent of the owner of a subdivision or the owner of a subdivision.

safety and general welfare of the community.

4. OFFICIAL MAP, ESTABLISHMENT

The location and boundaries of drainage systems in the Town of Cheektowaga, New York, outside the limits of the incorporated Villages of Sloan and Depew, are shown on an official map, entitled "Official Drainage Systems Map for the Town of Cheektowaga, New York", which, with all explanatory matter thereon, is hereby adopted and incorporated into this Ordinance, and such Official Drainage Systems Map shall be as much a part of this Ordinance as if fully set forth and described herein.

The Official Drainage Systems Map consists of the following map sections, which are on file with the Town Clerk, and such additional or revised map sections as the Town Board may adopt in future action:

Southeast section of the Town of Cheektowaga, Map Sections: A-2, A-3, A-4, A-5, B-1, B-2, B-3, B-4, B-5, C-2, C-3, C-4, C-5.

The Official Drainage Systems Map shall be final and conclusive with respect to drainage systems.

5. IMPLEMENTATION:

GENERAL REGULATIONS

A. No subdivision of any parcel of land or lot or tract shall be effected, except in accordance with provisions of this ordinance.

B. No existing lot or lot of record shall be developed except in accordance with provisions of this ordinance.

C. Such parts of subdivision plans and site plans that involve realignment, alteration or containment in pipes or conduits of creeks, ditches and waterways shown on the Official Drainage Systems Map, shall be prepared by a person or corporation licensed to practice engineering in the State of New York.

The above requirement does not preclude licensed land surveyors from doing such other work, related to the preparation and submission of plans for realty subdivisions and site plans, as is provided by the State Education Law. All realty the Official Drainage Systems Map, providing easements or dedicated rights-of-way as shown on the Official Drainage Systems Map.

To facilitate maintenance by property owners, local drainage ditches that will, generally, be located at or near lot lines, shall have minimum side slopes of (3:1) one foot of vertical rise for each three feet of horizontal distance. Other channels and ditches shall have side slopes as indicated on the Official Drainage Systems Map. To prevent erosion and facilitate maintenance, no channel or ditch shall be constructed with side slopes steeper than (2-1/2:1) one foot of vertical rise for each two and one-half feet of horizontal distance, except that the Town Engineer may approve steeper slopes where stone filled gabions or rip-rap are to be used to support banks.

Where sizes of culverts, pipes and conduits, or areas of required stormwater detention facilities, or widths of ditches, easements or rights-of-way are not indicated on the Official Drainage Systems Map, dimensions, elevations, areas, widths, and other design details shall be submitted to the Town Engineer for approval. Local drainage systems shall have minimum capacities to accommodate runoff to be realized from ten year storms. Drainage improvements, channels, ditches and culverts along the line of major natural waterways shall have capacities adequate for runoff that will result from fifty year storms. The basis of design for all proposed drainage systems shall be submitted to the Town Engineer for approval.

The Town Board of the Town of Cheektowaga may consider the construction of a drainage system to be a Town responsibility. In such case, the subdivider or developer shall provide a dedicated right-of-way, conforming to widths and areas shown on the Official Drainage Systems Map, to allow for the eventual construction of the said drainage system by the Town of Cheektowaga.

B. Easements and Dedicated Systems Map.

Along major natural waterways, such additional widths of easements or dedicated rights-of-way (in addition to the minimum widths that can be read or scaled from the Official Drainage Systems Map) shall be provided, as may be necessary to reserve fifty (50) foot wide, open spaces for maintenance, measured from tops of banks to the boundary lines of the rights-of-way or easements. Where tops of banks are inadequately defined, the minimum distance on either side shall be sixty (60) feet measured from edge of stream bed to the boundary lines of the rights-of-way or easements.

C. Filing of Easement and Dedicated Right-of-Way Deeds

Coincidentally with the filing of the approved final plat of a subdivision, the subdivider or developer shall file separate deeds and descriptions of easements and dedicated rights-of-way in the Erie County Clerk's Office. The subdivider or developer shall submit to the Town Clerk of the Town of Cheektowaga copies of documents indicating that easement and dedicated right-of-way deeds and descriptions have been filed in the Erie County Clerk's Office. Such documents shall indicate the date, liber and page of filing.

D. Offsets to Buildings at Ditches and Waterways

Where the Official Drainage Systems Map indicates an easement or where the Town Engineer directs that an easement be provided for a drainage system, no building or accessory building shall be erected within ten (10) feet of the boundaries or limits of such easements.

Where the Official Drainage Systems Map indicates a right-of-way that is to be dedicated to the Town of Cheektowaga or where the Town Engineer directs that such a dedicated right-of-way be provided for a creek, waterway pipe or conduit, no building or accessory building shall be erected within twenty (20) feet of the boundaries or limits of such right-of-way.

Where easements are to be

shall be filed with the Town Clerk.

Upon roll call . . . . . .

Supervisor Meyers	Voting	AYE
Councilman Swiatek	Voting	AYE
Councilman Johnson	Voting	AYE
Councilman Dux	Voting	AYE
Councilman Kaczmarek	Voting	AYE
Councilman Burst	Voting	AYE
Councilman Wegner	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, 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 April 17, 1978, and minutes of said meeting have been duly recorded in the Minute Book 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. 4, 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 18th day of April 1978.

Richard M. Moleski
Town Clerk

Item No. 5 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, this Town Board, at a regular meeting held on the 27th day of February, 1978 duly adopted a Resolution calling for a public hearing to be held at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 20th day of March, 1978 at 7:00 o'clock P.M., Eastern Standard Time, to consider the advisability of adopting and enacting a "PUBLIC IMPROVEMENT PERMIT ORDINANCE", and

WHEREAS, notice of said public hearing was duly published as required by law, not less than ten (10) days prior to the date of the hearing; and

WHEREAS, pursuant to said Resolution, a public hearing on said "PUBLIC IMPROVEMENT PERMIT ORDINANCE" was duly held by this Town Board at the Cheektowaga Town Hall in the Town of Cheektowaga, New York, on the 20th day of March, 1978 at 7:00 o'clock p.m., Eastern Standard Time; and at which hearing all persons interested in the subject matter had an opportunity to be heard and were heard; and, at the conclusion thereof, this Town Board took the matter under advisement and has now determined that it is in the public interest to adopt and enact a "PUBLIC IMPROVEMENT PERMIT ORDINANCE".

NOW, THEREFORE, BE IT RESOLVED, that a "PUBLIC IMPROVEMENT PERMIT ORDINANCE" be, and the same hereby is, adopted and enacted, providing as follows:

* See next four (4) pages for copy of "PUBLIC IMPROVEMENT PERMIT ORDINANCE"

PUBLIC IMPROVEMENT PERMIT ORDINANCE

A. Public Improvement Permits

By resolution of the Town Board, all improvements that are to be dedicated to the Town, or are to eventually be maintained by the Town, either within a subdivision or as part of the development of a single parcel or lot, are considered public improvements and are required to be installed under Public Improvement Permits.

Public Improvement Permits are required to be obtained for the construction of roadway pavements, curbs and gutters, [redacted] sanitary sewers (except for such sanitary sewers as are to be built under the supervision of an Erie County Sewer District), ditches, channels, drainage systems, storm sewers, water mains (except for such water mains as are to be built under the supervision of the Erie County Water Authority) and any other public improvements that are to be dedicated to the Town or will eventually be maintained by Town forces.

B. Application for a Public Improvement Permit

The application shall be based on complete plans and specifications for the project approved by the Town Engineer. Descriptions of the proposed public improvements shall include locations, dimensions, type of material and detailed itemized quantities.

Application fee shall be $10.00.

C. Estimated Construction Cost of Proposed Public Improvements

The estimated construction cost of the proposed public improvements shall be determined using a list of standardized unit and lump sum prices available from the Town Engineer. The list of standardized prices will be updated yearly by the Town Engineer. Cost estimates for items of work not shown on the list of standardized unit and lump sum prices shall be subject to the approval of the Town Engineer.

D. Public Improvement Permit Fees

Public improvement permit fees are intended to recover the cost of inspection of the construction of public improvements. Such inspection shall be provided by the Town Engineer or by authorized agents or representatives of the Town Engineer. Fees for public improvement permits shall be determined on the basis of estimated construction costs of proposed Public Improvement Permits and in accordance with the "Fee Schedule for Public Improvement Permits." The public improvement permit fees do not include survey or stake-out work. Such survey and stake-out work is to be borne at the expense of the permit applicant with work to be done by

competent, qualified personnel acceptable to the Town Engineer. (See Exhibit 1).

Public improvement permit fees shall be payable to the Town Clerk.

E. Performance Bond Required Where Construction of Public Improvements is Deferred

Where, by action of the Town Board, the Owner is permitted to defer the construction of required public improvements to a later date, or subsequent part or phase of the development of a subdivision or single lot or parcel, the Owner shall furnish and pay for a performance bond acceptable to the Town Attorney, in an amount at least equal to 100% of the estimated construction cost of said required public improvements. Such performance bond shall constitute security for the construction of the public improvements (whose construction has been deferred) within the time specified by the Town Board, in accordance with approved plans and specifications, and for the payment of all persons performing labor and furnishing materials in connection with such construction.

The application for a public improvement permit for any subdivision or parcel or lot, where the construction of required improvements has been deferred, shall state the name and address of the surety company that has furnished the performance bond and the amount of the performance bond.

The Town Board may accept that cash or certified funds be placed in escrow with the Town in lieu of furnishing a performance bond. Such cash or certified funds will be released when the deferred work is completed, and the Town Engineer has issued a Certificate of Approval.

F. Maintenance Bond (Two Years), Required for All Public Improvement Permit Applications

The Owner shall furnish and pay for surety bonds, acceptable to the Town Attorney, for the maintenance, restoration and replacement of any parts of the public improvements where an unsatisfactory condition or damage develops due to defects in workmanship and materials, erosion, settlement of backfill or other causes within a period of two years from the date of issue of the Certificate of Approval. The maintenance bond shall be for an amount at least equal to 25% of the estimated construction cost of the proposed improvements.

The application for a public improvement permit shall state the name and address of the surety company that has furnished the maintenance bond and the amount of the maintenance bond.

G. Submissions Regarding Special Districts and Special Conditions

Where applicable, prior to the issuance of a public improvement permit, the Owner will be required to submit special district and homeowners asso-

ciation agreements acceptable to the Town Attorney. Easements and right-of-way deeds for drainage purposes must be filed in the Erie County Clerk's Office prior to receipt of the public improvement permit.

H. Statements by the Owner

The application for a public improvement permit shall include statements by the Owner, to be subscribed and sworn to before a Notary Public, to the effect that: all work will be performed in accordance with approved plans and specifications and requirements of Federal, State and local laws; that the Owner will obtain and pay for all necessary permits; that the Owner will commence work no later than 60 days from the date of approval of the Public Improvement Permit by the Town Board, and will complete all work within one year of said date of approval; that the Owner will notify the Town Engineer 48 hours before commencing work under the public improvement permit; that the Owner is cognizant of the fact that the public improvement permit fee is based on work being performed during normal working hours (7:00 A.M. to 5:00 P.M.), Monday through Friday, except for legal holidays; and that deviations from such schedule or hours will require Town Board approval and may also involve imposition of additional fees.

I. Certificate of Approval

Upon completion of all work included in the public improvement permit, in a manner satisfactory to the Town Engineer, the Town Engineer will issue a Certificate of Approval.

J. Number of Copies, Required Approvals, Effective Date

Applications for public improvement permits shall be submitted in quadruplicate to the Town Clerk, together with four (4) complete sets of drawings (prints) and four (4) complete copies of specifications for the project.

Granting of a public improvement permit will be contingent upon approvals by the Town Engineering Department, the Town Highway Department and the Town Board.

The public improvement permit shall not be effective until approval by the Town Board and until the Town Clerk has certified that the total public improvement permit fee has been paid.

EXHIBIT I

PUBLIC IMPROVEMENT PERMIT FEES

A. Projects up to $29,999

4% of estimated construction costs

B. Projects over $30,000

3% of estimated construction costs

Item No. 5 cont'd

BE IT FURTHER RESOLVED, that a copy of this Resolution, and the PUBLIC IMPROVEMENT PERMIT ORDINANCE entered in the minutes, and published at least once in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and

BE IT FURTHER RESOLVED that the affidavit of such publication shall be filed with the Town Clerk.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Gladys M. Hackstedt, 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 20, 1978; last publication April 20, 1978; and that no more than six days intervened between publications.

Gladys M. Hackstedt

Sworn to before me this 21st day of April, 1978

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, 1979

RICHARD M. MOLINSKI
Town Clerk

Item No. 6 Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 3rd day of April, 1978 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearing being held in accordance with the 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York and said amendment is herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Stop intersections designated.

Section 80 is amended by deleting therefrom the following:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
Oriole Place	East-West	Andres Place	Northbound	S.E. Corner
Oriole Place	East-West	Andres Place	Soutbound	N.W. Corner

Section 2. Time to take effect.

(a) This amendment 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 this amendment which is 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

This amendment 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 this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the EXAMINER, a newspaper 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 the State 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 this amendment specifying the date of adoption thereof.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 20 **day of** Apr., 19 78 **and ending on the** _____ **day of** _____, 19__

SC

Signed Jas. L. Charters
Sworn to before me, on the 20
day of Apr., 19 78
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980.

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 Roads, in said Town on the 17th day of April, 1978 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner
ABSENT: 0

Motion by Councilman Dux Seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 3rd day of April, 1978 to consider the advisability of adoption of a proposed amendment 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Stop Intersections designated.

Section 80 is amended by deleting therefrom the following:

Street - Oriole Place, Direction - East-West, Entrance Street - Andres Place, Traffic Stops - Northbound, Sign Location - S.E. Corner.

Street - Oriole Place, Direction - East-West, Entrance Street - Andres Place, Traffic Stops - Southbound, Sign Location - N.W. Corner.

Section 2. Time to take effect.

(a) This amendment 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 this amendment which is 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.

This amendment 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 this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the EXAMINER, a newspaper published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 8 of Section 30 of the Town Law of the State 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 this amendment specifying the date of adoption thereof.

Upon roll call.....

Supervisor Meyers	Voting AYE
Councilman Swiatek	Voting AYE
Councilman Johnson	Voting AYE
Councilman Dux	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Burst	Voting AYE
Councilman Wegner	Voting AYE

AYES: 7
noyes; 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, 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 April 17, 1978, and minutes of said meeting have been duly recorded in the Minute Book 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. 6, 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 18th day of April, 1978.

Richard M. Moleski
Town Clerk

Item No. 7 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Bernard V. Malinowski has applied for a rezoning from R-Residential District to C-Retail Business District on property located at 1265 Cleveland Drive, Cheektowaga, New York, and being more particularly described as follows:

> ALL THAT PLOT OF LAND situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 14, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1628 is known and distinguished as subdivision lot No. 122, but excluding therefrom so much of said plot of land as is included in the foregoing description and which is situate southeasterly of a straight line drawn across said plot parallel with and congruent to the north-easterly wall of the brick house presently on said plot and which is shown on a survey of David J. Millard, NYSPLS 46559, under date December 19, 1977,

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 20th day of March, 1978 at 6:39 o'clock p.m., Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinance 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 Board and the Erie County Department of Planning have both recommended denial of said rezoning, and

WHEREAS, it appears that the proposed rezoning to a C-Retail Business District would interfere with the use and enjoyment of the adjacent residential area by the owners or occupants thereof, NOW, THEREFORE, BE IT

RESOLVED that the proposed rezoning of said premises from R-Residential District to C-Retail Business District be and hereby is denied.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE*

This was not published as it was denied.

Item No. 8 Call for public hearing to amend Traffic Ordinance - Art. X; Parking, Standing & Stopping - William Street
This item was withdrawn.

Item No. 9 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Ruth E.A. Beyer has made application and requested the rezoning of property located at 765 Borden Road from R-Residential District to RC-Restricted Business District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held regarding said request under the provisions of the Zoning Ordinance on May 15, 1978 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 4 day of May, 1978, and ending on the ____ day of _____, 19__

Signed Jas. L. Charters JC
Sworn to before me, on the 4
day of May **19**78
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 80

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 15th day of May 1978, at 8:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Ruth E.A. Beyer to Rezone from R - Residential District to RC - Restricted Business District on property located at 765 Borden Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

RICHARD M. MOLESKI
Town Clerk

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 Number forty-four (44), Township ten (10), Range seven (7), of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at the northwest corner of said Lot Number forty-four (44), the same being in the center line of Borden Road; thence southerly along the westerly line of said Lot Number forty-four (44) and the center line of Borden Road ninety (90) feet to the northwest corner of lands conveyed to Henry T. Ebbing and Barbara K. his wife by deed recorded in Liber 3389 of Deeds at page 191; thence easterly along the northerly line of said Ebbing's land and parallel with the northerly line of said Lot Number forty-four (44), one thousand six hundred eleven and twenty hundredths (1611.20) feet to the westerly line of lands conveyed to Arthur Martin Fronchowiak by deed recorded in Liber 2751 of Deeds at page 383; thence northerly along said westerly line of said Fronchowiak's land ninety (90) feet to the north line of said Lot Number Forty-Four (44); thence westerly along the said northerly line of said lot Number forty-four (44), one thousand six hundred ten and sixty hundredths feet (1610.60) to the point or place of beginning.

Item No. 10 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, Anthony J. Marczak, Jr. has made application and requested the rezoning of property located on Kennedy Road from M2-General Manufacturing District to R-Residential District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 15, 1978 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 4 day of May, 1978 and ending on the ____ day of _____, 19__

Signed Jas L. Charters
Sworn to before me, on the 4
day of May, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

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 15th day of May 1978, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Anthony J. Marczak, Jr. to Rezone from M-2 - General Manufacturing District to R - Residential District on property located at Kennedy Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Raymond J. Wasielewski
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Koczmarek
Councilman James R. Burst
Councilman Donald J. Wagner

RICHARD M. MOLESKI
Town Clerk

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 23, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of Kennedy Road at its intersection with the northeast corner of Sublot 281 as shown on a map filed in Erie County Clerk's Office under Cover No. 800; running thence northerly along the westerly line of Kennedy Road 448.24 feet to the southerly line of lands conveyed to Buffalo General Electric Company by deed recorded in Erie County Clerk's Office in Liber 1881 of Deeds at page 418; thence southwesterly along the southerly line of lands so conveyed to Buffalo General Electric Company by deed aforesaid 127.89 feet to a point; running thence southerly at an interior angle of 110° 15' with the last described line 402.30 feet to the north line of lands shown on Map Cover 800; running thence easterly at an interior angle of 90° 45' and along the north line of lands shown on Map Cover 800, a distance of 120 feet to the westerly line of Kennedy Road at the point or place of beginning.

Item No. 11 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, the U.S. Army Corps of Engineers' Scajaquada Creek Flood Control Project requires the removal of culverts and a bridge specifying that said culverts and bridge not be replaced, and

WHEREAS, this Town Board desires to replace the culverts and bridge to satisfy the needs of its citizens, and

WHEREAS, the replacement of these culverts and bridge by the Town would not be considered in crediting such expenditure as a local share, and

WHEREAS, it is anticipated that the local share costs of the Scajaquada Creek Flood Control Project may exceed the federal share thereby allowing for federal cost sharing on all costs exceeding federal costs, NOW, THEREFORE, BE IT

RESOLVED that this Town Board memorialize Congressman Jack F. Kemp of the 38th Congressional District to intercede on behalf of the Town of Cheektowaga to have any and all bridge and culvert replacements considered as part of the Scajaquada Creek Flood Control Project and, therefore, eligible for cost sharing of any cost overrun.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Dux, seconded by Councilman Burst

WHEREAS, after completing the most recent telephone survey in the Town of Cheektowaga and it has proven to be both economical and advantageous to authorize the installation of a new telephone system, NOW, THEREFORE, BE IT

RESOLVED that Supervisor Kenneth J. Meyers be given authorization to purchase from the New York Telephone Company the Dimension "Type 42" PBX System for the Town Hall and the Police and Court Building, and at the same time eliminating all private telephones within this system, and BE IT FURTHER

RESOLVED that the funds to obtain said system come from the present telephone budget.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmark, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor 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 of Cheektowaga for the promotion of the performing arts by way of demonostrations, performances and exhibitions, and

WHEREAS, the Town has provided in its 1978 budget sufficient sums for the purpose of allowing contractual expenses on behalf of cultural activities, NOW, 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, Subdivision 17-b of the Town Law of the State of New York; said sums to be paid to the following cultural associations:

Historical Society	$ 480.00
Cheektowaga Art Guild	$1,140.00
Cheektowaga Community Chorus	$5,250.00
Community Symphony Orchestra	$5,250.00
Appletown Players	$ 250.00
Cheektowaga Garden Club	$ 285.00

Item No. 13 cont'd

Coin and Stamp Club	$ 480.00
Imperial Regiment	$ 900.00
Cheektowaga Cultural Society	$ 3,140.00
TOTAL	$17,175.00

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 Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, funds are available through the New York State Department of Transportation, under the Safer Off-System Federal Aid Highway Program (Section 219, 1976 Highway Act), for installation of one-side parking signs in the Town of Cheektowaga, and

WHEREAS, a preliminary application has been prepared in the smount of $40,000 for the installation of one-side parking signs in the Town, NOW, THEREFORE, BE IT

RESOLVED that Supervisor Kenneth J. Meyers is hereby authorized to submit said preliminary application in the amount of $40,000 to the appropriate authorities on behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15a Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Greater Niagara Frontier Council, Inc., Two Nations District; Boy Scouts of America, has requested permission to utilize Cheektowaga Town Park:, located on Harlem Road, Cheektowaga, New York, to conduct a "Spring Camporee", and

WHEREAS, the Two Nations District, and Ellicott District, Boy Scouts of America, have requested the dates of May 12, 13, 14, 1978 be reserved exclusively for the District, to conduct said "Spring Camporee", and

WHEREAS, the intent and purpose of the Boy Scouts of America and the Town of Cheektowaga is to allow Scouts and Explorers to camp overnight on May 12, 13, 1978; establish a midway to display Scouting wares, which would be open to the public on Saturday May 13, 1978 and Sunday May 14, 1978, and

WHEREAS, the primary purpose of the "Spring Camporee" is to afford the general public a opportunity to see Scouting in action, and

WHEREAS, the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Two Nations District and Ellicott District encompasses the Town of Cheektowaga, Village of Depew and Eastside of Buffalo, and

WHEREAS, the Town of Cheektowaga has 34 Scouting and Cub Packs; the Village of Depew 16 Troops and Packs and the Eastside of Buffalo 25 Troops and Packs, and

WHEREAS, the Greater Niagara Frontier Council, Inc., Boy Scouts of America; Two Nations and Ellicott Districts have submitted a Certificate of Insurance from the Royal Globe Insurance Companies to insure, General Liability to include

Item No. 15a cont'd

Property Damage Liability in the amount of $500,000.00; Bodily Injury Liability of $500,000.00; Products Liability of $500,000.00 for Bodily Injury Liability and $500,000.00 Property Damage Liability, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grant to the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Two Nations and Ellicott Districts exclusive use of Cheektowaga "Town Park", located on Harlem Road, Cheektowaga, New York on May 12, 13, and 14, 1978 for the purpose of conducting said "Spring Camporee" under the guidelines established under this resolution.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15b Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, through prior resolution permission has been granted by the Cheektowaga Town Board for the exclusive use of Cheektowaga Town Park, located on Harlem Road, Cheektowaga, New York, and

WHEREAS, said permission was granted to the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Two Nations and Ellicott Districts for a Spring Camporee on May 12, 13 and 14, 1978, and

WHEREAS, the Code of the Town of Cheektowaga, Article 48-12. Park closing Hours (amended 7-1-68, 6-21-76) states "All Parks shall be closed except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours so closed", and

WHEREAS, the Two Nations and Ellicott District Troops shall be camping overnight on May 12 and May 13, 1978, and

WHEREAS, the Two Nations and Ellicott Districts has received assurances from the Cheektowaga Police Department, the Erie County Sheriff's Department to provide security in addition to adult Scouting Volunteers, and

WHEREAS, only duly authorized Boy Scouts of America from the Two Nations and Ellicott Districts, their Troop Leaders and Adult Volunteers shall be allowed to occupy the grounds of the Cheektowaga Town Park during curfew hours, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board permit a waive, Article 48-12 of the Code of the Town of Cheektowaga and BE IT FURTHER

RESOLVED that said waiver be extended to the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Two Nations and Ellicott Districts only on May 12 and May 13, 1978, and BE IT FURTHER

RESOLVED That copy of said resolution be directed to the Acting Chief of Police and the Town Attorney, Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15c Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Two Nations and Ellicott Districts has been granted approval to utilize Cheektowaga "Town Park" located on Harlem Road, Cheektowaga, New York, and

WHEREAS, the Greater Niagara Frontier Council, Inc., Boy Scouts of America, has requested permission to establish refreshment stands for the sale of

Item No. 15c cont'd

hot dogs, non-alcoholic beverages, candy, and Scouting wares, on May 13 and May 14, 1978 at Cheektowaga Town Park, and

WHEREAS, profits from said sales will go to the units, to help defray the expenses for Scouts attending Camp and Summer outings, and

WHEREAS, the Greater Niagara Frontier Council, Inc., Boy Scouts of America has submitted a Certificate of Insurance from the Royal Globe Insurance Companies; Products Liability Insurance in the amount of $500,000.00 for Bodily Injury Liability and $500,000.00 for Property Damage Liability, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grant permission to the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Two Nations and Ellicott Districts to establish and sell refreshments and Scouting wares under the terms of this resolution.

Upon Roll Call....
AEYS: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Cheektowaga Town Board and the Sloan Board of Trustees have held conferences and meetings relative to a proposed merger and/or consolidation of the Cheektowaga and Sloan Police Departments; or the transfer of the Sloan Village Police Officers to the Cheektowaga Police Department, and

WHEREAS, the specific authority permitting the transfer of the Sloan Village Police Officers to the Town Police Force has not yet been clarified by the Village of Sloan, said Village having informed the Town that it is seeking the answer to various legal questions from the State Comptroller's Office, and

WHEREAS, pending written verification from the Village of Sloan of the legal authority for such transfer, the Town Board of Cheektowaga desires to indicate its intent in favor of the transfer of the Sloan Village Police Officers to the Town Police Department, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby indicates its intent and desire to effect such transfer provided favorable written confirmations to the following questions which have been propounded by the Village of Sloan to the State Comptroller's Office are received by the Village of Sloan; and which are in the form of a request for opinions from said State Comptroller's Office and are hereby set forth as follows:

1) That the proposed Village of Sloan Local Law No. 1 for 1978 is a valid and appropriate exercise of municipal authority.

2) That the Town of Cheektowaga does have authority to accept the Sloan Village Police Officers, and if so, where can that authority be found.

3) That even without Local Law, would it be appropriate and valid for the village to transfer its Police Officers to the Town of Cheektowaga, New York, and BE IT FURTHER

RESOLVED that such desire and intent on the part of the Town of Cheektowaga to effect said transfers are further conditioned upon an appropriate arrangement and agreement relative to rank, seniority, shift and vacation preferences regarding the Sloan Police Officers upon such transfer.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Kaczmarek, Burst and Wegner
NAYES: Councilman Dux
ABSENT: 0

Item No. 17 Authorization for signal on Genesee at TOPS market
This item was withdrawn.

Item No. 18 Highway - rejection of bid for two (2) 1978 Tandem Dump Trucks
This item was withdrawn.

Item No. 19 Motion by Councilman Burst, seconded by Councilman Kaczmarek

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the repair and replacement of approaches and curbs in various parts of the Town of Cheektowaga. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways, 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m. on May 1, 1978 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

SEPARATE AND SEALED proposals will be received, opened and read at the Town Board meeting to be held May 1st, 1978 at 7:00 P.M., at the Town Hall, Broadway and Union Road, Cheektowaga, New York for the repair and replacement of concrete curbs and approaches. Each sealed bid to be plainly marked "SEALED BID FOR REPAIRS AND REPLACEMENTS OF CONCRETE CURBS AND APPROACHES IN THE TOWN OF CHEEKTOWAGA". These bids are to be turned into the Town Clerk's Office located at the Town Hall at the above address.

Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Superintendent of Highways, 3145 Union Road, Cheektowaga, New York. The Superintendent of Highways reserves the right to reject any or all bids. Bidders may attend the public opening of the bids if they so desire.

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

SIGNED _____
RICHARD M. MOLESKI
Town Clerk

DATED: April 11, 1978
PUBLISHED: April 20, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Gladys M. Seubert, 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 20 1978; last publication April 20 1978; and that no more than six days intervened between publications.

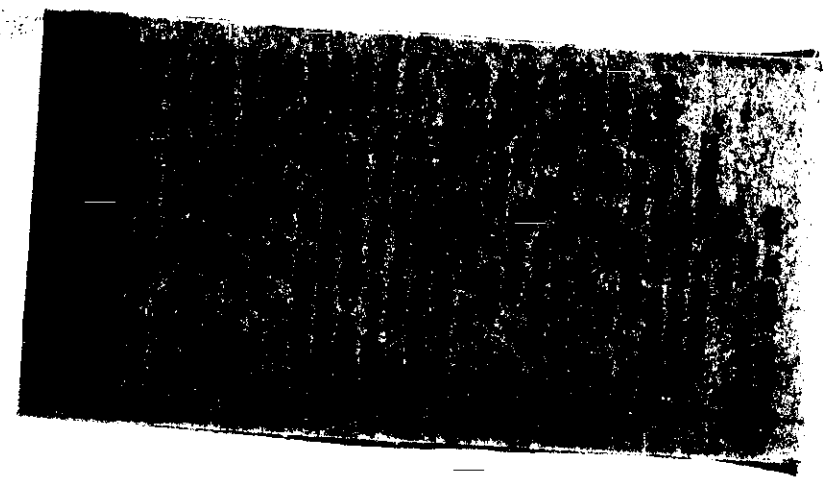
Gladys M. Seubert

Sworn to before me this 21st day of April, 1978.

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, 1979



Item No. 20 Motion by Councilman Burst, seconded by Councilman Swiatek

WHEREAS, the Parks Department is in need of one (1) new 1978 one ton pick-up truck with stake body to replace one (1) existing dump truck now being used by the Parks Department, and

WHEREAS, funds have been budgered for this purpose, 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 vehicles, notice to be published in the EXAMINER, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 1st day of May, 1978 at 7:00 P.M., Eastern Daylight Savings Time, 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 May 1, 1978 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for one (1) pick-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.

RICHARD M. MOLESKI
Town Clerk

DATED: April 17, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 1, 1977 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for one (1) pick 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.

Richard W. [illegible]
Town Clerk

Dated: April 19, 1977

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 20 day of Apr, 19 77 and ending on the _____ day of _____, 19__

XC

Signed Jas. L. Charters

Sworn to before me, on the 20 day of Apr, **19** 77

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980.

Item No. 21 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, bids were duly received and opened at the regular Town Board Meeting of March 20, 1978 as a result of advertisement for the purchase of a truck with a vacuum jet machine, 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 April 14, 1978, NOW, THEREFORE, BE IT

RESOLVED that the contract for the purchase of one (1) 1978 truck with conventional cab and a vacuum jet machine for the Sewer Maintenance Department with trade-in of a 1968 International Truck and Myers Flusher as recommended by the Town Engineer, be and the same is hereby awarded to Rojac Waste Equipment, Inc., 513 Broad Street, West Rochester, New York 14608 for their bid in the amount of $55,782.00, said bid being the lowest meeting the requirements of the specifications.

* See next two (2) pages for letter

21

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14:

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

April 14, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

At the Regular Town Board Meeting of March 20, 1978, bids were received and publicly opened for the purchase of one (1) 1978 truck with a vacuum jet machine for the Sewer Maintenance Department. Six (6) bids were received and are as follows:

BIDDER	ITEM I VACUUM JET MACHINE WITHOUT TRADE-IN	ITEM II VACUUM JET MACHINE WITH TRADE-IN
P.D. Service (Aquajet) (2 Separate Units)	$41,490.00	$37,990.00
Dow & Company, Inc. (Myers) (Tilt Cab)	$54,925.00	$47,925.00
Rojac Waste Equipment Inc. (Vactor) (Conventional Cab)	$59,282.00	$55,782.00
Rojac Waste Equipment Inc. (Vactor) (Tilt Cab)	$62,332.00	$58,832.00
Walter M. Roberts Enterprises, Inc. (Vac-All) (Tilt Cab)	$74,348.03	$64,348.03
P.D. Service (Aquajet) (Conventional Cab)	$75,907.00	$72,407.00

The Engineering Department has made a thorough study to determine the best unit for our requirements. We have done the following before specification preparation and after bid opening:

1) Saw a demonstration of the Vac-All and visited the Central Engineering Company, Inc., who manufactured the unit.

2) Saw a demonstration of a trailer type Vactor last fall in our Town.

3) Visited the Town of Tonawanda Sewer Department and witnessed a demonstration of an older Vactor. They purchased and use four (4) vacuum jet machines with very satisfactory results.

4) Visited the City of Rochester on April 6, 1978 and saw a demonstration by the employees of the County of Monroe Sewer Maintenance Department of a Vactor similar to the one desired for our operation.

5) Witnessed a demonstration of a Myers Unit on April 11, 1978 on a Town sewer on Union Road near Maryvale Drive in Cheektowaga.

It is recommended that the bid be awarded to Rojac Waste Equipment, Inc. for the Vactor with a trade-in of the 1968 flusher for a net bid price of $55,782.00 for the 1978 truck with conventional cab and vacuum jet machine.

P.D. Service submitted a low bid of $37,990.00 for a two piece unit, a regular flusher similar to the one we now have and a trailer mounted vacuum machine. This was rejected as it was two (2) separate units and not a combined unit as specified. A two piece unit is very cumbersome.

The unit from Dow & Company did not meet specifications as it had a 3½ cubic yard debri container instead of an 8 cubic yard container as specified. Separate motors were specified, one for the flusher mechanism and one for the vacuum mechanism, but this unit had one motor powering both units.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 21 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, this Town Board on March 20, 1978 received bids as the result of advertisement, therefore, for the furnishing of equipment and operators for creek bank erosion control in the Town of Cheektowaga which bids were referred to Merriman Conservation Consultants, Inc. for analysis, tabulation and report, and

WHEREAS, a report was made by said consultants under the date of March 30, 1978 in a letter addressed to the Town Engineer and a tabulation of bids by the Town Engineer is hereto attached and dated April 13, 1978, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of equipment and operators for creek bank erosion control in the Town of Cheektowaga is awarded to Webber Trucking Co., Buffalo Olean Road, Chaffee, New York 14030 for submission of the lowest bid meeting the requirements of the specification as per the unit bid prices of:

Hydraulic Backhoe	$ 336.00 per 8 hr. day
Tractor, loader	$ 280.00 per 8 hr. day
Tractor, crawler	$ 236.00 per 8 hr. day
Dump Truck, Tandem	$ 144.00 per 8 hr. day
Tractor, landscape type	$ 156.00 per 8 hr. day
Timber mat rental	$ 250.00 per 40 hr. week

and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute the agreement with said Webber Trucking Co. on behalf of the Town of Cheektowaga.

* See next page for letter

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Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 142

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

April 13, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Creek Bank Erosion Control

Gentlemen:

At the regular Town Board Meeting of March 20, 1978 bids were received for the furnishing of equipment and operators for creek bank erosion control in the Town of Cheektowaga. Three (3) bids were received at the following totals:

Webber Trucking Co.	$ 34,540.00
West Falls Construction Corp.	$ 34,700.00
Marin Excavating Inc.	$ 72,800.00

The bids were reviewed by the consulting firm of Merriman Conservation Consultants, Inc. which firm submitted their report in their letter of March 30, 1978 to this office.

It is recommended that the bid be awarded to Webber Trucking Co., Buffalo Olean Road, Chaffee, New York 14030, for the submission of the lowest bid total meeting the requirements of the specifications. The totals were used for bid award purposes only. The bid is being awarded on the basis of unit prices submitted. These are:

Hydraulic Backhoe	$ 336.00 per 8 hr. day
Tractor, loader	$ 280.00 " " "
Tractor, crawler	$ 236.00 " " "
Dump Truck, tandem	$ 144.00 " " "
Tractor, landscape type	$ 156.00 " " "
Timber mat rental	$ 250.00 per 40 hr. week

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

Item No. 22 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, bids were duly received on April 3, 1978 as the result of advertisement, therefore, for the furnishing to the Town of Cheektowaga Dimensioned Lumber and Plywood for the year of 1978, and said bids were referred to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated Arpil 14, 1978, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of dimensioned lumber and plywood be awarded to Forest Materials, Inc., 1665 Harlem Road, Buffalo, New York 14206, for submitting a bid meeting the requirements of the specifications.

* See next page for letter

23

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 1

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

April 14, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

At the Regular Town Board Meeting of April 3, 1978, bids were received and publicly opened for the purchase of Dimensioned Lumber and Plywood for the year of 1978. One bid was received as follows:

BIDDER - FOREST MATERIALS, INC.

Item I Dimensioned Lumber:	
Average bid price per foot of eleven (11) various sizes	$1.11
Item II Plywood:	
Average bid price per piece of eight (8) various sizes	$14.63
Item III Roofing:	
Bid price per 100 square feet	$27.00

Another Town resident lumber supplier received the Bid Proposal and specifications but did not submit a bid.

It is, therefore, recommended that the bid be awarded to Forest Materials, Inc. for the submission of a bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 23 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, bids were duly received on April 3, 1978 as the result of advertisement, therefore, for the furnishing of maintenance chemicals for various Town of Cheektowaga requirements for the year of 1978, and

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

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

RESOLVED that the contract for the furnishing of said maintenance chemicals as per said unit prices and as recommended by the Town Engineer be and the same is hereby awarded to:

NAME	ITEM	PRICE
Duke Sales and Service, Inc. 1020 Hiawatha Boulevard West Syracuse, N.Y. 13204	X - Vaporooter XI - Vaporooter	$23.50/gal $19.00/gal
Ertag, Inc. P.O. Box 4127 Jersey City, N.Y. 07304	IV - Grass Seed V - Grass Seed	$ 1.08/lb. $ .77/lb.
Riverside Chemical Co. 871 River Road North Tonawanda, N.Y. 14120	III - Lime	$ .09/lb.
Zep Manufacturing Co. 31 Rosewood Drive Williamsville, N.Y. 14221	VIII - Enzymes	$ 2.99/lb.
Russel B. Mason Co., Inc. Webster, N.Y. 14580	I - Bromine	$ 1.86/lb.
Thames Chemical Ltd. 3806 Union Road Cheektowaga, N.Y. 14225	VII - Deodorizer	$ .55/lb.
Voelker Analysis, Inc. 878 Bailey Avenue Buffalo, New York 14206	IX - Degreaser VI - Deodorizer	$ 2.85/gal. $ 3.20/gal.

* See next page for letter

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 1

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

April 14, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Maintenance Chemicals

Gentlemen:

At the regular Town Board Meeting of April 3, 1978, bids were received and opened for the furnishing of maintenance chemicals to meet the requirements of various departments for the year of 1978. Twelve (12) bidders submitted bids for eleven (11) items. It is, therefore, recommended that the bids be awarded as follows:

NAME	ITEM	PRICE
Duke Sales and Service, Inc. 1020 Hiawatha Boulevard West Syracuse, N.Y. 13204	X - Vaporooter XI - Vaporooter	$23.50/gal. $19.00/gal.
Ertag Inc, P.O. Box 4127 Jersey City, N.J. 07304	IV - Grass Seed V - Grass Seed	$1.08/lb. $ .77/lb.
Riverside Chemical Co. 871 River Road North Tonawanda, N.Y. 14120	III - Lime	$.09/lb.
Zep Manufacturing Co. 31 Rosewood Drive Williamsville, N.Y. 14221	VIII - Enzymes	$2.99/lb.
Russel B. Mason Co., Inc. Webster, N.Y. 14580	I - Bromine	$1.86/lb.

NAME	ITEM	PRICE
Thames Chemical Ltd. 3806 Union Road Cheektowaga, N.Y. 14225	VII - Deodorizer (Dry)	$ .55/lb.
Voelker Analysis, Inc. 878 Bailey Avenue Buffalo, N.Y. 14206	IX - Degreaser VI - Deodorizer (Liquid)	$2.85/gal. $3.20/gal.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 24 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, bids were duly received on April 3, 1978 as the result of advertisement for the furnishing and servicing of Portable Chemical Toilets to the Town of Cheektowaga Parks Department for the year of 1978, 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 April 14, 1978, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing and servicing of Portable Chemical Toilets to the Town thru 1978, as per said unit prices and as recommended by the Town Engineer be and the same hereby is awarded to Johnny on the Spot, Inc., P.O. Box 205, Model City, New York 14174, said bid being $10.00 each for the single Unit and $172.00 each for the Jumbo Unit and meeting the requirements of the specifications.

* See next two (2) pages for letter

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Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14

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

April 14, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid - Furnishing and Servicing Portable Chemical Toilets.

Gentlemen:

At the regular Town Board Meeting of April 3, 1978, bids were received and publicly opened for the Furnishing and Servicing of Portable Chemical Toilets to the Cheektowaga Parks Department for the 1978 season. Two (2) bids were received as follows:

BIDDER	ITEM I SINGLE UNIT	ITEM II JUMBO UNIT
Johnny On The Spot, Inc.	$10.00/wk	$172.00/wk
Buffalo Toi-Lets, Inc.	$17.50/wk	----

It is recommended that the contract be awarded to Johnny On The Spot, Inc., said bid being the lowest bid submitted and meeting all the requirements of the specifications.

The specifications noted the quantity and schedule of usage in each of five (5) different locations. It is planned to locate single units at the 5 locations for a minimum of 76 service weeks or a total of $760.00 and 70 service weeks of jumbo units for a total of $12,040.

A jumbo unit consists of 5 single units for the women and a large compartment for the men with a 1000 gallon chemical holding

tank. Single units will be serviced twice a week and the jumbo units once a week.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 25 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Kaczmarek, Burst and Wegner
NAYES: Councilman Dux
ABSENT: 0

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

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the furnishing and installation of fencing for Town requirements for the year of 1978, which bids were duly received and opened at a public meeting called for that purpose, 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 and installation of the four foot (4') galvanized wire mesh fencing with gates, corner and end posts, the six foot (6') galvanized wire mesh fencing with gates, corner and end posts and the softball backstop fence for the year of 1978 as per unit bid prices and as recommended by the Town Engineer be and the same is hereto awarded to Ace Fence Company, 794 French Road, Cheektowaga, New York 14227, said bid being the lowest meeting the requirements of the specifications.

ITEM I	- 4' galvanized fence with gates, corner and end posts	$3.80/lin. ft.
ITEM II	- 6' galvanized fence with gates, corner and end posts	$6.82/lin. ft.
ITEM III	- Softball backstop fence	$1,278/installation

and BE IT FURTHER

RESOLVED that the contract to furnish Hardball Backstop, Item IV, be awarded to Smith Fence Company, Inc., 9089 Main Street, Clarence, New York 14031 for submitting a bid price of $1,910.00 said bid meeting the requirements of the specifications.

* See next two (2) pages for letter

Town of Cheektowaga

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

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

April 14, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Fencing Bids

Gentlemen:

At the regular Town Board Meeting of April 3, 1978, bids were received and opened for the furnishing and installation of fencing to satisfy various Town requirements throughout the year of 1978. Three (3) bids were received with the totals listed below:

	Ace Fence Company	Smith Fence Company	Wire Products Company, Inc.
Item I			
4' galvanized	$3,804.00	$4,994.00	$5,730.00
Item II			
6' galvanized	$682.00	$889.00	$1,240.00
Item III			
Softball Backstop	$1,278.00	$1,390.00	$2,477.00
Item IV			
Hardball Backstop	$2,286.10	$1,910.00	$3,747.00

It is, therefore, recommended that the bid be awarded to the lowest bidder meeting the requirements of the specifications.

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

April 14, 1978

Items I thru III of the bid should be awarded to Ace Fence Company, 794 French Road, Cheektowaga, New York 14227 and Item IV of the bid should be awarded to Smith Fence Company, Inc., 9089 Main Street, Clarence, New York 14031.

All bid awards are to be made on a unit price basis. The totals, as listed, were established for bid award purposes only.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 26 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the Refinishing of Maryvale and Dingens Street Park Swimming and Wading Pools, 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 to Refinish the Swimming and Wading Pools at Maryvale and Dingens Street Park be awarded to Plastall Company, 3401 Brookpark Road, Parma, Ohio 44134, said bid meeting the requirements of the specifications.

* See next page for letter.

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14

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

April 14, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

At the Regular Town Board Meeting of April 3, 1978, bids were received and publicly opened for the Refinishing of Swimming and Wading Pools at the Maryvale and Dingens Street Parks. One (1) bid was received and is as follows:

BIDDER	ITEM I MARYVALE PARK	ITEM II DINGENS ST. PARK
Plastall Company	$3,600.00	$3,600.00

A Bid Check for 5% of the bid, Insurance Certificate and Warranty accompanied the Bid Proposal. This bidder refinished the main pool in the Cheektowaga Town Park in 1976 and performed satisfactorily.

The Painting Union Local in Buffalo was called to inform the contractors that bids would be accepted for this project and calls were received from paint suppliers, but only one Bid Proposal was picked up.

It is, therefore, recommended that the contract be awarded to Plastall Company of Parma, Ohio for submitting a bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Mazurek
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 27 cont'd

Upon Roll Call...
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the furnishing of Topsoil and sand-clay-loam mixtures, 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 topsoil be awarded to Wilfred Schultz, 337 North Ogden Street, Buffalo, New York 14206, for their bid in the amount of $7.90 per cubic yard for delivered Topsoil and $6.50 per cubic yard for topsoil picked up in a Town vehicle, and BE IT FURTHER

RESOLVED that the contract for furnishing sand-clay-loam be awarded to M & M Enterprizes for their bid of $7.45 per cubic yard of delivered sand-clay-loam and $6.75 per cubic yard for sand-clay-loam picked up in a Town vehicle.

* See next page for letter

Town of Cheektowaga

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

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

April 14, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Topsoil and Sand-Clay-Loam

Gentlemen:

At the regular Town Board Meeting of April 3, 1978, bids were received and publicly opened for the purchase of topsoil and sand-clay-loam for the year of 1978. Four (4) bids were received as follows:

Bidder	Item I-Topsoil General Purpose Delivered/cu.yd.	Item II Picked up per cu. yd.	Item III Sand-Clay Loam, Delivered Cu. Yd.	Item IV Picked up per cu.yd.
Wilfred Schultz	$7.90	$6.50	$8.00	$7.60
M & M Enterprizes	$7.90	$7.00	$7.45	$6.75
Alden Evergreen Nursery	$7.75	$7.40	-----	-----
Custom Topsoil	$8.90	$6.90	$12.90	$10.90

It is, therefore, recommended that the bid be awarded to Wilfred Schultz, 337 North Ogden Street, Buffalo, New York for the purchase of delivered or picked up topsoil and to M & M Enterprizes for the purchase of delivered or picked up sand-clay-loam, said bids meeting all the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 28 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, bids were duly received on April 3, 1978, as the result of advertisement for the furnishing to the Town of Cheektowaga of Baseball Diamond Supplies for the year of 1978, 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 April 14, 1978, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of Baseball Diamond Supplies to the Town thru 1978, as per said unit prices and as recommended by the Town Engineer be and the same hereby is awarded to Frank P. Kick Athletic Goods, Inc., 2421 Harlem Road, Cheektowaga, New York 14225 for nylon/canvas hard ball bases at $30.88 per set of 3, nylon hardball bases at $21.48 per set of 3 and softball bases at $18.88 per set of 3, said bid being the lowest bid for Items I, II and III, and awarded to Laux Sporting Goods, Inc., 441 Broadway, Buffalo, New York 14204 for Home Plates at $11.95 per Plate and Pitchers Plate at $7.35 per Plate, said bid being the lowest bid for Items IV and V.

* See next page for letter.

Town of Cheektowaga

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

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

April 14, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Baseball Diamond Supplies
Award of Bid

Gentlemen:

At the regular Town Board meeting of April 3, 1978, bids were received and publicly opened for the purchase of Baseball Diamond Supplies for the year of 1978 for the Town of Cheektowaga. Three (3) bids were received as follows:

Bidder	Item I Canvas Hardball Bases (Set of 3)	Item II Nylon Hardball Bases (Set of 3)	Item III Softball Bases (Set of 3)	Item IV Home Plate	Item V Pitchers Plate
Frank P. Kick	$30.88	$21.48	$18.88	$12.49	$7.49
Laux Sporting Goods, Inc.	$34.95	$23.95	$22.45	$11.95	$7.35
Jim Ludtka Sporting Goods	$37.95	$27.95	$22.95	$15.95	$9.95

Anticipated quantities for purchase were not specified in the Bid Proposal. It is recommended that Items I, II and III be awarded to Frank P. Kick Athletic Goods, Inc. for the submission of the lowest bid for these items. It is also recommended that Items IV and V be awarded to Laux Sporting Goods, Inc. for the submission of the lowest bid for these items.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 29 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 20, 1978 for seven (7) portable radio transceivers and accessories for use by the Cheektowaga Police Department, as a result of advertisement therefor, and such bids were referred to the Acting Chief of Police for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidder meeting specifications as set forth in the analysis and tabulation of bids attached hereto and made a part hereof.

* See next two (2) pages for letters

Rec'd 4/7/78

March 31, 1978

Kenneth J. Meyers, Supervisor
Town Hall
Broadway & Union Road
Cheektowaga, New York 14227

Re: Purchase of Portable Radio Transceivers and Accessories

Dear Sir:

The responses to the advertisement for bids that were received March 20, 1978 for seven (7) Portable Radio Transceivers and Accessories are as follows:

General Electric Company 2685 Walden Avenue P.O. Box 1087, Buffalo, N.Y.	$6,485.00
Motorola Communications and Electronics Inc. Motorola Center, Algonquin Road Schaumburg, Illinois 60196	$4,858.00

The apparent low bidder, Motorola Communications and Electronics, Inc., does not meet the specifications and, therefore, should be rejected. The second lowest bidder, General Electric Company meets all specifications and it is recommended that the seven (7) Portable Radio Transceivers and Accessories be purchased from the General Electric Company.

Attached is a letter from Howard Seyse, Town of Cheektowaga Radio Repairman, who assisted in reviewing the bids.

Yours truly,

John B. Gruber
Acting Chief of Police

JBG:mm
enc.

103 Lou Dr.Depew,N.Y. 14043
xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
xxxxxxx 668 5226

Mar.30 1978

Chief John Gruber
Cheektowaga Police Department
Cheektowaga,N.Y. 14225

Sir:

I have carefully gone over the bids for the portable units.

The bid from the General Electric Co. appears to agree fully with our specifications. Their total bid price is 6485.00.

The Motorola bid is lower, 4858.00. However they do not meet our specifications for the following reasons.

Our specifications called for units having four tones,one active. They offer a unit with only one tone.

Our specifications called for carrying cases and straps,(para.4.1) Motorola did not mention this at all.

It would also appear that the Motorola Vehicular charger would require the purchase of a speaker-mike, and that the signal would be heard either through the small portable unit speaker or the small speaker in the speaker mike. The G.E. vehicular charger comes complete with speaker,microphone and an antenna for the vehicle. This would make for a much better mobile installation.

Furthermore Motorola did not state that their portable would be furnished complete with NiCad battery.

For the reasons given above I would suggest that the G.E. bid be accepted.

Respectfully,

Howard A. Seyse

Item No. 30 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof for the purchase of baseball equipment for use in the Recreation Department, as a result of advertisement therefor, and such bids were referred to the Director of Recreation for analysis, tabulation and report, and

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

RESOLVED that the bid for Item #7 (Dudley SB12LND softball) be and hereby is awarded to Kicks Sporting Goods of Harlem Road, Cheektowaga, New York at a bid price of $30.88 per dozen; said bidder being the lowest responsible bidder meeting specifications.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of a "Senior Engineering Assistant" position in the Engineering Department, and

WHEREAS, the Erie County Department of Personnel has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Senior Engineering Assistant" in the Engineering Department be and hereby is created.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Kaczmarek, Burst and Wegner
NAYES: Councilman Dux
ABSENT: 0

Item No. 33 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the position of "Senior Engineering Assistant" in the Engineering Department has previously been created, and

WHEREAS, the Erie County Civil Service List of eligibles for said position has been canvassed and interviews were conducted, NOW, THEREFORE, BE IT

RESOLVED that William R. Pugh. of , Cheektowaga, New York, whose name appears on said Erie County Civil Service List, be and hereby is appointed to the position of "Senior Engineering Assistant", at an annual starting salary of $14,373.65; said appointment effective May 15, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Kaczmarek, Burst and Wegner
NAYES: Councilman Dux
ABSENT: 0

Item No. 34 Motion by Councilman Kaczmarek, seconded by Councilman Dux

WHEREAS, two vacancies exist in the Cheektowaga Sanitation Department in the position of "Laborers", and

WHEREAS, said vacancies have been posted in accordance with the bargaining agreement between the Town of Cheektowaga and Local 1026, AFL-CIO, NOW, THEREFORE, BE IT

RESOLVED that Brian T. McGloin, of and Marvin Kazmierczak, be appointed to said positions of "Laborers" in the Sanitation Department, at a salary in accordance with the Union contract, said appointments to become effective April 17, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, JOhnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Councilman Swiatek, seconded by Councilman Burst

BE IT RESOLVED that the following be hired as Part Time Seasonal Employees in the Town of Cheektowaga Parks Department, effective April 17, 1978.

Part Time Seasonal Laborers - $2.50 per hour

Donald Halicki, Jr.
Samuel F. Ruggiero
John T. Klosko
John Zadrozny
John Rosenberry
John A. Kirisitis
Robert Ruggiero
Bernard R. Was
Kenneth Rusin

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Kaczmarek, Burst and Wegner
NAYES: Councilman Dux
ABSENT: 0

Item No. 36 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a vacancy exists for the position of Community Development Coordinator, NOW, THEREFORE, BE IT

RESOLVED that Jerome J. Gabryszak, residing at 135 Woodell Avenue, Cheektowaga, New York, be and hereby is appointed to the position of Community Development Coordinator at an annual starting salary of $14,500 effective April 18, 1978.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: Supervisor Meyers, Councilman Swiatek
ABSENT: 0

Item No. 37 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, and

Item No. 37 cont'd

WHEREAS, the Town of Cheektowaga has entered into a consortium agreement with the County of Erie and the Town of Tonawanda, and

WHEREAS, the Federal Government and Department of Labor has granted thru the Consortium Special Projects, Title VI funds, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired under the position listed below, for a period of the contract duration at a salary rate as specified, starting date established by the department head:

Laborer in the Engineering Dept., Project #301 at a rate of $4.8583/hour

Hoffman, Tim , Cheek., N.Y. 14206
(Replacement for Francis O'Connor)

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

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

RESOLVED that the following be and hereby is hired under the position listed below, at the salary rate as specified, starting date established by the department head:

Clerk-Typist in the Lancaster School System at a yearly rate of $8562.24

Eileen Scammerfield , Sloan, N.Y. 14212

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 39 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the U.S. Army Corps of Engineers' Scajaquada Creek Flood Control Project requires that any and all reconstruction of culverts and bridges be made as a local cost, and

WHEREAS, a map, plan and report is needed to satisfy the bonding requirements for the construction by the Town of Cheektowaga for Scajaquada Creek culverts and bridges, NOW, THEREFORE, BE IT

RESOLVED that the proposal for the preparation of said map, plan and report as submitted by McFarland-Johnson Engineers, Inc. to the Town Engineer and dated April 12, 1978 be and hereby is accepted for cost not to exceed $1,700.00, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign said agreement with McFarland-Johnson Engineers, Inc.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

RESOLVED that the following individual be appointed to the Cheektowaga Senior Citizen Advisory Council for a period of one-year; said one-year term retroactive to March 20, 1978:

Fred Smith
Edgebrook Estates
56 Williamstowne Court
Cheektowaga, New York 14227

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

RESOLVED that Stanley Czajka, residing at , Cheektowaga, New York, be hired as a Part-time laborer in the Parks Department, at an hourly rate of $3.50, effective immediately.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Dux, seconded by Councilman Kaczmarek

BE IT RESOLVED that Robert H. Sosnowski, laborer in the Utility Department be granted a military leave of absence for one (1) week from May 1 through May 5, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 43 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Harry L. Bollman, a Police Officer in the Cheektowaga Police Department, has applied for Military Leave of Absence for a period of fifteen (15) days from August 19, 1978 to September 2, 1978, and his Orders to report for military duty are being forwarded to the Town Clerk, and

WHEREAS, Section 242 of the Military Law of the State of New York allows a military leave for the purpose of reporting for military duty pursuant to an Order up to a period of six months, and

WHEREAS, said Section 242 of the Military Law also provides for the payment of the salary of such public employee for a period of thirty (30) days while on said military duty, NOW, THEREFORE, BE IT

RESOLVED that Harry L. Bollman, a Police Officer in the Cheektowaga Police Department, be and hereby is granted a military leave of fifteen (15) days and BE IT FURTHER

RESOLVED that said Harry L. Bollman be paid his salary or other compensation for a period of fifteen (15) days while on such military leave.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 44 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, John P. Huntz, a Police Officer in the Cheektowaga Police Department, has applied for Military Leave of Absence for a period of three days from April 21st to 23rd, 1978, and his Orders to report for military duty are being forwarded to the Town Clerk, and

WHEREAS, Section 242 of the Military Law of the State of New York allows a military leave for the purpose of reporting for military duty pursuant to an Order up to a period of six months, and

WHEREAS, said Section 242 of the Military Law also provides for the payment of the salary of such public employee for a period of thirty (30) days while on said military duty, NOW, THEREFORE, BE IT

RESOLVED that John P. Huntz, a Police Officer in the Cheektowaga Police Department, be and hereby is granted a military leave of three (3) days, and BE IT FURTHER

RESOLVED that said John P. Huntz be paid his salary or other compensation for a period of three (3) days while on such military leave.

Upon ROll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 45 Motion by Councilman Dux, seconded by Councilman Kaczmarek

WHEREAS, the Erie County Board of Elections is conducting a training program on April 19th, 20th and 21st, at their new Board of Election Service Center at 692 Bailey Avenue, Buffalo, New York, and

WHEREAS, it would be beneficial for personnel from the Utility Department and the Town Clerk's Office to attend said training program to acquire knowledge of the voting machines in order to decipher problems on primary and election days, NOW, THEREFORE, BE IT

RESOLVED that the following people from the Utility Department be authorized to attend said program: Adolph Rakowski, Richard Gerlach, Robert Sosnowski, and Michael Ruda; and BE IT FURTHER

RESOLVED that the following people from the Town Clerk's Office be authorized to attend said program: Sharon Szymanski, Angie Janicki, Sophie Sunday and Mary Holtz; and BE IT FURTHER

RESOLVED that there will be no expense incurred by the Town.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 46 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the State of New York has formed a commission known as the Commission of Energy Systems, and

WHEREAS, this Commission is sponsoring a one-day conference on April 20, 1978, at the Holiday Inn, in downtown Rochester, New York, for the purpose of explaining which solar heating systems are exempt from real estate taxes, and other information regarding solar heating, and

WHEREAS, Andrew Schwenk, Sole Assessor has requested to attend this conference in order that his Department may be informed on this subject, NOW, THEREFORE, BE IT

Item No. 46 cont'd

RESOLVED that Andrew Schwenk be and hereby is authorized to attend said one-day conference on April 20, 1978, and BE IT FURTHER

RESOLVED that the Town reimburse Mr. Schwenk for the necessary conference fee and travel expenses connected with said conference at a sum not to exceed $50.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 47 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Cheektowaga has authorized the County of Erie a CETA slot as a Career Trainee position in the OJT (On the Job Training) section of the Comprehensive Employment and Training Office, Title II, and

WHEREAS, the title of Career Trainee should have been Jr. Career Trainee, and NOW, THEREFORE, BE IT

RESOLVED that the title be changed from Career Trainee to Jr. Career Trainee, and BE IT FURTHER

RESOLVED that the salary for Jr. Career Trainee is to be deducted from the Cheektowaga portion of the Erie County Consortium allocation.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 48 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, Title II, and

WHEREAS, for the purpose of hiring a Junior Career Trainee the Town of Cheektowaga has authorized the County of Erie a Cheektowaga CETA slot, and NOW, THEREFORE, BE IT

RESOLVED that the County of Erie is authorized a Junior Career Trainee position in the Manpower Office Staff section of the Comprehensive Employment and Training Office with an annual salary comparable to the County Pay scale, plus fringe benefits, and BE IT FURTHER

RESOLVED that the salary for Junior Career Trainee is to be deducted from the Cheektowaga portion of the Erie County Consortium allocation.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 49 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is in the construction phase on numerous capital projects, EDA, EPA, and DEC, which are Federal or State aidable, and

WHEREAS, these various grant programs require the filing of quarterly reports and aid request forms, and

Item No. 49 cont'd

WHEREAS, the preparation of these forms requires considerable accounting and clerical effort, NOW, THEREFORE, BE IT

RESOLVED that Percival G. Bixby & Co., CPA's be authorized to prepare and file these quarterly reports and aid claims as required for the period April 1978 to March 1979 at a fee not to exceed $7,500.00 chargeable to the respective capital projects.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item no. 50 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, payments to certain utility companies must be made within fifteen (15) days to obtain the discount, and

WHEREAS, Town processing of such claims may sometimes exceed this period, NOW, THEREFORE, BE IT

RESOLVED that the bookkeeping and accounting office be authorized to pay such claims prior to Board audit and that such claims be then listed on the next Board warrant list.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town of Cheektowaga has proceeded in a capital project to complete the renovation of Town Hall, and

WHEREAS, funding has been provided through a Federal EDA Grant of $344,000, through 1977 Federal Revenue Sharing of $82,692 and through 1978 Federal Revenue Sharing of $71,000, and

WHEREAS, to adequately and effectively complete the project the full cost is estimated to be $697,629, NOW, THEREFORE, BE IT

RESOLVED that the required funding balance of $200,000 be transferred from General Fund Appropriated Fund Balance to Account A-9550.400 Transfer to Capital Fund - Town Hall Renovation.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 51b Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, The Town Board has reviewed a number of requested Parks and Recreation improvements, and

WHEREAS, a minimal number of such requests are deemed essential for 1978 completion, NOW, THEREFORE, BE IT

RESOLVED that the following funds be transferred from General Fund Appropriated Fund Balance to Accounts:

Item No. 51b cont'd

A-7110.561	Rehm Park Water Line	$ 10,000
A-7110.562	Town Park Drainage Ditch	30,000
A-7110.563	Losson Park Paving	35,000
A-7110.564	Losson Park Lighting - Sledding	12,000
A-7110.565	Various Other Park Improvements	33,000
	TOTAL	$120,000

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 52 Motion by Councilman Johnson, seconded by Supervisor Meyers

BE IT RESOLVED that $3,600.00 in Community Development Funds for fiscal year 1977 be and hereby are transferred from the Contingency Account (CD 8690) to the Administration Account (CD 8686), and BE IT FURTHER

RESOLVED that the funds transfers per the attached hseet are hereby approved and made a part hereof.

* See next page for transfers

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

Youth Bureau
Department

April 14, 1978
Date

General Fund

From			To		
Account No.	Title	$	Account No.	Title	
7310.458	C.A.T.C.H. Program Supplies	$500.00	7310.200	Equipment	*1
7310.458	C.A.T.C.H. Program Supplies	$500.00	7310.490	In-Service Training	*2
7310.161	Recreation Attendant-C.A.T.C.H.	$200.00	7310.420	Telephone	*3

Signature

Explanation 1 Bookkeeping responsibilities as mandated by the Division for Youth has necessitated the need for a print-out calculator. Additional money is needed to cover 1978 cost for a file cabinet. 2 To cover increased expense for the participation of full-time staff to participate in conferences as a part of on-going training. 3 To cover an increase in telephone expense due to long distance phone calls in regard to the Child Abuse and Neglect Conference and YCC Project.

Item No. 52 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Mohnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 53 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 17th, 1978 be and the same are hereby approved and the Supervisor is order to pay same.

FUND	CHECK NO. FROM	TO	AMOUNT
General Fund	5448 -	5586	$ 521,324.21
Special Dist. Fund	4148 -	4209	294,129.69
Highway Fund	3400 -	3440	58,321.80
Part Town Fund	861 -	875	3,641.09
Trust and Agency Fund	536 -	538	110,756.30
Capital Fund	23 -	29	656,765.43
Capital Fund - Investments	none		4,415,000.00
St. Felix EDA Fund	117		50,226.76
Town Hall EDA Fund	5 -	8	59,035.95
Special Assessment Fund	1		3,122.60
Debt Service Fund	116 -	119	1,187,739.00
H.U.D. - C.D.B.G. Fund	59 -	60	330,774.03
			$7,690,836.86

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 54 Building Permits
Received and Filed.

Item No. 55 Health Reports
Received and Filed.

Item No. 56 Cheektowaga Public LIbrary Board - Minutes from Meeting.

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 57 N.Y.S. Dept. of Trans. - Notice of Order regarding stop sign control on Rt. U.S. 20 and Rt. 78 at exit drives of K-Mart
Received and Filed.

Item No. 58 N.Y.S. Dept. of Trans. - Notice of Order and Signal Operation Specs
Received and Filed.

Item No. 59 E.C. Dept. of Public Works - letter regarding intersection of Thruway Ramp at Cleveland Drive
Received and Filed.

Item No. 60 E.C. Government News Release regarding health services survey
Received and Filed.

Item No. 61 John Shearer, Amherst Town Clerk - Notice of public hearing with regard to Amherst Zoning Ordinance
Received and Filed.

Item No. 62 Cheektowaga Fire Alarm Committee - letter opposing removal of Land Line system
Received and Filed.

Item No. 63 SUMMONS & COMPLAINT - Russell S. Albano vs Town of Cheektowaga and Cheektowaga Highway Department
Received and Filed.

Item No. 64 3230 Union Road, Inc. - letter regarding leasing of office and storage space
Received and Filed.

Item No. 65 Walden Taxpayer's Association - letter regarding appointment of Special Prosecutor and Community Development Coordinator
Received and Filed.

Item No. 66 Letters from H. Sitarek regarding business at 796 Cayuga Creek Road
Received and Filed.

V. FROM THE TABLE

Item No. 67 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the position of "Community Development Coordinator" has previously been created by Town Board resolution, NOW, THEREFORE, BE IT

RESOLVED that Dale John Morris, of , West Seneca, N.Y., be and hereby is appointed "Community Development Coordinator" for the Town of Cheektowaga, at an annual starting salary of $14,500.00; said appointment effective April 18, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilman Swiatek
NAYES: Councilmen Johnson, Dux, Kaczmarek, Burst and Wegner
ABSENT: 0

Item No. 68 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the position of Third Deputy Town Attorney, part-time, to serve as Special Prosecutor for the Town of Cheektowaga, has previously been created, NOW, THEREFORE, BE IT

RESOLVED that Joseph J. Schoellkopf, Jr. Attorney at Law, residing at , Cheektowaga, New York, be and hereby is appointed as Third Deputy Town Attorney, part-time, to serve as Special Prosecutor, at an annual salary of $12,500.00; said appointment effective April 24, 1978.

Item No. 68 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Kaczmarek, Burst and Wegner
NAYES: Councilmen Johnson and Dux
ABSENT: 0

Item No. 69 Motion by Councilman Kaczmarek, seconded by Councilman Dux to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

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BIDS

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NO.	ITEM	PAGE
	Meeting No. 10 - May 1, 1978	
2	Engineering Dept. - One (1) pick-up truck for use by Parks Department.	1
3	Highway Dept. - Repair and replacement of concrete curbs and approaches.	1
	Meeting No. 12 - May 15, 1978	
2	Engineering - Furnishing of grit chamber collector chains for Sewage Treatment Plant #5.	1
3	Highway - Repair and replacement of concrete curbs & approaches.	1

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PUBLIC HEARINGS

****

NO.	ITEM	PAGE
	Meeting No. 12 - May 15, 1978	
4	Tax exemption under Section 467 of Real Property Tax Law.	1
5	Amendment to Traffic Ordinance - Article X "Parking, Standing, Stopping" - No parking this side (William Street).	1-2
6	Street Lighting - LeHavre Drive.	2
7	Street Lighting - Martinique Drive	2
8	Street Lighting - Barbados Drive.	2-3
9	Street Lighting - N. Seine Drive.	3

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RESOLUTIONS
****

NO.	ITEM	PAGE
	Meeting No. 10 - May 1, 1978	
4	Lease Management Agreements between Town of Chktg. & Erie Cty. Water Authority re: Chktg. Water Dists. No. 9 and No. 10.	1-2
5	Issuance of parking permits for the handicapped by local municipalities.	2
6	Order establishing San. Sewer Dist. No. 8 (refer to item #46).	2
7	Order calling for public hearing on Ellicott Rd. Water District.	3
8	Call for public hearing relative to tax exemptions under Section 467 of Real Property Tax Law.	4
9	Call for public hearing to amend the T.O. - Article X: "Parking, Standing, Stopping" (William Street).	5
10	Authorization for Supervisor to execute Easement Agreement relative to installation of traffic signal on Genesee St.	6-7
11	Bond resolution relating to Scajaquada Creek Project.	7
12	Resolution regarding gift to the Town of Chktg. by Knights of St. John Christian Group, Inc.	7
13	Agreement between Town of Chktg. and State of New York re: Funding of Outdoor Cultural Center at Town Park.	7
14	Authorization for Supervisor to submit application for funds re: Signing Program.	8-9
15	Authorization for Percival G. Bixby & Co. to study drainage district financing problem.	9
16	Resolution regarding unsafe building located at 270 Dean Road.	9
17	Engineering Dept. - Advertise for bids for furnishing of grit chamber collector chains for Sewage Treatment Plant #5.	9-10
18	Engineering Dept. - Permission for Erie Cty. Water Authority to install five (5) hydrants on north side of French Rd. (between Transit & Borden).	11
19	Engineering Dept. - Approval of change order relative to Town Hall Alterations & Additions Project (general construction work).	11-12
20	Engineering Dept. - Approval of change order relative to Town Hall Alterations & Additions Project (electrical work).	12
21	Engineering Dept. - Authorization for architectual firm to perform additional services relating to Town Hall Renovation Project.	12
22	Engineering Dept. - Approval of change order relative to Autumnwood Drainage Project (extension of contract time).	12-13
23	Highway Dept. - Award of bids for sweeper brooms and push brooms.	13-14
24	Highway Dept. - Authorization for sale of surplus equipment (one 1963 International Truck) to the Town of Newstead, N.Y.	14
25	Parks Dept. - Approval of change order relative to Town Park Cultural and Recreational Facility (plumbing work).	14-15
26	Bldg. & Grounds Dept. - Award of bid for re-roofing the Chktg. Police and Court Bldg.	15-16
27	Youth Board - Agreement between Town of Chktg. and State of N.Y. re: Youth Conservation Corp Project.	16-17
28	Appointments to the Cheektowaga Youth Board.	17
29	Youth Board - Hiring of part-time seasonal employees.	17
30	Transfer of employees from Recreation Dept. to Parks Dept.	17

RESOLUTIONS CONT'D.

NO.	ITEM	PAGE
	Meeting No. 10 - May 1, 1978 Cont'd.	
31	Hiring of Senior Citizens Van Driver.	17-18
32	Hiring of land surveyor.	18
33	Manpower Office - Hiring under C.E.T.A., Title II.	18
34	Manpower Office - Hiring under C.E.T.A., Title VI.	19
35	Sanitation Dept. - Annual Paint-up, Clean-up and Fix-up Drive.	19
36	Call for public hearing for street lighting - LeHavre Drive.	19-20
37	Call for public hearing for street lighting - Martinique Dr.	21
38	Call for public hearing for street lighting - Barbados Dr.	22
39	Call for public hearing for street lighting - N. Seine Drive.	23
40	Rescind resolution of 12/19/77 re: Installation of new street lighting on Towers Blvd.	24
41	Permission for N.Y.S. Electric & Gas Corp. to proceed with installation of street lighting on Towers Blvd.	24-25
42	Permission for N.Y.S. Electric & Gas Corp. to remove and relocate street light standard on Central Blvd.	25-26
43	Transfer of Funds.	26
44	Warrant List.	26-27
	Meeting No. 12 - May 15, 1978	
10	Bond Resolution - Scajaquada Creek bridges and culverts.	3
11	Decision on Rezoning - 3405 Harlem Road.	4
12	Decision on Street Lighting - Martinique Drive.	4
13	Decision on Street Lighting - Barbados Drive.	4-5
14	Decision on Street Lighting - N. Seine Drive.	5-6
15	Decision on Street Lighting - LeHavre Drive.	6
16	Tax exemptions under Section 467 of the Real Property Tax Law.	6-7
17	Call for public hearing for rezoning on Union Road.	7a
18	Call for public hearing regarding Town Towing Ordinance.	8-9
19	Call for public hearing to amend Traffic Ordinance - Winter Parking Ban.	10
20	Easements on Cromwell Drive.	10
21	Permission to dispose of obsolete records.	10-13
22	Memorialize N.Y.S. Dept. of Transportation to include improvement of Beryl Dr. & Genesee St. intersection as part of Genesee Street Reconstruction Program.	13-14
23	Authorization for Supervisor to sign agreement with N.Y.S. Dept. of Transportation regarding reconstruction of Broadway.	14
24	Authorization for Town Attorney's Office to negotiate lease agreement with St. Aloysius Roman Catholic Church.	14-15
25	Authorization for Town Attorney's Office to research title of a paper street.	15
26a	Permission for Kennel Club of Buffalo to use Losson Community Park.	15
26b	Granting of Waiver to Kennel Club of Buffalo to conduct Dog Show.	15-16
27	Auction of Town Surplus equipment.	16-17
28	Change Order for St. Felix Drainage Project.	17
29	Change Order for N.E. Interceptor Project of Sewer District #5 Water Pollution Control Project.	17

RESOLUTIONS CONT'D.

NO.	ITEM	PAGE
	Meeting No. 12 - May 15, 1978 Cont'd.	
30	Fencing for the Laurentian Ditch.	17
31	Engineering - Notice to Bidders for four (4) mobile radios and three (3) portable radios.	18
32	Engineering - Notice to Bidders for installation & construction of sidewalks including incidental piping.	19
33	Engineering - Notice to Bidders for corrugated metal pipe.	19
34	Engineering - Notice to Bidders for caulking external joints of Cheektowaga Recreation Center.	20
35	Engineering - Notice to Bidders for gas infra Red Heating units for the Sanitation Dept.	21
36	Engineering - Notice to Bidders to furnish insulation for Sanitation Garage.	22
37	Police - Notice to Bidders for four (4) moblie radio transmitter-receiver combination.	23
38	Clean-up at N.W. corner of Harlem Road and Clinton Street.	24
39	Create position of part-time Recreation Attendant.	24
40	Appointment to position of part-time Recreation Attendant.	24
41	Sanitation - Hiring of seasonal help.	24-25
42	Parks - Hiring of part-time seasonal employees.	25
43	Recreation - Hiring of summer personnel.	26-27
44	Central Garage - Hiring of seasonal help in Central Garage.	27
45	Manpower - Title VI - Transfer of employee.	27
46	Promotion in Sewer Maintenance Department.	27
47	Hiring of Senior Citizen Nutrition Site Manager.	28
48	Appointment of Insurance Risk Management Consultant.	28
49	Assessor's Office - Extension of sick leave for employee.	28
50	Hiring of firm to conduct study of Town Sanitation needs.	28-30
51	Retain Real Property Appraiser for Town easement.	30
52	Retain firm of Nussbaumer & Clarke to provide services during construction for Autumnwood Drainage Project.	30
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MEETING NO. 10

CHEEKTOWAGA, NEW YORK
MAY 1st, 1978

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 1st day of May, 1978 at 7:00 o'clock P.M., Eastern Daylight Savings Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John V. Rogowski, Town Attorney; Chester L. Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; Ron Zoeller, Sanitation Foreman; Ron Marten, Building & Plumbing Inspector; Ken Kopacz, Executive Director of the Youth Board; Sal LaGreca, Assistant Manpower Program Director I; Ray Matot, Superintendent of Buildings & Grounds; Ed Leak, Recreation Director; Dr. Louis Vendetti, Town Health Officer; Julia Reinstein, Town Historian.

I. BIDS

Item No. 2 Engineering Dept. - One (1) pick-up truck for use by the Parks Dept.
Bids referred to Equipment Management and Procurement Committee, Councilman James Burst - Chairman.

Item No. 3 Highway Dept. - Repair and replacement of concrete curbs and approaches in various parts of Town.
No bids received.

II. RESOLUTIONS

Item No. 4 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga has received proposed Lease Management Agreements covering Cheektowaga Water Districts No. 9 and 10 from the Erie County Water Authority, and

WHEREAS, said agreements contain provisions and language which are uniformly used by the Erie County Water Authority with other municipalities in surrounding areas, and

WHEREAS, it appears to be for the benefit of the Town of Cheektowaga that such agreements be entered into between the Town and the Erie County Water Authority, NOW, THEREFORE, BE IT

RESOLVED that the Town Board, as Commissioners of Water Districts No. 9 and 10, be and hereby are authorized to sign said agreements on behalf of the Town of Cheektowaga, copies of which are annexed hereto and made a part hereof.

*See next thirteen (13) pages.

Item No. 4 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilman Kaczmarek, seconded by Councilman Swiatek

WHEREAS, the New York State Legislature has added a new section to the Vehicle and Traffic Law, known as Section 1203-a, which is set forth as follows:

> Section 1203-a. Parking permits for handicapped persons
> The Commissioner shall distribute special parking permits to the governing bodies of all cities, towns and villages in the state. Such permits shall entitle handicapped persons to park in any area in any city, town or village of the state which has been designated by such city, town or village as a place for parking for handicapped persons. The design of such permits shall be as determined by the commissioner. The governing bodies of cities, towns and villages in the state shall appoint an issuing agent to issue such permits, and the permits shall be issued upon application by any handicapped person who is a resident of such city, town or village,

and,

WHEREAS, said law became effective August 11, 1977, therefore, BE IT

RESOLVED that the Town Board hereby appoints the Town Clerk as the issuing agent on behalf of the Town to issue such permits.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 6 Bond Resolution, Order establishing Sanitary Sewer District No. 8.

*See next several pages for Bond Resolution, Order, Certifications and Affidavits of Publication.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York.

May 1, 1978

* * *

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, Broadway and Union Road, in said Town, on May 1, 1978, at 7:00 o'clock P.M.(D.S.T.).

There were present: Honorable Kenneth J. Meyers, Supervisor, and

Frank E. Swiatek, Councilman
Thomas M. Johnson, Jr., Councilman
Frank J. Dux, Councilman
George Kaczmarek, Councilman
James R. Burst, Councilman
Donald J. Wegner, Councilman

There were absent:

Also present: Richard A. Moleski, Town Clerk

John V. Rogowski, Town Attorney

* * *

Supervisor Meyers offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MAY 1, 1978, APPROPRIATING $3,614,581 FOR THE CONSTRUCTION OF A SEWER SYSTEM IN SANITARY SEWER DISTRICT NO. 8, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF $3,614,581 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, following preparation of a map, plan and report relating to Sanitary Sewer District No. 8 (herein called "District"), proposed to be established in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, and the construction of a sewer system therein, including sewer mains, manholes, pumping facilities, buildings, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, and after a public hearing duly called and held, the Town Board of the Town determined, pursuant to a resolution duly adopted on June 20, 1977, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient; that all property and property owners within the District proposed to be established, are benefited thereby; that all the property and property owners benefited are included within the limits of the District, and approved the establishment of the District and the construction of the sewer system therein; and

WHEREAS, said resolution was published and posted as required by law and no petition protesting against said resolution has been filed with the Town Clerk within thirty (30) days after the date of adoption thereof, or at any other time since said adoption; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller granted permission to establish the

District by Order dated April 20, 1978, which Order was duly filed with and presented to said Town Board, at its first meeting held after said Order was so filed; and

WHEREAS, said Town Board duly adopted an Order on May 1, 1978, establishing the District, therein designated Sanitary Sewer District No. 8, in the Town of Cheektowaga, and ordered construction of said sewer system therein, at a cost not to exceed $3,614,581; 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 two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of $3,614,581 for the construction of a sewer system, including sewer mains, manholes, pumping facilities, buildings, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, in the District, in the Town, all as hereinabove referred to in the Recital hereof, and in accordance with the map, plan and report prepared by Nussbaumer & Clarke, Inc., consulting engineers duly licensed by the State of New York, on file in the office of the Town Clerk and heretofore approved by the Town Board of the Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $3,614,581. The plan of financing includes the issuance of serial bonds of the Town in the principal amount of $3,614,581 and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said sewer system 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 and the establishment and collection of sewer rents, pursuant to the Town Law, to

pay the principal of and interest on said bonds and the costs of operation, maintenance and repair. In addition, any grants of Federal and State funds for said specific object or purpose will be expended towards the cost of construction of said sewer system or to redemption of the bonds or any bond anticipation notes issued in anticipation of the sale of said bonds, or budgeted as an offset to the taxes, assessments and/or sewer rents for the payment of principal of and interest on said bonds. No indebtedness shall be contracted by the Town over and above the costs of preliminary plans and detailed plans, unless and until the Town has received written commitments from the appropriate federal and state authorities for the funding of those portions of the costs of the improvements over and above the estimated local share.

Section 2. To finance said appropriation, serial bonds of the Town are hereby authorized to be issued in the principal amount of $3,614,581, 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 stated:

(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 §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 may exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by §52.00 of the Law and said serial 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 provision 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 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 Burst and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

****

Supervisor 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 directed to publish the foregoing bond resolution, in full, in the "CHEEKTOWAGA TIMES," and the "EXAMINER" newspapers published in Cheektowaga, New York, and having a general circulation therein, ~~which newspaper is hereby designated as the official newspaper of the Town for such publication~~, together with the Town Clerk's statutory notice in substantially the form as 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 Burst and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (3)

CERTIFICATE

I, RICHARD A. MOLESKI, 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 May 1, 19 78, 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 1st day of May, 19 78.

(Seal)

Richard M. Moleski

Town Clerk

7 1/c

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

RICHARD A. MOLESKI, being duly sworn, deposes and says:

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

That on the 8th day of May, 1978, he, on behalf of the Town Board of said Town, caused a certified copy of an Order Establishing District, dated May 1, 1978, a certified copy of which is annexed hereto and made a part hereof for the establishment of Sanitary Sewer District No. 8, in the Town of Cheektowaga, in the County of Erie, New York, in a proceeding entitled:

> "In the Matter of the Establishment of Sanitary Sewer District No. 8, in the Town of Cheektowaga, in the County of Erie, New York,"

to be filed in the office of the State Department of Audit and Control in Albany, New York, which Order Establishing District has been adopted by said Town Board at a meeting held May 1, 1978;

That said filing was done either personally or by mail in accordance with the provisions of Article 12-A of the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 22nd day of May, 1978.

Mary Holtz
Notary Public, State of New York

MARY HOLTZ
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 80

RECEIVED
MAY 25 1978
Richard M. Moleski, Town Clerk

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, in said Town, on the 1st day of May, 1978.

PRESENT:

Hon. Kenneth J. Meyers,	Supervisor
Frank E. Swiatek,	Councilman
Thomas M. Johnson, Jr.,	Councilman
Frank J. Dux,	Councilman
George Kaczmarek,	Councilman
James R. Burst,	Councilman
Donald J. Wegner,	Councilman

In the Matter of the Establishment of Sanitary Sewer District No. 8, in the Town of Cheektowaga, in the County of Erie, New York.	ORDER ESTABLISHING DISTRICT MAY 1, 1978

WHEREAS, a general map, plan and report for the establishment of proposed Sanitary Sewer District No. 8, in the Town of Cheektowaga (herein called "District" and "Town", respectively), in the County of Erie, New York, and the construction of a sewer system therein, including sewer mains, manholes, pumping facilities, buildings, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, have been duly prepared by Nussbaumer & Clarke, Inc., consulting engineers duly licensed by the State of New York and submitted to the Town Board of the Town and duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, an order was duly adopted by the Town Board on June 6, 1977, reciting the filing of said map, plan and report, the description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed to be constructed, the maximum amount proposed to be expended for said improvements, the proposed method of financing, and specifying June 20, 1977, at 7:00 o'clock P.M.(D.S.T.)

as the time when, and the Town Hall, in the Town, as the place where, said Town Board would meet to consider same and to hear all persons interested in the subject thereof; and

WHEREAS, following publication and posting of certified copies of said Order pursuant to Section 209-d of the Town Law and after a public hearing duly held by said Town Board at the time and place herein referred to, said Board, by resolution adopted June 20, 1977, determined that (a) the notice of hearing was published and posted as required by law and is otherwise sufficient; (b) all of the property and property owners within the District proposed to be established are benefited thereby; (c) all of the property and property owners benefited thereby are included within the limits of the District and (d) it is in the public interest to establish Sanitary Sewer District No. 8 and approved the establishment of the District, and the construction of a sewer system therein, at a cost not to exceed $3,614,581; and

WHEREAS, copies of said resolution were published and posted as required by law and no petition requesting that the matter be submitted to a referendum was filed with the Town Clerk of the Town within thirty (30) days after said resolution was adopted;

WHEREAS, after submission of an application by said Town Board, the State Comptroller granted permission to establish the District, by Order dated APRIL 20, 1978, which Order was duly filed with the Town Clerk of the Town and presented to said Town Board by said Town Clerk at the next meeting held after said Order was filed with said Town Clerk;

now, therefore, be it

ORDERED, that a sewer district is hereby established in the Town of Cheektowaga, to be known as Sanitary Sewer District No.8, in the Town of Cheektowaga, and bounded and described as follows:

(Insert Description)

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of erie, State of New York, bounded and described as follows:

Beginning at the northeast corner of the Town of Cheektowaga, being also the northeast corner of Lot 79, Township 11, Range 7 of the Holland Land Company's survey;

Thence southerly along the east line of the Town of Cheektowaga, being also the centerline of Transit Road, being also the east line of Lots 79 and 75, Township 11, Range 7, for a distance of 7,940 feet, more or less, to a point in the north line of the Village of Depew;

Thence along said Village line the following courses and distances:

Westerly 450 feet, more or less;

Southerly 185 feet, more or less;

Westerly 1,220 feet, more or less, to the east line of Lot 76, Township 11, Range 7;

Southerly 420 feet, more or less, along said east line of Lot 76 to the south line of said Lot 76, being also the centerline of Rehm, Rhem or Rein Road;

Westerly along said south line of Lot 76, 1,940 feet, more or less, to the southwest corner of said Lot 76;

Southerly 2,160 feet, more or less;

Westerly 1,690 feet, more or less, to the easterly line of the New York Central Railroad right-of-way;

Thence northerly along said easterly right-of-way line of New York Central Terminal Railroad for a distance of 2,380 feet, more or less;

Thence westerly at right angles to the last described line for a distance of 80 feet, more or less, to a point where the easterly right-of-way line of the northwesterly branch of the New York Central Terminal Railroad meets the westerly right-of-way line of the northeasterly branch of the New York Central Terminal Railroad;

Thence northerly and westerly along said easterly line of the northwesterly branch for a distance of 300 feet, more or less;

Thence easterly radial to said westerly line of the northeasterly branch for a distance of 123 feet, more or less, to a point in said westerly line of the northeastly branch;

Thence northerly and easterly along said westerly line of the northeasterly branch for a distance of 1,040.67 feet, more or less;

Thence northwesterly at right angles to the northwesterly right-of-way line of the West Shore Railroad for a distance of 310 feet, more or less, to a point in said northwesterly line of West Shore Railroad opposite railroad chaining station 2200 plus 700;

Thence northeasterly along said northwesterly line of West Shore Railroad to the westerly right-of-way line of Lehigh Valley Railroad;

Thence northwesterly along said westerly line of Lehigh Valley Railroad for a distance of 33 feet to the centerline of Genesee Street;

Thence westerly along said centerline of Genesee Street for a distance of 1,130 feet, more or less, to a point in the southerly extension of the westerly right-of-way line of Sugg Road;

Thence northerly along said westerly line of Sugg Road for a distance of 1,420 feet, more or less, to a point in the southwesterly right-of-way line of Lehigh Valley Railroad;

Thence northwesterly along said southwesterly line of Lehigh Valley Railroad for a distance of 2,140 feet, more or less, to a point in the southwesterly extension of the southeasterly property line of lands of the Greater Buffalo International Airport;

Thence northeasterly along said extension and along said property line and along the northeasterly extension thereof, for a distance of 890 feet, more or less, to a point in the northeasterly right-of-way line of Aero Drive;

Thence southeasterly along said line of Aero Drive for a distance of 90 feet, more or less;

Thence northeasterly along the southeasterly property line of lands of said Greater Buffalo International Airport to the centerline of Ellicott Creek;

Thence northwesterly along said centerline of Ellicott Creek to the easterly line of lands of said Airport;

Thence northeasterly along the southeasterly property line of lands of said Airport for a distance of 2,960 feet, more or less, to the southerly right-of-way line of the Governor Thomas E. Dewey Thruway;

Thence southerly at right angles to said southerly line of Thruway for a distance of 870 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,125 feet, more or less, to the easterly line of lands of Niagara Mohawk Power Corporation;

Thence southerly along said easterly line of lands of Niagara Mohawk Power Corporation for a distance of 600 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,380 feet, more or less, to a point in the westerly line of Lot 79, Township 11, Range 7;

Thence northerly along said westerly line of said Lot 79 for a distance of 1,800 feet, more or less, to the northerly line of said Lot 79, being also the north line of the Town of Cheektowaga;

Thence easterly along said northerly line of the Town of Cheektowaga for a distance of 1,680 feet, more or less, to the northeast corner of the Town of Cheektowaga, the point or place of beginning.

and be it further

ORDERED, that a sewer system shall be constructed in the District, in the Town, at a cost not to exceed $3,614,581, including sewer mains, manholes, pumping facilities, buildings, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, as hereinabove referred to, and the plan of financing includes the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said sewer system 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 and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair; and any amounts received from grants of Federal and State funds are planned to be expended towards the cost of construction of said sewer system or to redemption of the bonds or any bond anticipation notes issued in anticipation of the sale of said bonds, or budgeted as an offset to the taxes, assessments and/or sewer rents for the payment of principal of and interest on said bonds. No indebtedness, however, shall be contracted by the Town over and above the costs of preliminary plans and detailed plans, unless and until the Town has received written commitments from the appropriate federal and state authorities for the funding thereby of the portions of the costs of the improvements over and above the estimated local share;

and, be it further

ORDERED, that within ten (10) days after adoption of this Order, the Town Clerk shall record with the Clerk of Erie County and file with the Department of Audit and Control in Albany, New York,

copies of this Order, certified by said Town Clerk.

DATED: MAY 1, 1978

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

SEAL

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

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

RICHARD A. MOLESKI, 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 Establishing District with the original thereof filed in my office on the 1st day of May, 1978, 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 3rd day of May, 1978.

SEAL

Richard A. Moleski
Town Clerk

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

Gladys M. Zechter, 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 May 4, 1978; last publication May 4, 1978; and that no more than six days intervened between publications.

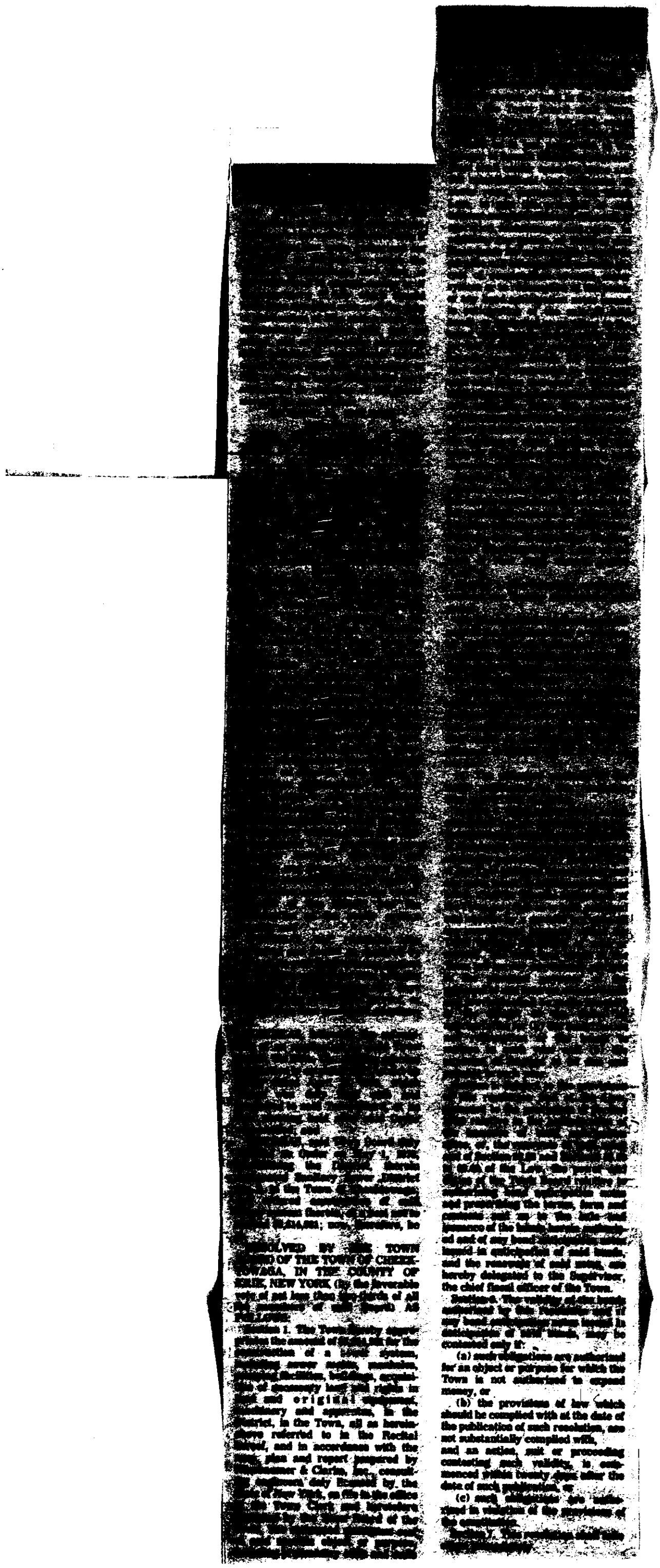
Gladys M. Zechter

Sworn to before me this 5th day of May, 1978

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 79



AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 4 day of May, 1978 and ending on the _____ day of _____, 19__

Signed Jas. L. Charters
Sworn to before me, on the 4 day of May, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19[illegible]

NOTICE

Bond resolution published herewith has been adopted on the 1st day of May, 1978, 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, 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.

RICHARD A. MOLEBKI,
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MAY 1, 1978, APPROPRIATING $3,614,561 FOR THE CONSTRUCTION OF A SEWER SYSTEM IN HIGHWAY SEWER DISTRICT NO. 8, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF $3,614,561 SERIAL BONDS OF SAID TOWN TO PROVIDE SAID APPROPRIATION.

Recital

WHEREAS, following preparation of a map, plan and report relating to Sanitary Sewer District No. 8 (herein called "District"), proposed to be established in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, and the construction of a sewer system therein, including sewer mains, manholes, pumping facilities, buildings, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, and after a public hearing duly noticed and held, the Town Board of the Town determined, pursuant to a resolution duly adopted on June 20, 1977, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient; that all property and property owners within the District proposed to be established, are benefited thereby; that all the property and property owners benefited are included within the limits of the District, and approved the establishment of the District and the construction of the sewer system therein; and

WHEREAS, said resolution was published and posted as required by law and no petition protesting against said resolution has been filed with the Town Clerk within thirty (30) days after the date of adoption thereof, or at any other time since said adoption; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller granted permission to establish the District by Order dated April 20, 1978, which Order was duly filed with and presented to said Town Board, at its first meeting held after said Order was so filed; and

WHEREAS, said Town Board duly adopted an Order on May 1, 1978, establishing the District, therein designated Sanitary Sewer District No. 8, in the Town of Cheektowaga, and ordered construction of said sewer system therein, at a cost not to exceed $3,614,561; 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 two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of $3,614,561 for the construction of a sewer system, including sewer mains, manholes, pumping facilities, buildings, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, in the District, in the Town, all as hereinabove referred to in the Recital hereof, and in accordance with the map, plan and report prepared by Nussbaumer & Clarke, Inc., consulting engineers duly licensed by the State of New York, on file in the office of the Town Clerk and heretofore approved by the Town Board of the Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $3,614,561. The plan of financing includes the issuance of serial bonds of the Town in the principal amount of $3,614,561 and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said sewer system 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 and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair. In addition, any grants of Federal and State funds for said specific object or purpose will be expended towards the cost of construction of said sewer system or to redemption of the bonds or any bond anticipation notes issued in anticipation of the sale of said bonds, or budgeted as an offset to the taxes, assessments and/or sewer rents for the payment of principal of and interest on said bonds. No indebtedness shall be contracted by the Town over and above the costs of preliminary plans and detailed plans, unless and until the Town has received written commitments from the appropriate federal and state authorities for the funding of those portions of the costs of the improvements over and above the estimated local share.

Section 2. To finance said appropriation, serial bonds of the Town are hereby authorized to be issued in the principal amount of $3,614,561, 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 stated:

(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 §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 (f) of the Law.

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

Section 4. Each of the serial bonds authorized by this resolution and any notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by §52.00 of the Law and said serial 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 and 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.

Item No. 7 Order calling for public hearing on Ellicott Road Water District.

*See next several pages for Order, Certification and Affidavits of Publication.

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, in said Town, on the 1st day of May, 1978

PRESENT:

Honorable Kenneth J. Meyers, Supervisor
Frank E. Swiatek, Councilman
[redacted], Councilman
Thomas M. Johnson, Jr., Councilman
Frank J. Dux, Councilman
George Kaczmarek, Councilman
James R. Burst, Councilman
Donald J. Wegner Councilman

In the Matter of the Establishment of Ellicott Road Water District, in the Town of Cheektowaga, in the County of Erie, New York.

ORDER CALLING PUBLIC HEARING TO BE HELD ON June 5, 1978

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has heretofore duly caused the Town Engineering Department to prepare a general map, plan and report, dated September 26, 1977, for the establishment of proposed Ellicott Water District, in the Town (herein called "District"), as hereinafter described and for the construction of a water system therein, consisting of the installation of approximately 850 linear feet of 8 inch cast iron pipe along Indian Road and approximately 3,050 linear feet of 8 inch cast iron pipe along Ellicott Road, in the District, together with hydrants, original furnishings, equipment, machinery and apparatus, which map, plan and report have been duly filed in the office of the Town Clerk for public inspection; and

WHEREAS, the proposed District is more particularly bounded and described as follows:

LEGAL DESCRIPTION
ELLICOTT ROAD WATER DISTRICT
TOWN OF CHEEKTOWAGA, NEW YORK

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lot 2, Township 11, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

Beginning at an iron pipe in the southerly line of Ellicott Road at its intersection with the westerly line of a triangular parcel of land acquired by the County of Erie for highway purposes adjoining the west line of Dick Road, so called, and recorded under Liber 4946 of Deeds, page 298;

Thence southerly along the westerly line of said parcel acquired by the County of Erie for a distance of 282 feet to the west line of Dick Road, so called;

Thence southerly along the west line of Dick Road, so called, for a distance of 18.73 feet to a point in a line as established by boundary line agreement recorded under Liber 8140 of Deeds, page 171;

Thence westerly along said boundary line and through lands conveyed to Stephen B. Korduba under Liber 8593 of Deeds, page 442 and partly through lands conveyed to Stephen B. Korduba and William M. Charlock under Liber 8587 of Deeds, page 485 for a distance of 326.05 feet;

Thence southerly parallel with the east line of lands conveyed to Globe Amerada Glass Co. under Liber 8296 of Deeds, page 456 for a distance of 43.05 feet;

Thence westerly along the southerly line of lands so conveyed to Stephen B. Korduba and Globe Amerada Glass Co. and along the southerly line of lands conveyed to Glauber & Schaefer Co., Inc. under Liber 8378 of Deeds, page 71 for a distance of 358.70 feet to the westerly line of the last mentioned conveyance, being also the easterly line of Lot 44, Map Cover 39, being also the easterly line of lands conveyed to Otto Lee Bowen and wife under Liber 7243 of Deeds, page 483, being also the southerly extension of the easterly line of lands conveyed to New York State Electric & Gas Corporation under Liber 3207 of Deeds, page 397;

Thence southerly along said easterly line of lands conveyed to Otto Lee Bowen for a distance of 137.5 feet to a southeasterly corner thereof;

Thence westerly along the southerly line of said lands of Bowen for a distance of 325 feet to the westerly line thereof, said westerly line of lands of Bowen being also the southerly extension of the westerly line of lands conveyed to J. Cervi & Son, Inc. under Liber 7986 of Deeds, page 113;

Thence continuing westerly along the westerly extension of the last described line and through lands conveyed to Branch Motor Express Company under Liber 7026 of Deeds, page 335, and through lands conveyed to Henry C. Moffatt (deceased) under Liber 943 of Deeds, page 221 (said lands of Moffatt including lands of Indian Road) for a distance of 852.5 feet, more or less, to the westerly line of Indian Road;

Thence southerly along said west line of Indian Road and along the easterly line of lands conveyed to King Pin Enterprises under Liber 8425 of Deeds, page 75, for a distance of 80 feet, more or less, to the southeasterly corner of lands so conveyed;

Thence westerly along the southerly line of lands so conveyed and along the southerly line of lands conveyed to Edward J. Kader, Jr. under Liber 8484 of Deeds, page 171, and along the southerly line of lands conveyed to Joseph H. Morgante under Liber 6905 of Deeds, page 213, and through lands conveyed to 303 Central Avenue Corporation under Liber 6994 of Deeds, page 537, for a calculated distance of 624.5 feet, more or less, to a point in the west line of the last mentioned conveyance;

Thence northerly along the last mentioned west line for a calculated distance of 275.2 feet, more or less, to a point in said southerly line of Ellicott Road;

Thence easterly along said southerly line of Ellicott Road and along the northerly line of all of the hereinbefore mentioned lands for a total distance of 2159.4 feet, more or less, to the point or place of beginning.

NOTE:
① INDICATES LAST OWNER SEARCH NUMBER

28 AC.

CENTRAL RAIL ROAD

YORK

2159.4'±

850'

400'

ICOTT

RD.

INDIAN

BROADWAY

DICK

1-541

2-248

2-241-10

27 AC.

7.50 AC.

4.95 AC.

2.03 AC.

1-540

1-542

1-543

1-544

1-545

1-546

1-547

1-548

1-537

1-538-20

1-538-19

1-539

1-301

336

316.3'

66'

WHEREAS, the maximum amount proposed to be expended for the construction of said water system is $70,000 and the plan of financing is the issuance of serial bonds of the Town and the assessment, levy and collection upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by such construction 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;

now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at Cheektowaga Town Hall, Broadway and Union, in the Town, on the 5th day of June, 1978, at 7:00 o'clock P.M. D.S.T., to consider the proposed establishment of the District and 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;

and be it

FURTHER ORDERED, that the Town Clerk publish at least once and the "EXAMINER" in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and conspicuously in five (5) public places within the District, 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 day designated herein for said public hearing.

DATED: May 1, 1978

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Kenneth J. Meyer
Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

Councilman

SEAL

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

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

RICHARD M. MOLESKI, 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 Calling Public Hearing with the original thereof filed in my office on the 1st day of May, 1978, ~~XXXX~~, 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 3RD day of May, 1977.

SEAL

Richard M. Moleski
Town Clerk

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

Gladys M. Hackstedt, 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 May 18, 1978; last publication May 18, 1978; and that no more than six days intervened between publications.

Gladys M. Hackstedt

Sworn to before me this 19th day of May, 1978

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 79

[illegible]

[illegible] along the southerly [illegible] lands so conveyed to Stephen [illegible] and Claire Alexander [illegible] along the southerly line of [illegible] conveyed to [illegible] under Liber [illegible] of Deeds, [illegible] for a distance of [illegible] feet, to [illegible] of the last mentioned [illegible] the easterly [illegible] Lot [illegible] being also [illegible] line of lands conveyed to [illegible] under Liber [illegible] the easterly line of lands conveyed to New York [illegible] & Gas Corporation under Liber [illegible] of Deeds, page [illegible];

Thence southerly along said easterly line of lands conveyed to Otto Lee [illegible] for a distance of [illegible] feet to a [illegible] corner thereof;

Thence westerly along the southerly line of said lands of Bowen for a distance of [illegible] feet to the westerly line [illegible], said westerly line of lands of [illegible] being also the southerly [illegible] of the westerly line of lands conveyed to J. Carol & Son, Inc. under [illegible] of Deeds, page 113;

Thence continuing westerly along the westerly extension of the last [illegible] lands [illegible] under Liber [illegible] of Deeds,

[illegible]

[illegible]

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

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

RICHARD M. [illegible], 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 Calling Public Hearing with the original [illegible] day of May, [illegible] 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 May, [illegible].

RICHARD M. [illegible]
Town Clerk

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 19 78 and ending on the ____ day of _____, 19__

LC

Signed Jas. L. Charters
Sworn to before me, on the 18th day of May, 1978

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

At a special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, in said Town, on the 1st day of May, 1978.

PRESENT:

Councilman Kenneth J. Meyers, Supervisor

Frank E. Swietek, Councilman
Thomas M. Johnson Jr. Councilman
Frank J. Dax, Councilman
George Kaczmarek, Councilman
James R. Borst, Councilman
Donald J. Wagner, Councilman

ORDER CALLING PUBLIC HEARING TO BE HELD ON JUNE 5, 1978
In the Matter
of the
Establishment of Ellicott Road Water District, in the Town of Cheektowaga, in the County of Erie, New York

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town"), Erie County, in the County of Erie, New York, has heretofore duly employed the Town Engineering Department to prepare a general map, plan and report, dated September 28, 1977, for the establishment of proposed Ellicott Water District, in the Town (herein called "District"), as hereinafter described, and for the construction of a water system therein, consisting of the installation of approximately 3200 linear feet of 8 inch cast iron pipe along Indian Road and approximately 3,060 linear feet of 8 inch cast iron pipe along Ellicott Road, in the District, together with hydrants, valves, fittings, appurtenances, machinery and appliances, which maps, plan and report have been duly filed in the office of the Town Clerk for public inspection; and

WHEREAS, the proposed District has been preliminarily amended and approved as follows:

LEGAL DESCRIPTION
ELLICOTT ROAD WATER DISTRICT
TOWN OF CHEEKTOWAGA,
NEW YORK

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lot 6, Township 11, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

Beginning at an iron pipe in the southerly line of Ellicott Road at its intersection with the westerly line of a triangular parcel of land acquired by the County of Erie for highway purposes adjoining the west line of Dick Road, so called, and recorded under Liber 4946 of Deeds, page 296;

Thence southerly along the westerly line of said parcel acquired by the County of Erie for a distance of 282 feet to the west line of Dick Road, so called;

Thence southerly along the west line of Dick Road, so called, for a distance of 16.73 feet to a point in a line as established by boundary line agreement recorded under Liber 8140 of Deeds, page 171;

Thence westerly along said boundary line and through lands conveyed to Stephan B. Kordubo under Liber 8593 of Deeds, page 442 and partly through lands conveyed to Stephan B. Kordubo and William M. Chartock under Liber 8557 of Deeds, page 485 for a distance of 328.05 feet;

Thence southerly parallel with the east line of lands conveyed to Glove Amerada Glass Co. under Liber 8298 of Deeds, page 466 for a distance of 43.05 feet;

Thence westerly along the southerly line of lands so conveyed to Stephan B. Kordubo and Globe Amerada Glass Co. and along the southerly line of lands conveyed to Glaaber & Schaefer Co., Inc. under Liber 8376 of Deeds, page 71 for a distance of 358.70 feet to the westerly line of the last mentioned conveyance, being also the easterly line of Lot 44, Map Cover 38, being also the easterly line of lands conveyed to Otto Lee Bowen and wife under Liber 7243 of Deeds, page 483, being also the southerly extension of the easterly line of lands conveyed to New York State Electric & Gas Corporation under Liber 3207 of Deeds, page 397;

Thence southerly along said easterly line of lands conveyed to Otto Lee Bowen for a distance of 137.5 feet to a southeasterly corner thereof;

Thence westerly along the southerly line of said lands of Bowen for a distance of 325 feet to the westerly line thereof, said westerly line of lands of Bowen being also the southerly extension of the westerly line of lands conveyed to J. Cervi & Son, Inc. under Liber 7886 of Deeds, page 113;

Thence continuing westerly along the westerly extension of the last described line and through lands conveyed to Branch Motor Express Company under Liber 7026 of Deeds, page 335, and through lands conveyed to Henry C. Moffatt (deceased) under Liber 943 of Deeds, page 221 (said lands of Moffatt including lands of Indian Road) for a distance of 852.5 feet, more or less, to the westerly line of Indian Road;

Thence southerly along said west line of Indian Road and along the westerly line of lands conveyed to King Pin Enterprises under Liber 8425 of Deeds, page 75, for a distance of 80 feet, more or less, to the southeasterly corner of lands so conveyed;

Thence westerly along the southerly line of lands so conveyed and along the southerly line of lands conveyed to Edward J. Kader, Jr. under Liber 8484 of Deeds, page 171, and along the southerly line of lands conveyed to Joseph H. Morgante under Liber 6905 of Deeds, page 213, and through lands conveyed to 303 Central Avenue Corporation under Liber 8894 of Deeds, page 537, for a calculated distance of 624.5 feet, more or less, to a point in the west line of the last mentioned conveyance;

Thence northerly along the last mentioned west line for a calculated distance of 275.2 feet, more or less, to a point in said southerly line of Ellicott Road;

Thence easterly along said southerly line of Ellicott Road and along the northerly line of all of the hereinbefore mentioned lands for a total distance of 2159.4 feet, more or less, to the point or place of beginning.

WHEREAS, the maximum amount proposed to be expended for the construction of said water system is $70,000 and the plan of financing is the issuance of serial bonds of the Town and the assessment, levy and collection upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by such construction 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;

now therefore be it

ORDERED, that a meeting of the Town Board of the Town be held at Cheektowaga Town Hall, Broadway and Union, in the Town, on the 5th day of June, 1978, at 7:00 o'clock P.M.(D.S.T.), to consider the proposed establishment of the District and 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; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES", and the "EXAMINER" newspapers published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and conspicuously in five (5) public places within the District, 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 day designated herein for said public hearing.

DATED: May 1, 1978
TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Kenneth J. Meyers Supervisor
Frank E. Swietek, Councilman
George Kaczmarek, Councilman
Frank J. Dax, Councilman
Thomas M. Johnson, Jr., Councilman
James R. Borst, Councilman
Donald J. Wagner, Councilman
All other
Members of the Town Board of the Town of Cheektowaga, New York

STATE OF NEW YORK
COUNTY OF ERIE: ss:

RICHARD M. MOLESKI, 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 Calling Public Hearing with the original thereof filed in my office on the 1st day of May, 1978, 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 3rd day of May, 1978.

RICHARD M. MOLESKI
Town Clerk
SEAL

Item No. 8 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Section 467 of the Real Property Tax Law of the State of New York has been amended in part to read as follows:

(Subdivision 3 - No exemption shall be granted:)
(a) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of three thousand dollars, or such other sum not less than three thousand dollars nor more than seven thousand two hundred dollars as may be provided by the local law, ordinance or resoultion adopted pursuant to this section. Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income,

and

WHEREAS, said act became effective on the first day of June, 1977, and shall apply to assessment rolls prepared on the basis of taxable status occurring on and after such date, and

WHEREAS, the Town has presently provided said tax exemptions for persons whose annual income does not exceed the sum of $6,500.00, and

WHEREAS, real property tax relief for elderly home owners is of great concern to officials at local levels of government, and

WHEREAS, said bill provides the authority for municipalities to ease further the burden of the older residents, therefore, BE IT

RESOLVED that a public hearing be held for the purpose of granting said exemptions for the persons entitled thereto and whose annual income does not exceed the sum of $7,200.00 as provided by the aforesaid sections of the Real Property Tax Law, and BE IT FURTHER

RESOLVED that said public hearing take place on May 15, 1978 at 7:00 p.m. in the Council Chambers of the Town Hall, Cheektowaga, New York and that a proper notice of said hearing be published in the CHEEKTOWAGA TIMES and the EXAMINER for the purpose of holding said hearing.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVITS-NEXT PAGE

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 May 4, 1978; last publication May 4, 1978; and that no more than six days intervened between publications.

Gladys M. Lechter

Sworn to before me this 5th day of May, 1978

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, 1979

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 4 day of May, 1978 and ending on the ____ day of _____, 19__

Signed Jr. J. Charters JC
Sworn to before me, on the 4 day of May, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

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 Roads, in said Town on the 1st day of May, 1978 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Kenneth J. Mayers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner
ABSENT: 0

Motion by Supervisor Mayers
Seconded by Councilman Swiatek

WHEREAS, Section 467 of the Real Property Tax Law of the State of New York has been amended in part to read as follows:

(Subdivision 3 - No exemption shall be granted:)

(a) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of three thousand dollars, or such other sum not less than three thousand dollars nor more than seven thousand two hundred dollars as may be provided by the local law, ordinance or resolution adopted pursuant to this section. Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts or inheritance. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income, and

WHEREAS, said act became effective on the first day of June, 1977, and shall apply to assessment rolls prepared on the basis of taxable status occuring on and after such date, and

WHEREAS, the Town has presently provided said tax exemptions for persons whose annual income does not exceed the sum of $6,500.00, and

WHEREAS, real property tax relief for elderly home owners is of great concern to officials at local levels of government, and

WHEREAS, said bill provides the authority for municipalities to ease further the burden of the older residents, therefore, BE IT

RESOLVED that a public hearing be held for the purpose of granting said exemptions for the persons entitled thereto and whose annual income does not exceed the sum of $7,200.00 as provided by the aforesaid sections of the Real Property Tax Law, and BE IT FURTHER

RESOLVED that said public hearing take place on May 15, 1978 at 7:00 p.m. in the Council Chamber of the Town Hall, Cheektowaga, New York and that a proper notice of said hearing be published in the CHEEKTOWAGA TIMES and the EXAMINER for the purpose of holding said hearing.

Upon roll call.....

Supervisor Mayers	Voting	AYE
Councilman Swiatek	Voting	AYE
Councilman Johnson	Voting	AYE
Councilman Dux	Voting	AYE
Councilman Kaczmarek	Voting	AYE
Councilman Burst	Voting	AYE
Councilman Wegner	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, 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 May 1st, 1978 and minutes of said meeting have been duly recorded in the Minute Book 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. 8, 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 2nd day of May, 1978.

RICHARD M. MOLESKI
Town Clerk

Item No. 9 Motion by Councilman Wegner, seconded by Councilman Burst

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 15th day of May, 1978 at 7:00 p.m. Eastern Daylight Savings 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 TIMES on May 4, 1978; the said 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 15th day of May, 1978 at 7:00 p.m. Eastern Daylight Savings 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:

The parking of vehicles is hereby prohibited in any of the following locations

A. No parking this side

WILLIAM STREET	North Side:	from the west curb line of Starlite Avenue to the east curb line of Standard Parkway

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

_____
Richard M. Moleski
Town Clerk

DATED: May 1st, 1978

* *

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Beckett 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 May 4 1978; last publication May 4 1978; and that no more than six days intervened between publications.

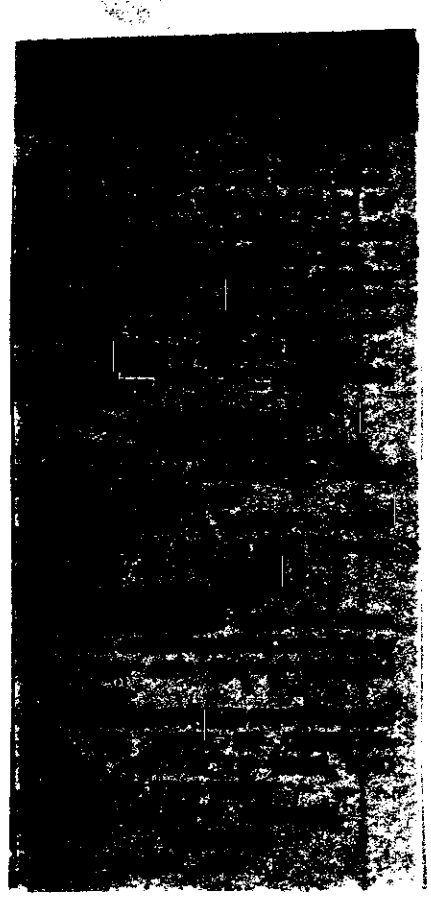
Gladys M. Beckett

Sworn to before me this 5th day of May, 1978

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 79



Item No. 10 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, an Easement Agreement has been submitted between the Town of Cheektowaga and the Niagara Frontier Services, Inc. which is necessary to effect the installation of a traffic signal on Genesee Street, and

WHEREAS, said Easement Agreement has been reviewed and approved, now, therefore, BE IT

RESOLVED that the Supervisor be and is hereby authorized to execute said Easement Agreement on behalf of the Town, and BE IT FURTHER

RESOLVED that a copy of said Easement Agreement be attached hereto and made a part hereof.

*See next four (4) pages for copy of Easement Agreement.

EASEMENT

between

TOWN OF CHEEKTOWAGA

and

NIAGARA FRONTIER SERVICES, INC.

Dated: May 1st, 1978

RECEIVED
MAY 10 1978
Richard M. Moleski, Town Clerk

EASEMENT AGREEMENT

THIS AGREEMENT, made this 1st day of May , 1978 between the TOWN OF CHEEKTOWAGA, having an office and place of business in the Town Hall, Broadway and Union Road, Cheektowaga, New York, party of the first part, and NIAGARA FRONTIER SERVICES, INC., having its principal office and place of business at 60 Dingens Street, Buffalo, New York, party of the second part.

WITNESSETH:

WHEREAS, the party of the first part is the owner of the following described property:

> ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being parts of Lots Nos. 17 and 18, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as part of Subdivision Lot No. 4 as shown on a map filed in Erie County Clerk's Office under Cover No. 1055, bounded and described as follows:
>
> BEGINNING at a point in the southerly line of Genesee Street at its intersection with the east line of Subdivision Lot No. 4 as shown under said Cover No. 1055; thence westerly along the southerly line of Genesee Street 85 feet; thence southerly parallel with the easterly line of said Subdivision Lot No. 4, a distance of 200 feet; thence

easterly parallel with the southerly line of Genesee Street 85 feet to the east line of said Subdivision Lot No. 4 as shown under said Cover No. 1055; thence northerly along the east line of said Subdivision Lot No. 4, a distance of 200 feet to the point of beginning,

and

WHEREAS, the party of the first part and party of the second part desire to establish a joint easement for a driveway for the purpose of furnishing ingress and egress from Genesee Street; and

WHEREAS, said easement will be mutually beneficial and is for purposes of traffic safety;

NOW, THEREFORE, the party of the first part hereby grants unto the party of the second part an easement for ingress and egress over the following described parcel:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being parts of Lots Nos. 17 and 18, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as part of Subdivision Lot No. 4 as shown on a map filed in Erie County Clerk's Office under Cover No. 1055, bounded and described as follows:

BEGINNING at a point in the southerly line of Genesee Street which point of beginning is 85 feet westerly from the southerly line of Genesee Street at its intersection with the east line of Subdivision Lot No. 4 as shown under Map Cover 1055. Thence southerly a distance of 40 feet; thence easterly on a line parallel with the southerly line of Genesee Street a distance of 10 feet; thence northerly a distance of 40 feet to the southerly line of Genesee Street; thence westerly a distance of 10 feet along the southerly line of Genesee Street to the point or place of beginning.

TO HAVE AND TO HOLD the said easement unto the party of the second part, its successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

(SEAL)

TOWN OF CHEEKTOWAGA, NEW YORK

By Kenneth J. Meyers
Kenneth J. Meyers, Supervisor

(SEAL)

NIAGARA FRONTIER SERVICES, INC.

By Thomas J. Shanahan
Thomas J. Shanahan, Vice President

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

On this 11th day of May , 1978, before me personally came KENNETH J. MEYERS, to me known, who, being by me duly sworn, did depose and say that he resides at

Cheektowaga, New York; that he is the Supervisor of the Town of Cheektowaga, New York, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said corporation; and that he signed his name thereto by like order.

Richard M. Kolesar

[redacted]
79

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

On this 9th day of May, 1978, before me personally came THOMAS J. SHANAHAN, to me known, who, being by me duly sworn, did depose and say that he resides at , Williamsville, New York 14221; that he is the Vice President of Niagara Frontier Services, Inc., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Paula M. Altieri

PAULA M. ALTIERI
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 19[illegible]

Item No. 10 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 11 Bond resolution relating to Scajaquada Creek Project.
Item Withdrawn.

Item No. 12 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Knights of St. John Christian Group, Inc., 10 Caprice Drive, Cheektowaga, New York has offered a gift of cash; said gift to be used for specific purposes for the benefit of the people and residents of the Town of Cheektowaga, and

WHEREAS, the Town of Cheektowaga is desirous of accepting said gift, and

WHEREAS, Section 64, Subdivision 8 of the Town Law of New York provides as follows:

> "8. Gifts to town. May take by gift, grant, bequest or devise and hold real and personal property absolutely or in trust for parks or gardens, or for the erection of statues, monuments, buildings or structures, or for any public use, upon such terms or conditions as may be prescribed by the grantor or donor and accepted by said town, and provide for the proper administration of same."

NOW, THEREFORE, BE IT RESOLVED that the Town accepts said gift of $794.91 from the Knights of St. John Christian Group, Inc. upon the following terms and conditions prescribed by the donor:

> Fifty percent (50%) of said donation to be used for the Cheektowaga Bellevue Recreation Center for the purpose of defraying the costs of the usual activities performed by said center on behalf of Cheektowaga residents.
>
> Fifty percent (50%) of said donation to be divided among the Senior Citizens Groups within the Town of Cheektowaga and to be used to defray the expenses of said groups for the usual activities and for the benefit of Cheektowaga residents only.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the State of New York, through the Supplemental Budget, has appropriated funds in the amount of $405,000 for the construction of an Outdoor Recreation Center in Cheektowaga Town Park, (Project No. 77-5065), and

WHEREAS, the Town of Cheektowaga has received a contract for the construction of the above-stated project from the New York State Office of Parks and Recreation, NOW THEREFORE BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga, be and hereby is authorized to sign said contract on behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, funds are available through the New York State Department of Transportation under the Safer Off-System Federal Aid Highway Program (Section 219, 1976 Highway Safety Act), for installation of one-side parking signs in the Town of Cheektowaga, and

WHEREAS, a preliminary application has been prepared for program year 1980, in the amount of $50,000 for the installation of one-sided parking signs, NOW THEREFORE BE IT

RESOLVED, that Supervisor Kenneth J. Meyers is hereby authorized to submit said preliminary application, in the amount of $50,000 for funding, to the appropriate authorities on behalf of the Town of Cheektowaga.

*See next page for copy of preliminary application.

TE 185-1 (7/77)

New York State Department of Transportation
Project Application

SAFER OFF–SYSTEM Federal-Aid Highway Program
Section 219, 1976 Highway Act

Preparation
1 – Original
4 – Copies

County	Maintenance Jurisdiction(s)
Erie	Town of Cheektowaga

Method of Implementation:

☒ Force Account By Town of Cheektowaga
☐ D O T Contract
☐ Municipal Contract

Total Estimated Cost	Anticipated Construction Schedule
$50,000	12/80

Project Name:

Present condition and problems (Include a description of present pavement type and width, geometric condition, etc.):

Replace existing parking signs in poor condition and to install new signs where non-existing. Existing Town highways vary in widths from 14 ft. to 28 ft. At the present time vehicles park on both sides of Town highways which makes it unsafe for travel of emergency vehicles and also to reduce accident potential which results from vehicles having to weave in and out of open spaces.

Proposed improvements:

To install one side parking signs which are in conformance with the current MUTCD standards. New signs will insure proper signing, both legend and spacing along the non-federal aid streets within the Town.

Describe any substandard features to be retained: (Standards are to comply with AASHTO "Geometric Design Guide for Local Roads and Streets")

None

Project Priority	Current A A D T
	☐ Less than 50 ☐ 250 – 400 ☒ 50 – 250 ☐ over 400
Requested by	Approved by
County Highway Superintendent Date	Regional Director Date

Distribution: Co. Hwy. Supt. Retains 1 Copy – Forwards Original & 3 Copies to Region

Item No. 14 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the Town currently has a number of small drainage districts and a large non-districted area, AND

WHEREAS, this present structure creates certain questions as to the legality and financial equity of General Fund Bonding, AND

WHEREAS, the present structure does not equitably provide for funding of town-wide drainage maintenance, AND

WHEREAS, a revision of this present structure provides a number of alternatives for Town Board consideration, NOW, THEREFORE, BE IT

RESOLVED that Percival G. Bixby & Company, C.P.A., be retained to clarify all options and the related timetable, project fiscal impact of each alternative, recommend a selection to the Town Board and prepare all data required for public hearings related to the recommended alternative at a fee not to exceed $3,800.00 chargeable pro rata to the various Town Storm Drainage Districts.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, continuous complaints have been received by the Town Board regarding the condition of an unsafe, fire-damaged, block and frame building located on property at 270 Dean Road, in the Town of Cheektowaga, and according to the Assessor's Office records is owned by Sally Pantano, residing at 270 Dean Road, Cheektowaga, New York, 14043, AND

WHEREAS, these conditions require that some positive steps be taken to rectify this unsafe condition by the demolition of the fire-damaged block and frame building located at the front of the said property to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 1, Subdivision 2 d. of the Town of Cheektowaga Building Code that the demolition and clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, it is in order that bids be advertised to cover the purchase of grit chamber collector chains for the Sewage Treatment Plant No. 5 in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of grit chamber collector chains for the Town of Cheektowaga, notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

RESOLVED, that the Town Board meet on the 15th day of May, 1978

Item No. 17 Cont'd.

at 7:00 P.M., Eastern Daylight Savings 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 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 May 15, 1978 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of Grit Chamber Collector Chains for the Town of Cheektowaga Sewage Treatment Plant No. 5 in the Town of Cheektowaga, New York.

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.

RICHARD M. MOLESKI
TOWN CLERK

DATED: May 1, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Zeckets, 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 May 4, 1978; last publication May 4, 1978; and that no more than six days intervened between publications.

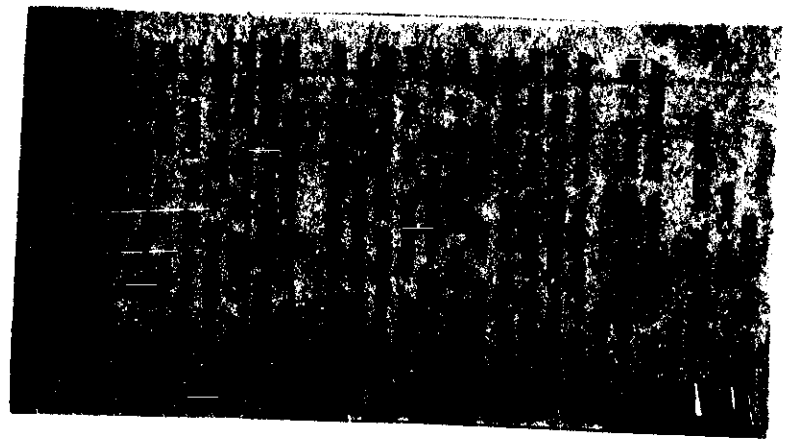
Gladys M. Zeckets

Sworn to before me this 5th day of May, 1978.

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 79



Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, the South Line Fire District No. 10 requested hydrants at five (5) locations, NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Water Authority be given permission to install hydrants on the north side of French Road between Transit and Borden Roads, as requested in a letter from the Board of Fire Commissioners dated April 10, 1978. The first hydrant is to be located 500 feet west of the center line of Transit Road and then spaced at approximately 500 feet, with the fifth hydrant approximately 700 feet east of the center line of Borden Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Dux, seconded by Councilman Burst

WHEREAS, changes in the Town Hall Alterations and Additions Project (EDA NO. 01-51-23609) for the General Construction Contract of George Herman and Associates are needed to improve the project, NOW, THEREFORE, BE IT

RESOLVED, that Change Order G-6 for construction work in the amount of $1,871.00 in addition to the contract be approved. A description of the changes as credit or addition to the contract cost are described in a letter dated April 27, 1978 from the Town Engineer and considered part of said resolution, and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order for the George Herman & Associates contract on behalf of the Town of Cheektowaga.

*See next page for letter.

Town of Cheektowaga

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

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

April 27, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Town Hall Project

Gentlemen:

Attached for your consideration for approval is a resolution on Change Order #G6 for the general construction contract of George Herman & Associates on the EDA Town Hall Alteration job.

CHANGE ORDER G6 - Add $1,871.00

1) Omit graphics as per architect's letter of March 30, 1978. -$300.00

2) Omit red oak cap and base in corridors 102 and 201 and passages 115 and 220. -$429.00

3) Credit for painting and substitution of vinyl fabric in corridors 102 and 201 and passages 115 and 220. +$1,373.00

4) Furr around new sanitary sewer in corridor G-14. +$181.00

5) Furr around existing electrical panel. +$66.00

6) Remove existing wall at reception 111 and corridor 102. Rebuild with metal stud and drywall. +$237.00

7) Furnish and install carpeting in Building Inspector's Office space G-15. +$743.00

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 19 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilman Dux, seconded by Councilman Burst

WHEREAS, Change Order No. E-3 to the Town Hall Alterations and Additions Project, under Federal Project No. 01-51-23609, was necessary to furnish and install a 2" Ø conduit raceway as directed in the architect's letter of April 11, 1978. Conduit requirements are necessitated by New York Telephone Company, for accommodation of the incoming services. Revisions are required to "tie in" existing service with proposed new service, said new service was authorized in a resolution dated April 17, 1978, NOW THEREFORE BE IT

RESOLVED, that Change Order No. E-3, for Town Hall Alterations and Additions, to Zablotny Electric, Inc. for construction work in the amount of $885.00 in addition to the contract sum be approved, and the Supervisor is hereby authorized to sign the same on behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Dux, seconded by Councilman Burst

WHEREAS, there is need for obtaining additional architectural services in order to complete the Town Hall Renovation Project, AND

WHEREAS, funding for said professional services has been included in a fund transfer for that purpose by a Town Board resolution of April 17, 1978, NOW THEREFORE, BE IT

RESOLVED, that the architectural firm of Donald T. Maharan Associates is authorized to perform said additional services which include the provision of an elevator under the existing general construction contract, the preparation of plans and specifications for bidding for the front steps and the preparation of plans and specifications for bidding of a parking lot addition which will be situated at the east side of the Town Hall Building, and BE IT FURTHER

RESOLVED, that payment for said additional services shall be in accordance with the agreement dated November 15, 1976 as outlined on Page 2, Paragraph II A,B,C said being multiple of direct expense incurred and charged to the Town Hall Renovation Capital Project.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

BE IT RESOLVED, that Change Order No. 1 for the Autumnwood Drainage Project to the John R. Schuler Co., Inc., who requested extension of contract completion to July 25, 1978 due to unavoidable delays with no adjustment to the contract price be approved, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga.

Item No. 22 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Kaczmarek, seconded by Councilman Burst

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on April 17, 1978 for Sweeper Brooms and Push Brooms for use by 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 completed, NOW, THEREFORE, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*See next two (2) pages for copy of tabulation.

	Young & Swartz, Inc. 29 Cherry St. Buffalo, N.Y. 14204		Walter M. Roberts Ent. Inc. 829 Sheridan Dr. Tonawanda, N.Y. 14150	Edward G. Schultz & Son 1297 Fillmore Ave. Buffalo, N.Y. 14211	Newark Brush Co. 260 Michigan Ave. Kenilworth, N.Y. 07033
	Cable Wrap Rewind	Tube Style			
1966 Elgin White #475 Sweeper					
Main P/Up Broom	180.00	198.00	225.00 - Tuff Grip	159.00	N/B
Side Broom	62.00		60.50 - Tuff Grip Gutter Brush less plates	54.95	N/B
1971 Elgin White Wing #475					
Main P/Up Broom	180.00	198.00	225.00 - Tuff Grip	159.00	N/B
Side Broom	62.00		60.50 - Tuff Grip Gutter Brush less plates	54.95	N/B
1962 Wayne 880 Sweeper					
Gutter Brush - Vertical Digger Type	62.00	188.00	66.55 - Tuff Grip Broom Only	54.95	N/B
P/Up Broom	174.00		190.00 - Tuff Grip	149.00	N/B
1965 Wayne #990 Sweeper					
Gutter Broom	62.00	188.00	66.55 - Tuff Grip Broom Only	54.95	N/B
P/Up Broom	174.00		190.00 - Tuff Grip	149.00	N/B
1969, 1970 & 1974 Wayne #984 Swpr.					
Gutter Broom (Regular)	62.00		93.66	54.95	N/B
Gutter Broom (Throw Away)	62.00		66.55 - Tuff Grip	N/B	52.95 ea.
P/Up Broom	174.00	188.00	190.00 - Tuff Grip	149.00	N/B
For All Sweepers					
Speed sweep broom with compression lock core	N/B	N/B	N/B	N/B	Elgin Core - 313.75 ea. Wayne Core - 292.75 ea.
Milwaukee Broom	Wayne - 188.00 Elgin - 198.00		240.00 - Wayne Broom Only 285.00 - Elgin Broom Only	N/B	Wayne - 134.95 ea. one pc. tube type Elgin - 149.95 ea. one pc. tube type All plastic refill only

	Young & Swartz Inc. 29 Cherry St. Buffalo, N.Y. 14204			Newark Brush Co. 160 Michigan Ave. Kenilworth, N.Y. 07033		
	Each.	1/2 Dz.	Dozen	Each	1/2 Dz.	Dozen
14" x 3 3/8 - Y&S #1114 Poly W/Handles	5.85	4.68 ea.	3.88 ea.	6.10	6.08 ea. 36.50	6.10 ea. 73.20
16" x 3 1/2 - Y&S #1116 Poly W/Handles	6.25	5.00 ea.	4.17 ea.	6.45	6.45 ea. 38.70	6.45 ea. 77.40
Handles	1.50	1.20 ea.	.95 ea.	1.60	9.60 1.60 ea.	19.20 1.60 ea.

Item No. 23 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, Town Law provisions allow a municipality to sell its used equipment to another municipality for a reasonable price without competitive bidding, AND

WHEREAS, Section 142, Subdivision 5 of the Highway Law of the State of New York provides in part as follows:

> "5. The town superintendent may also with the approval of the town board, and, if the value thereof exceeds the sum of one thousand dollars, the approval of the county superintendent, sell any such machinery, tools, implements, and equipment, which are no longer needed by the town, or which are worn out or obsolete or may exchange the same or surrender it to the vendor as part payment for new machinery, tools, implements and equipment, etc."

AND

WHEREAS, the Town of Cheektowaga owns a 1963 International truck (#52-vehicle #FD38016G), which has a 450 Red Diamond Engine, 5 speed transmission and 2 speed rear axle. The truck has a new engine and is in workable-excellent condition, AND

WHEREAS, the Town of Newstead, New York has indicated its desire to purchase said used 1963 International truck which is now in the possession of and owned by the Town and is under the control of the Highway Superintendent, AND

WHEREAS, the Highway Superintendent has indicated to the Town that it is his opinion that the above described equipment has a reasonable market value of $2,000.00 and is no longer needed by the Town, now, therefore, BE IT

RESOLVED that the Town of Cheektowaga, through its Highway Department, sell to the Town of Newstead, New York said 1963 International truck for the price of $2,000.00 and BE IT FURTHER

RESOLVED that the sale of said equipment is conditioned upon the Town Highway Superintendent obtaining the approval of the County Highway Superintendent for the sale of said equipment.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the firm of Marzak and Powell, Architects, P.C., have instructed the Plumbing Contractor of the Town Park Cultural and Recreational Facility, to submit a proposal to furnish and install one Catch Basin, one Wall Fire Connection and Sanitary Alterations, AND

WHEREAS, the Plumbing Contractor has submitted for approval the following quotation:

ITEM # 1	-	One Catch Basin	@	$1,048.80
ITEM # 2	-	One - Wall Fire Connection	@	724.95
ITEM # 3	-	Sanitary Alterations	@	147.20

AND

Item No. 25 Cont'd.

WHEREAS, Parks Director, James J. Matecki has reviewed and approved the items with the firm of Marzak and Powell, Architects, P.C., NOW THEREFORE BE IT

RESOLVED that the Cheektowaga Town Board approve Change Order P-1, Item #1, Item #2 and Item #3; as submitted in the amount of $1,920.95, one thousand, nine hundred-twenty dollars and ninety-five cents to Wicks and Dechert, Inc., 181 Allen Street, Buffalo, New York 14201.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Dux, seconded by Councilman Burst

WHEREAS, bids were duly received by this Town Board at a public meeting on April 17, 1978 at 7:00 p.m. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York for the re-roofing of the Cheektowaga Police and Court Building, AND

WHEREAS, such bids were referred to the Superintendent of Buildings and Grounds for analysis, tabulation and report, AND

WHEREAS, such analysis, tabulation and report is noted in a letter dated April 25, 1978 and is attached and considered part of this resolution, NOW THEREFORE, BE IT

RESOLVED that the contract for the re-roofing of the Cheektowaga Police and Court Building shall be awarded to Grove Roofing Company, Inc., 157 Reading Street, Buffalo, New York 14200, for submitting the lowest responsible bid in the amount of twenty-two thousand, seven hundred-sixteen dollars ($22,716.00).

*See next page for tabulation.

RAYMOND M. MATOT
SUPERINTENDENT
BUILDINGS & GROUNDS

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

TOWN HALL, BROADWAY AND UNION ROAD
CHEEKTOWAGA, NEW YORK 14227
716-683-2200

April 25, 1978

To the Supervisor and
Honorable Town Board Members
Town of Cheektowaga, New York

Gentlemen:

Bids were opened and read at the Town Board meeting of April 17, 1978 for the re-roofing of the Police and Court Building. After analysis and tabulation the bids received were:

Weaver Metal and Roofing Co., Inc. 1800 Dale Road Buffalo, New York 14225	$37,719.00
Grove Roofing Company, Inc. 157 Reading Street Buffalo, New York 14200	$22,716.00

Since Grove Roofing is the lowest responsible bidder, I therefore recommend awarding the contract for re-roofing the Police and Court Building to them at the quoted price.

Sincerely,

Raymond M. Matot
Superintendent of
Buildings and Grounds

RMM:rl

Item No. 26 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, the Cheektowaga Youth Bureau has been selected as a Youth Conservation Corp grant recipient for the summer of 1978, and

WHEREAS, the State of New York has agreed to pay $15,000.00 toward the total cost of the project, NOW THEREFORE BE IT

RESOLVED that the Supervisor be and hereby is authorized to sign the attached agreement with the New York State Department of Environmental Conservation to operate said project.

*See next few pages for copy of agreement.

Item No. 27 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the following named person be re-appointed to the Cheektowaga Youth Board:

Robert Pietrzak
, Cheektowaga, NY 14225
(term to expire - December 31, 1979)

AND, BE IT FURTHER RESOLVED that the following named person be appointed to the Cheektowaga Youth Board:

Sally Vastola
, Cheektowaga, NY 14225
(term to expire - December 31, 1979)

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

RESOLVED that the following persons be hired as part-time seasonal employees in the Youth Bureau:

BICYCLE REGISTRATION PROGRAM - $2.50/hour

Mark Popiela

Michael Lonczak

COORDINATOR - SUMMER DAY CAMP FOR HANDICAPPED CHILDREN - $3.50/hour

Karen Gerlach

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that Gerry Owczarczak and James Trzaska be transferred from Recreation Department, rink personnel to Parks Department, seasonal part-time laborers (Acct. #7110.149), effective immediately.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, a need exists in the Recreation Department for a senior citizen van driver, NOW, THEREFORE, BE IT

Item No. 31 Cont'd.

RESOLVED that Nicholas LaBruna of , Cheektowaga, New York be and hereby is hired as a senior citizen van driver in the Recreation Department at a rate of $3.00 per hour, for an average of 20 hours per week, effective May 8, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga has received approval of its Community Development Application for fiscal year 1977, and

WHEREAS, included in the approved application is an appropriation of funds to be utilized for the creation of a recreation corridor between the Windwood Courts in the Cedargrove Heights (formerly Tiorunda) target area, and

WHEREAS, parcels of land within the area designated for the recreation corridor will be subject to a lease agreement between the owner(s) of said parcels and the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the firm of M.L. MacKay & Associates, of 5700 Main Street, Williamsville, New York be hereby engaged by the Town of Cheektowaga for the purpose of surveying and preparing a meets & bounds description of each parcel of land which has been designated to be included in the recreation corridor and which will be subject to a lease agreement, and BE IT FURTHER

RESOLVED, that the fee for said services will not exceed $700.00, and shall be drawn from the Town's 1977 Community Development Block Grant Program funds.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Supervisor 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 be and hereby are hired under the positions listed below, at the salary rate as specified, starting date established by the department head:

Laborer in the Village of Depew at an hourly rate of $4.8583

Kendra, Chester , Sloan, New York 14212

Personal Care Aide at St. Joseph's Day Care Center at an hourly rate of $3.07

Bzibziak, Elaine , Sloan, NY 14212

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

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

RESOLVED that the following be and hereby are hired under the positions listed below, at the salary rate as specified, starting date established by the department head:

Jr. Career Trainee in the Lancaster Youth Bureau at an annual salary of $9,147.58

Kuczmanski, Joanne , Chktg., NY 14206

Clerk-typist for the Buffalo Philharmonic at an annual salary of $8,562.24

Binner, Jeanne , Chktg., NY 14225

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Councilman Kaczmarek, seconded by Councilman Dux

WHEREAS, the Town of Cheektowaga has an annual Paint-Up, Clean-Up and Fix-Up Drive, NOW, THEREFORE, BE IT

RESOLVED, that this drive be held beginning May 8th and ending May 19th, 1978, and BE IT FURTHER

RESOLVED, that the Sanitation Department be and they are hereby authorized to advertise in the CHEEKTOWAGA TIMES, The EXAMINER and The PENNYSAVER, for a two (2) week period, informing everyone to cooperate.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Councilman Johnson, seconded by Councilman Wegner

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 1st day of May, 1978:

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway	From	To
LeHavre Drive	The west property line of sublots 6 & 7 thence easterly on both sides.	The east property line of sublots 1 & 121.

TYPE OF STREET LIGHTING INSTALLATION

Two (2) 7000 lumen electrical post top type mercury units.
Estimated cost per year for two years - $8.08 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

Item No. 36 Cont'd.

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 15th day of May, 1978, at 7:00 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, be published at least once in the CHEEKTOWAGA TIMES newspaper 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: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT, CERTIFICATION - NEXT PAGE

STATE OF NEW YORK }
COUNTY OF ERIE } SS

I, RICHARD M. MOLESKI, 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 5th day of MAY 1978, acting pursuant to an order and resolution adopted by the Town Board of said Town on MAY 1st, 1978, I posted a certified copy of said order and resolution relating to street lighting on Lehavre 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 CHEEKTOWAGA TIMES on MAY 4th, 1978.

Richard M. Moleski
RICHARD M. MOLESKI,
Town Clerk.

Sworn to before me this
23rd day of May, 1978
Linda Baer Doyell

LINDA BAER - Doyell
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19[illegible]

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

Gladys M. Beckstead, 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 May 4 1978; last publication May 4 1978; and that no more than six days intervened between publications.

Gladys M. Beckstead

Sworn to before me this 5th day of May, 1978

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, 1979

IN WITNESS WHEREOF, I have

Town Clerk

Item No. 37 Motion by Councilman Johnson, seconded by Councilman Wegner

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 1st day of May, 1978:

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway	From	To
Martinique Drive	The intersection of LeHavre Drive or the north property line of sublots 71 & 121, thence southerly on both sides.	The intersection of North Seine Drive or the south property line of sublots 40 & 41.

TYPE OF STREET LIGHTING INSTALLATION

Nine (9) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 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 Union Road, in said Town of Cheektowaga, on the 15th day of May, 1978, at 7:00 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, be published at least once in the CHEEKTOWAGA TIMES newspaper 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: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT, CERTIFICATION - NEXT PAGE

STATE OF NEW YORK }
} SS
COUNTY OF ERIE }

I, RICHARD M. MOLESKI, 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 ....5...t..h day of .....M..A..Y..... 19.78..., acting pursuant to an order and resolution adopted by the Town Board of said Town on .....M..A..Y.....1..s..t.....,19.78..., I posted a certified copy of said order and resolution relating to street lighting on .M..a..r..t..i..n..i..q..u..e.....D..r..i..y e 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 CHEEKTOWAGA TIMES on .....M..A..Y.....4..t..h....., 19.78....

Richard M Moleski
RICHARD M. MOLESKI,
Town Clerk.

Sworn to before me this
23rd day of May, 1978
Linda Baer-Deyell

LINDA BAER-Deyell
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

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

Gladys M. Seehaus, 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 May 4 1978; last publication May 4 1978; and that no more than six days intervened between publications.

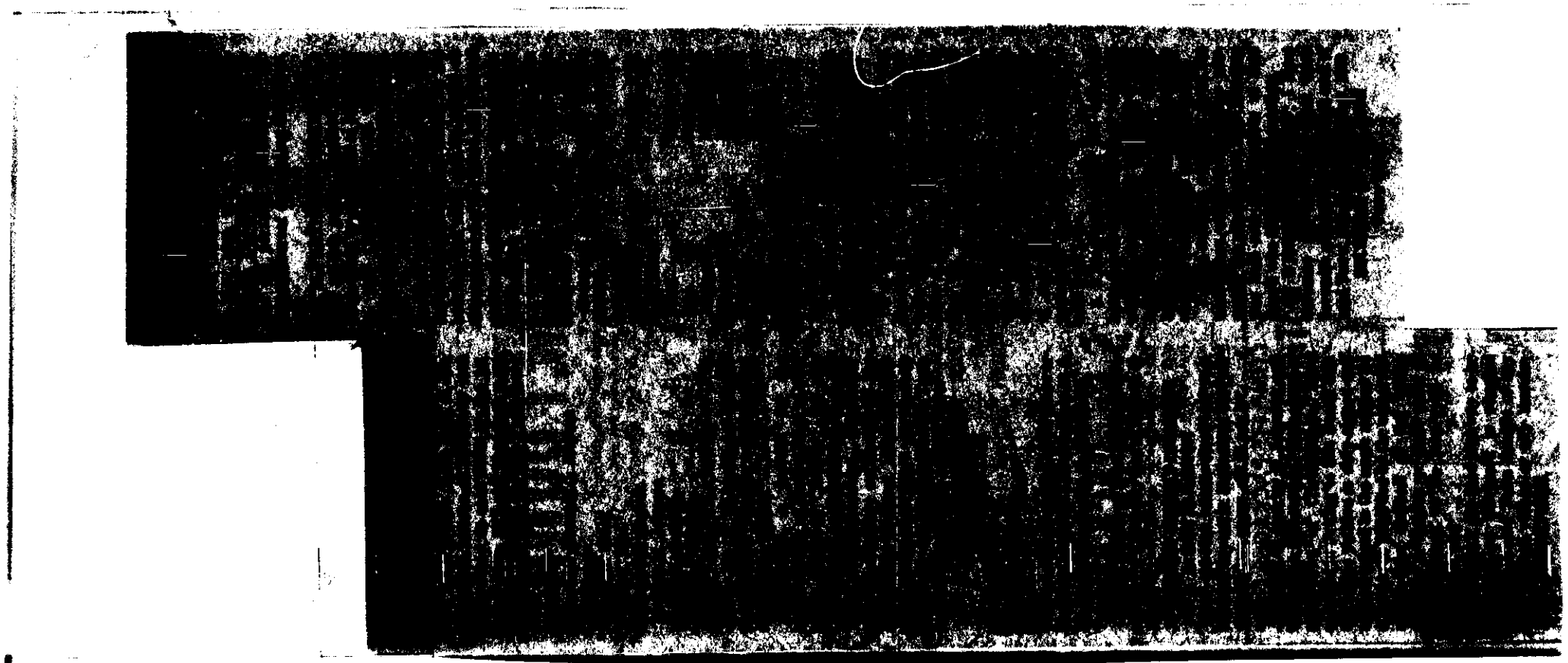
Gladys M. Seehaus

Sworn to before me this 5th day of May, 1978

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, 1979



Item No. 38 Motion by Councilman Johnson, seconded by Councilman Wegner

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 1st day of May, 1978:

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway	From	To
Barbados Drive	The north property line of sublots 5 & 6, thence southerly on both sides.	The intersection of North Seine Drive or the south property line of sublots 31 & 43.

TYPE OF STREET LIGHTING INSTALLATION

Ten (10) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 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 Union Road, in said Town of Cheektowaga, on the 15th day of May, 1978, at 7:00 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, be published at least once in the CHEEKTOWAGA TIMES newspaper 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: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT, CERTIFICATION - NEXT PAGE

STATE OF NEW YORK }
} SS
COUNTY OF ERIE }

I, RICHARD M. MOLESKI, 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 5th day of MAY 19 78, acting pursuant to an order and resolution adopted by the Town Board of said Town on MAY 1st, 19 78, I posted a certified copy of said order and resolution relating to street lighting on Barbados 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 CHEEKTOWAGA TIMES on MAY 4th, 19 78.

Richard M. Moleski
RICHARD M. MOLESKI,
Town Clerk.

Sworn to before me this
23rd day of May, 19 78
Linda Baer-Deyell

LINDA BAER - Deyell
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

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

Gladys M. Keckler 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 May 4 1978; last publication May 4 1978; and that no more than six days intervened between publications.

Gladys M. Keckler

Sworn to before me this 5th day of May, 1978

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, 1979

Item No. 39 Motion by Councilman Johnson, seconded by Councilman Wegner

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 1st day of May, 1978:

PUBLIC HIGHWAY TO BE IMPROVED

Name of Highway	From	To
North Seine Drive	The west property line of sublots 31 & 32 thence easterly on both sides.	The east property line of sublots 39 & 40.

TYPE OF STREET LIGHTING INSTALLATION

Two (2) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 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 Union Road, in said Town of Cheektowaga, on the 15th day of May, 1978, at 7:00 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, be published at least once in the CHEEKTOWAGA TIMES newspaper 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: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT, CERTIFICATION - NEXT PAGE

STATE OF NEW YORK }
COUNTY OF ERIE } SS

I, RICHARD M. MOLESKI, 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 ...5..t..h.. day of .....M A Y..... 19..78.., acting pursuant to an order and resolution adopted by the Town Board of said Town on .....M..A..Y.....1..s..t.....,19..78.., I posted a certified copy of said order and resolution relating to street lighting on ..N.....S..e..i..n..e.....D..r..i..v..e...., 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 CHEEKTOWAGA TIMES on .....M A Y 4 t h....., 19 78...

Richard M. Moleski
RICHARD M. MOLESKI,
Town Clerk.

Sworn to before me this
23rd day of May, 1978
Linda Baer-Deyell

LINDA BAER-Deyell
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

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

Gladys M. Heckstall, 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 May 4, 1978; last publication May 4, 1978; and that no more than six days intervened between publications.

Gladys M. Heckstall

Sworn to before me this 5th day of May, 1978

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 79

Town Clerk

Item No. 40 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, the Town Board at its December 19, 1977 regular Town Board meeting duly adopted a resolution pursuant to Section 64, Paragraph 19 of the Town Law of New York State for the installation of street lighting by the New York State Electric and Gas Corporation and in accordance with their proposal #1, as attached to said resolution, and

WHEREAS, since the passage of said resolution many residents of Towers Boulevard indicated their dissatisfaction with said proposal and requested a new proposal for installation of said lights, therefore, BE IT

RESOLVED that said resolution of December 19, 1977 be and hereby is rescinded.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 41 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, Towers Boulevard, in the Town of Cheektowaga, is considered a collector street and is soon to become a through street connecting French Road and Losson Road, Erie County highways, and

WHEREAS, Town Law, Section 64, Paragraph 19, authorizes the Town Board to install street lighting deemed necessary for the safety and convenience of the people, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga grants permission to improve and correct the street lighting on Towers Boulevard by conversion from National Fuel Gas Corporation serviced gas lights, and BE IT FURTHER

RESOLVED that New York State Electric and Gas Corporation be directed to proceed with the installation of new lights and standards in accordance with their proposal dated 4/20/78, as hereto attached, and that National Fuel Gas Corporation be directed to disconnect fuel service to the present gas lights as the new high pressure sodium lights are installed, and BE IT FURTHER

RESOLVED that any revenues generated by the removed gas light standards and fixtures be properly credited to the specially assessed properties in accordance with procedures to be determined by the Department of Audit and Control, and BE IT FURTHER

RESOLVED that the estimated annual cost of $2,300.00 for installation be charged against the Town of Cheektowaga's General Lighting District.

*See next two pages for proposal.

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
TOWERS BOULEVARD

Install 16 - 16000 lumen high pressure sodium lamps @ $75.00 ea. ----- $1200.00

Install underground conductors required to supply luminaires and install 13 - 33-ft. municipally owned standards for a facility charge of 15% of actual installation cost.

Estimated Facility Charge ---- $1100.00

Estimated Annual Cost -------- $2300.00

Standards to be supplied by the Town of Cheektowaga and installed by New York State Electric & Gas Corporation

Installation of 33-ft. aluminum standards with bracket will be direct burial and backfilled with earth. See attached sketches for street light locations.

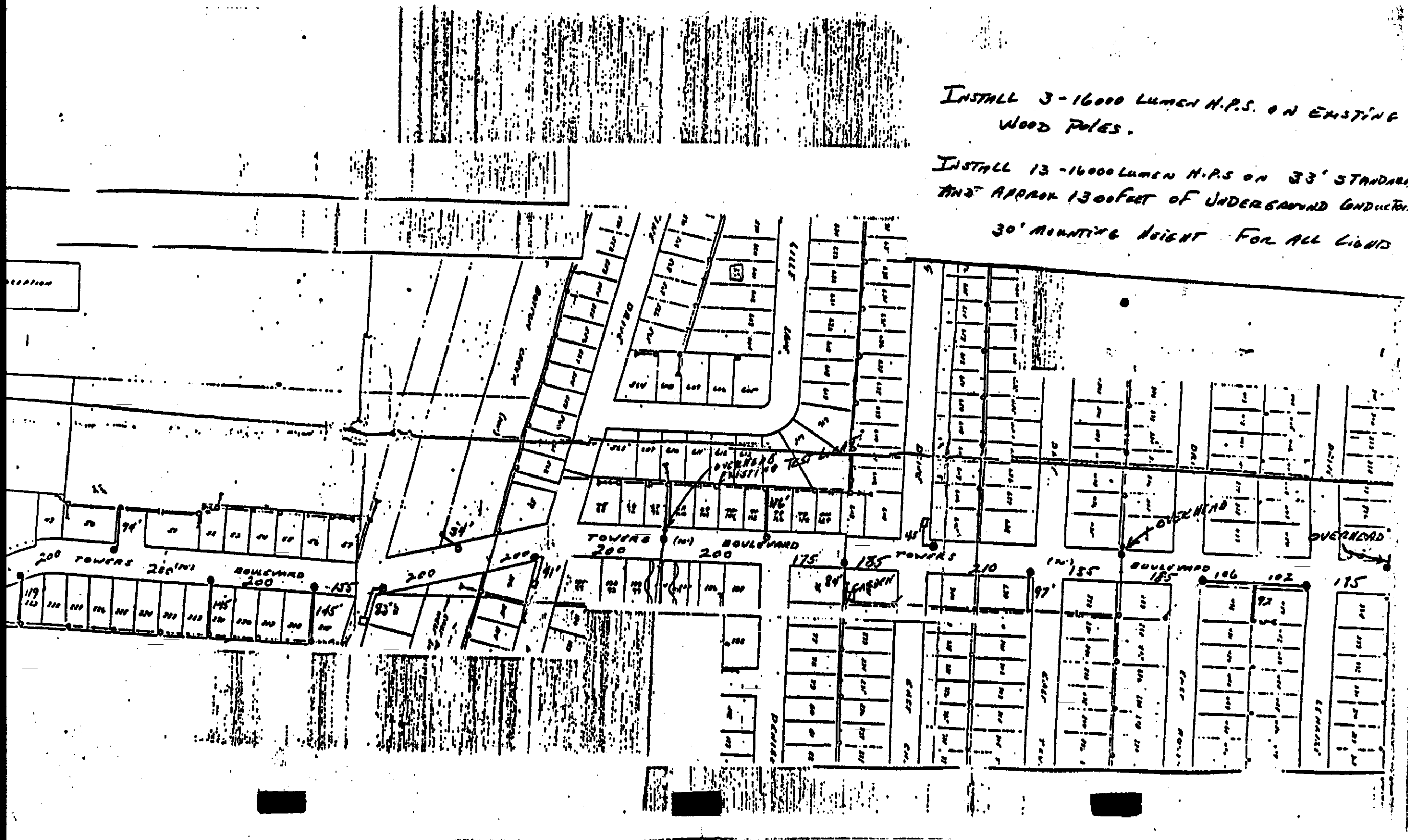
NEW YORK STATE ELECTRIC & GAS CORPORATION

4/20/78

INSTALL 3 - 16000 LUMEN H.P.S. ON EXISTING WOOD POLES.

INSTALL 13 - 16000 LUMEN H.P.S ON 33' STANDARD AND APPROX 1300 FEET OF UNDERGROUND CONDUCTOR.

30' MOUNTING HEIGHT FOR ALL LIGHTS



Item No. 41 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

BE IT RESOLVED that permission is hereby given to New York State Electric and Gas Corporation to remove 1 - 11000 lumen mercury lamp (P25-6, L551) on Central Boulevard, in the Town of Cheektowaga, at an annual decrease to the Town's General Lighting District of $62.00; and to relocate pole #25-5 approximately 25 feet west of its present location on Central Boulevard, in the Town of Cheektowaga, in accordance with the attached proposal which is hereby made a part of this resolution, and BE IT FURTHER

RESOLVED that said removal and relocation of the above stated street lighting standards be accomplished when construction work on Scajaquada Creek necessitates said removal and relocation.

*See next page for proposal.

April 3, 1978

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

This change in street lighting is due to work on Scajaguada Creek. Central Boulevard and Lorraine Drive will become dead-end streets.

1) Central Blvd.

Remove 1 - 11000 lumen mercury lamp @ $62.00 ea. ---------- $ 62.00
(P-25-6, L-551 - light will not be over street)

2) Relocate pole #25-5 about 25 feet to the west to clear work area

ANNUAL DECREASE ---------- $ 62.00

NEW YORK STATE ELECTRIC & GAS CORPORATION

Item No. 42 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 43 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers are hereby approved:

GENERAL FUND

From	Amount	To
A.1990.480 (Contingent)	$ 1,250.00	A.7620.200 (Senior Citizen-Radio)
A.1990.480 (Contingent)	11,400.00	A.9501.919 (HUD-Advance Repayment)
A.7140.403 (Recreation-Athletic Sup.)	900.00	A.7110.230 (Parks - Equipment)

FEDERAL REVENUE SHARING

From	Amount	To
CF.1220.200 (Computer System)	$ 5,000.00	CF.1620.401 (Police Building - Roof)
CF.7110.200 (Park Land Acquisition)	17,000.00	CF.1620.401 (Police Building - Roof)

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 44 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to May 1st, 1978 be and the same are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NO. FROM	TO	AMOUNT
GENERAL FUND	5587-5787		$ 525,169.58
GENERAL FUND-INVESTMENTS	none		50,000.00
SPECIAL DISTRICT FUND	4210-4211, 4213-4275		118,769.14
HIGHWAY FUND	3441-3482		46,786.63
PART TOWN FUND	876-883		3,499.26
CAPITAL FUND	30-37		17,692.49
TRUST AND AGENCY FUND	539-540		14,250.17
FEDERAL REVENUE SHARING FUND	58-59		252,740.00
H.U.D.-C.D.B.G. FUND	61-62		38,025.54
		TOTAL	$1,066,932.81

Item No. 44 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 45 Building Permits.
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 46 N.Y.S. Dept. of Audit & Control - Order of the State Comptroller granting Town of Cheektowaga permission to establish Sanitary Sewer District No. 8 (refer to item #6).
Copies sent to Honorable Town Board Members, Chester L. Bryan-Town Engineer and John V. Rogowski-Town Attorney; Item Received and Filed.

Item No. 47 Notice of Claim - Starlite Builders, Inc. vs. Town of Cheektowaga.
Copies sent to Town Insurance Company, Supervisor Kenneth J. Meyers and John V. Rogowski-Town Attorney; Item Received and Filed.

Item No. 48 Notice of Claim - Home Mutual Insurance Co. (representing Ronald F. Rusin) vs. Town of Cheektowaga.
Copies sent to Town Insurance Company, Supervisor Kenneth J. Meyers and John V. Rogowski-Town Attorney; Item Received and Filed.

Item No. 49 GAB Business Services, Inc. - Correspondence relative to payment due Home Mutual Insurance Co. on claim filed against Town.
Copies sent to Town Insurance Company, Supervisor Kenneth J. Meyers and John V. Rogowski-Town Attorney; Item Received and Filed.

Item No. 50 Mechanic's Lien on Public Improvement relative to work performed at the Losson Road Community Center.
Copies sent to Town Insurance Company, Supervisor Kenneth J. Meyers and John V. Rogowski-Town Attorney; Item Received and Filed.

Item No. 51 Fudeman & Renaldo, Attorneys - Correspondence re: Flood Damage Prevention Ordinance variance request (358 Cherokee Drive).
Copies sent to Honorable Town Board Members, John V. Rogowski-Town Attorney and Chester L. Bryan-Town Engineer.

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

Motion by Councilman Burst, seconded by Councilman Kaczmarek to Waive the Rules.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

* *

V. SUSPENSION OF RULES

Item No. 52 Resolution relative to New York State Comprehensive Resource Recovery & Solid Waste Management Plan.

Motion by Councilman Kaczmarek, seconded by Councilman Dux

WHEREAS, the Department of Environment and Conservation has proposed a New York State Comprehensive Resource Recovery and Solid Waste Management Plan for adoption by the legislature; and

WHEREAS, there is a lack of specifics regarding how implementation of this plan can be achieved; and

WHEREAS, there is a lack of opportunity for public participation; and

WHEREAS, there is no Federal Mandate declaring adoption of a plan immediately; and

WHEREAS, there is an absence of alternatives for Solid Waste disposal for municipalities and businesses, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga urges the County Executive and Legislature to contact Albany Legislators and advise them not to adopt the New York State Comprehensive Resource Recovery and Solid Waste Management Plan as prepared by the Department of Environment and Conservation or any Solid Waste Management Plan until adequate provisions are made for judicious review by municipal officials and the general public, and BE IT FURTHER

RESOLVED that certified copies of this resolution be sent to County Executive Edward Regan, the Erie County Legislature, the Erie County Environmental Management Council and the N.Y.S. Department of Environment and Conservation.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 53 Promotion in the Sewer Maintenance Department.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, there is an opening in the Sewer Maintenance Department for a Maintenance Man, and

WHEREAS, the job opportunity has been posted on bulletin boards in accordance with Local 1026, AFL-CIO Agreement, NOW, THEREFORE, BE IT

RESOLVED that the following is hereby promoted to Maintenance Man at the current wage rate for said position, effective May 1, 1978.

Roman Jaworowicz

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

* *

Supervisor Meyers read three (3) Proclamations at this time relative to:

a.) "Senior Citizen Month" - Month of May, 1978
b.) "Cheektowaga Police Week" - May 14th through May 20th, 1978
c.) "Disabled American Veterans Forget-Me-Not Days" - May 13th through May 20th, 1978 (see next three (3) pages)

Proclamation

Whereas, among our nation's most precious natural resources are the collective wisdom, experience and abilities of our elder citizens; and

WHEREAS, being aware of the important contributions that the Town's Senior Citizens have made in the past year and the tremendous potential they hold for the future, we are increasing our efforts to ensure that they have the opportunity for independent living through security of income, maintenance of health and continued involvement in the life of our Town; and

WHEREAS, the job market and the area of volunteer services provide some of the best opportunities to draw on the strength and talents of our Senior Townspeople; and

WHEREAS, our society needs the know-how, experience, judgement and eagerness to serve that these wonderful people bring to us.

NOW THEREFORE, I, Kenneth J. Meyers, Supervisor of the Town of Cheektowaga, New York, do hereby proclaim the Month of May, 1978, as "SENIOR CITIZEN MONTH", urging observations by focusing on the achievements of our elderly citizens and supporting programs to make this time of life the best days for our increasing numbers of senior residents.

In witness whereof, I have hereunto set my hand this twenty-seventh day of April in the year of Our Lord Nineteen Hundred Seventy-Eight .

Kenneth J Meyers
Supervisor

Proclamation

Whereas, the week of May 14th through May 20th, 1978 has been declared "Police Week" by the State of New York, and

WHEREAS, our Police Officers unselfishly dedicate their lives and risk their own personal safety in providing for the safety, security, and well-being of our Town residents, and

WHEREAS, the men of the Cheektowaga Police Department serve as the cornerstone of peace, order and stability in our Community, and

WHEREAS, it is proper and fitting to set aside a period of time to honor Cheektowaga's Police Officers,

NOW THEREFORE, I, Kenneth J. Meyers, Supervisor of the Town of Cheektowaga, do hereby designate the week of May 14th through May 20th, 1978, as "CHEEKTOWAGA POLICE WEEK", and call on all Cheektowaga residents to join with me in recognizing our Cheektowaga Police Officers for their dedication to the protection and betterment of our Community.

Kenneth J. Meyers
Supervisor

Proclamation

Whereas, our Cheektowaga Community has a continuing sense of gratitude to those disabled veterans who did so much to keep our way of life intact; and

WHEREAS, the Disabled American Veterans has worked exclusively for the welfare of our disabled veterans; and

WHEREAS, the Paul J. Schifferli Chapter 150 of the Disabled American Veterans has been established to carry on this work in our community; and

WHEREAS, the Disabled American Veterans offers a free service to disabled veterans and their families in filing claims for government benefits and also assists in job, hospital, employment and other disabled veterans problems; and

WHEREAS, the Disabled American Veterans meets emergency situations which may arise in the family of the disabled veteran.

NOW THEREFORE, I, Kenneth J. Meyers, Supervisor of the Town of Cheektowaga, do hereby designate the week of May 13th through May 20th, 1978 as "DISABLED AMERICAN VETERANS FORGET-ME-NOT DAYS" and ask the support of all residents, interested groups and organizations, as all funds contributed will be utilized for disabled veterans in this community.

In witness whereof, I have hereunto set my hand this 1st day of May in the year of Our Lord Nineteen Hundred and Seventy-Eight.

Kenneth J. Meyers
Supervisor

Item No. 54 Motion by Councilman Kaczmarek, seconded by Councilman Swiatek to adjourn this Town Board meeting until Thursday, May 4, 1978 at 6:00 o'clock, P.M. Eastern Daylight Savings Time, in memory of four (4) Cheektowaga Town residents:

1.) Walter Urbanski
2.) Frank A. Dudek
3.) Norfio (Murph) Ciccarella
4.) Ray O'Brien

RICHARD M. MOLESKI
TOWN CLERK

REGULAR ADJOURNED MEETING NO. 11

CHEEKTOWAGA, NEW YORK
MAY 4th, 1978

Item No. 1 At a regular adjourned 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 4th day of May, 1978 at 6:00 o'clock P.M., Eastern Daylight Savings Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst

ABSENT: Councilman Frank E. Swiatek
Councilman Donald J. Wegner

Also present were: Richard M. Moleski, Town Clerk; Jim Kirisits, Deputy Town Attorney.

Item No. 2 Bond Resolution Relating to Scajaquada Creek Project.
Item Withdrawn.

Item No. 3 Retention of Auctioneers and Appraisers, Inc. to conduct sale of surplus Town property.

Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, the Town Board of the Town of Cheektowaga has determined that certain items of personal property owned by various departments of the Town of Cheektowaga are no longer required for Town use and that such items are surplus to the needs of the Town of Cheektowaga, now, therefore, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga retain Auctioneers and Appraisers, Inc. as its agent to conduct a sale of surplus Town of Cheektowaga property in accordance with a letter agreement dated May 3, 1978, and BE IT FURTHER

RESOLVED that the Town Board notify Auctioneers and Appraisers, Inc. of the date, place and time of sale after receipt of tagging and cataloging report.

*See next page for copy of letter agreement.

DEPARTMENT OF LAW
683-2200

TOWN ATTORNEY
JOHN V. ROGOWSKI
3223 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

DEPUTY TOWN ATTORNEY
ROBERT MILLER

DEPUTY TOWN ATTORNEY
JAMES J. KIRSITS

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

May 3, 1978

Auctioneers & Appraisers, Inc.
c/o Tom Metcalf
157 Pheasant Run
North Tonawanda, New York 14120

Att'n: Mr. Tom Metcalf

Re: Sale of surplus equipment

Dear Mr. Metcalf:

The Town Board of the Town of Cheektowaga has determined that, subject to your acceptance, you would be retained to conduct a sale of surplus Town of Cheektowaga personal property no longer required for Town purposes upon the following basis:

> Commission Fee, Four percent (4%) of the gross proceeds, plus a four hundred dollar ($400.00) charge to cover the cost of advertising and other expenses relating to this sale (tagging, cataloging and disbursing). Proceeds of sale to be delivered to the Supervisor of the Town of Cheektowaga, or his designee, at the time and place of sale, with payment for your services as above to be made upon processing of properly executed voucher therefor. The Town Board will require, prior to sale, your complete listed tagging report for review to insure that all items to be sold are in fact surplus to the needs of the Town of Cheektowaga. Date of sale to be set by the Town Board.

Please indicate your acceptance of this proposal on the enclosed two copies, where indicated.

Agreed to as of date set forth above.

AUCTIONEERS & APPRAISERS, INC.

By: Tom Metcalf

Very truly yours,

DEPARTMENT OF LAW

John V. Rogowski

JOHN V. ROGOWSKI
Town Attorney

JVR:jr
Enclosures
CC: Town Board

Item No. 3 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 4 Highway Department - Readvertise for bids for the repair and replacement of concrete curbs and approaches in various parts of Town.

Motion by Councilman Burst, seconded by Councilman Kaczmarek

WHEREAS, a Notice to Bidders was duly published on April 20th, 1978, for the opening and reading of sealed bids at a regular Town Board meeting held on May 1st, 1978, for the repair and replacement of approaches and curbs in various parts of the Town of Cheektowaga, AND

WHEREAS, no bids were received at said Town Board meeting of May 1st, 1978, NOW THEREFORE BE IT

RESOLVED that the Town Clerk be and hereby is directed to republish a Notice to Bidders for the repair and replacement of approaches and curbs in various parts of the Town of Cheektowaga. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways, 3145 Union Road, Cheektowaga, New York; said Notice to be republished in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m. on May 15th, 1978 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

SEPARATE AND SEALED proposals will be received, opened and read at the Town Board meeting to be held May 15th, 1978 at 7:00 P.M. Eastern Daylight Savings Time at the Town Hall, Broadway and Union Road, Cheektowaga, New York for the repair and replacement of concrete curbs and approaches. Each sealed bid to be plainly marked "SEALED BID FOR REPAIRS AND REPLACEMENTS OF CONCRETE CURBS AND APPROACHES IN THE TOWN OF CHEEKTOWAGA". These bids are to be turned into the Town Clerk's Office located at the Town Hall at the above address.

Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Superintendent of Highways, 3145 Union Road, Cheektowaga, New York. The Superintendent of Highways reserves the right to reject any or all bids. Bidders may attend the public opening of the bids if they so desire.

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

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: May 4, 1978
PUBLISHED: May 11, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

AFFIDAVIT-NEXT PAGE

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

Gladys M. Seubert, 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 May 11, 1978; last publication May 11, 1978; and that no more than six days intervened between publications.

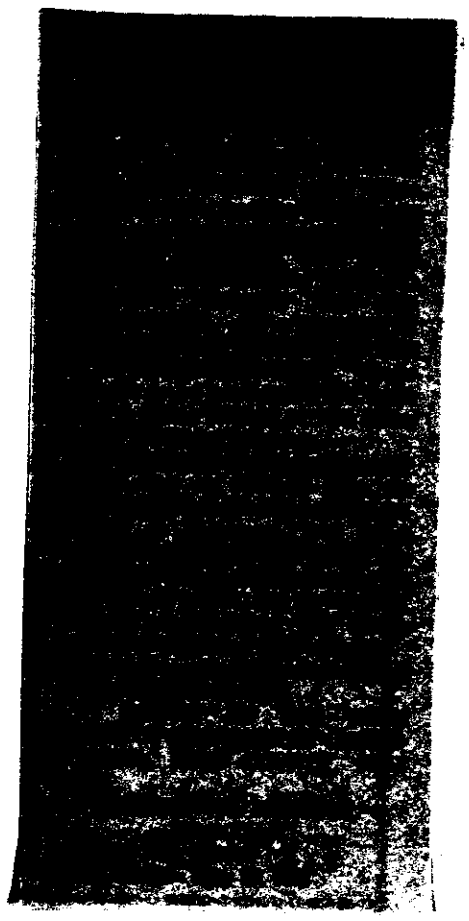
Gladys M. Seubert

Sworn to before me this 12th day of May, 1978

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, 1979



Item No. 5 Engineering Department - Award of bid for one (1) pick-up truck for use by the Parks Department.

Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) 1978 One Ton Pick-Up Truck with Stake Body for the Parks Department, which bids were duly received and opened at the May 1st, 1978 Town Board 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 furnishing of one (1) 1978 One Ton Pick-Up Truck with Stake Body for the Parks Department be awarded to Maier Schule GMC Inc., 1745 Walden Avenue, Cheektowaga, New York, for their bid Item II, less trade in of one (1) 1966 Chevrolet Dump Truck, in the amount of $4,975.00, said bid being the lowest bid meeting the specifications.

*See next page for copy of tabulation.

Town of Cheektowaga

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

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

May 2, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

At the regular Town Board Meeting on May 1, 1978, bids were received and opened for a 1978 one ton pick up truck with a stake body for the Parks Department. Nine (9) bids were received as follows:

Maier Schule GMC	$4975.00
Mid City Dodge	5230.00
Mernan Chevrolet	5561.98
Gillogly Chevrolet	5625.00
Keller Chevrolet	5664.61
Lou Awald Chevrolet	5756.00
Broadway Ford	5783.00
Bison Ford	5900.00
Edward H. Cottrell Ford	6458.00

It is recommended that the bid be awarded to Maier Schule GMC Inc., 1745 Walden Avenue, Cheektowaga, New York for their bid of $4,975.00, said being the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Robert E. Vallone
Sr. Engineer Assistant

CLB:REV:dmr

Item No. 5 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 6 Motion by Councilman Dux, seconded by Councilman Johnson to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

MEETING NO. 12

CHEEKTOWAGA, NEW YORK
May 15, 1978

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 15th day of May, 1978 at 7:00 P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John V. Rogowski, Town Attorney; Robert Miller, Deputy Town Attorney; Julia Reinstein, Town Historian; Sal LaGreca, Assistant Manpower Program Director I; Ron Zoeller, Working Foreman in the Sanitation Department; Alfred Wnek, Highway Superintendent; Ron Marten, Building and Plumbing Inspector; Dr. Louis Vendetti, Town Health Officer; Chester Bryan, Town Engineer; Ed Leak, Recreation Director; Ken Kopacz, Executive Director of the Youth Bureau.

I. BIDS

Item No. 2 Engineering - Furnishing of grit chamber collector chains for Sewage Treatment Plant #5.
Referred to Chester Bryan, Town Engineer.

Item No. 3 Highway - repair and replacement of concrete curbs and approaches.
Referred to Alfred Wnek, Highway Superintendent.

II. PUBLIC HEARINGS

Item No. 4 This being the time and place advertised for a public hearing on the proposed amendment to Section 467 of the Real Property Tax Law of the State of New York with regard to granting of exemptions for persons entitled thereto and whose annual income does not exceed the sum of $7,200.00. 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.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. The hearing was held and closed.

Item No. 5 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the Town of Cheektowaga, hereinafter more particularly set forth. 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.

ARTICLE X

Parking, Standing and Stopping

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side:

Item No. 5 cont'd

WILLIAM STREET - North side: from the west curb line of Starlite Avenue to the east curb line of Standard Parkway

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. The hearing was held and closed.

Item No. 6 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
LeHavre Drive	The west property line of sublots 6 & 7 thence easterly on both sides	The east property line of sublots 1 & 121

TYPE OF STREET LIGHTING INSTALLATION

Two (2) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 per lot.

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.

Item No. 7 This being the time and place adveritsed 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 IMRPOVED

Name of Highway	From	To
Martinique Drive	The intersection of LeHavre Drive or the north property line of sublots 71 & 121, thence southerly on both sides	The intersection of No. Seine Drive or the south property line of sublots 40 & 41.

TYPE OF STREET LIGHTING INSTALLATION

Nine (9) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 per lot.

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.

Item No. 8 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,

Item No. 8 cont'd

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
Barbados Drive	The north property line of sublots 5 & 6, thence southerly on both sides	The intersection of North Seine Drive or the south property line of sublots 31 & 43

TYPE OF STREET LIGHTING INSTALLATION

Ten (10) 7000 lumen electrical post top mercury units
Estimated cost per year for two years - $8.08 per lot.

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.

Item No. 9 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
North Seine Drive	The west property line of sublots 31 & 32, thence easterly on both sides	The east property line of sublots 39 & 40

TYPE OF STREET LIGHTING INSTALLATION

Two (2) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 per lot.

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. RESOLUTIONS

Item No. 10 Bond Resolution - Scajaquada Creek bridges and Culverts

* See next eighteen (18) pages for Bond Resolution

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York.

May 15, 1978

* * *

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, in said Town, on May 15, 1978, at 7:00 o'clock P.M.(D.S.T.).

There were present: Honorable Kenneth J. Meyers, Supervisor, and
Frank E. Swiatek, Councilman
Thomas M. Johnson, Jr., Councilman
Frank J. Dux, Councilman
George Kaczmarek, Councilman
James R. Burst, Councilman
Donald J. Wegner, Councilman

There were absent: None

Also present: Richard M. Moleski, Town Clerk
John V. Rogowski, Town Attorney

* * *

Supervisor Meyers offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MAY 15, 1978, AUTHORIZING THE CONSTRUCTION OF PEDESTRIAN AND HIGHWAY BRIDGES ACROSS THE SCAJAQUADA CREEK AND TRIBUTARIES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,075,680, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING $53,784 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT AND AUTHORIZING THE ISSUANCE OF $1,021,896 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the 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"), in the County of Erie, New York, is hereby authorized to construct pedestrian and highway bridges across the Scajaquada Creek and its tributaries, using steel, stone, concrete or a combination thereof, including the acquisition of land or rights in land, and construction of retaining walls and approaches as may be required therefor, said work being part of the "Scajaquada Creek and Tributaries Flood Protection Project". The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is $1,075,680 and said amount is hereby appropriated therefor, including the amount of $53,784 current funds to provide the down payment required pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"). The plan of financing includes the use of said current funds to provide such down payment and the issuance of $1,021,896 serial bonds of the Town to finance the

balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Pursuant to the provisions of the Law, serial bonds of the Town in the principal amount of $1,021,896, are hereby authorized to be issued to finance the balance of said appropriation.

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

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 10. is twenty (20) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds and such current funds in the amount of $53,784 will be provided from moneys now available therefor in the current budget of the Town under the heading " A-9550 - Capital Fund " and the Supervisor is hereby authorized and directed to set aside said current funds and apply the same solely to said class of objects or purposes described in Section 1 hereof.

(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 bond anticipation notes issued in anticipation of the sale of said bonds 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 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 provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof 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 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 the 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 be subject to a permissive referendum.

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

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Supervisor 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 shall, within ten (10) days after the adoption of the bond resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof, cause to be published at least once in the "EXAMINER [illegible]," a newspaper published in Cheektowaga New York, and the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby designated the official newspapers of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall be in substantially the following form:

TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK

PLEASE TAKE NOTICE that on May 15, 1978, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted May 15, 1978, authorizing the construction of pedestrian and highway bridges across the Scajaquada Creek and tributaries, stating the estimated maximum cost thereof is $1,075,680, appropriating said amount therefor, including $53,784 current funds to provide the required down payment and authorizing the issuance of $1,021,896 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct pedestrian and highway bridges across the Scajaquada Creekt and its tributaries, using steel, stone, concrete or a combination thereof, including the acquisition of land or rights in land, and the construction of retaining walls and approaches as may be required therefor, said work being part of the "Scajaquada Creek and Tributaries Flood Protection Project"; STATING the estimated maximum cost thereof is $1,075,680 and APPROPRIATING said amount therefor, including the amount of $53,784 current funds to provide the down payment required pursuant to the Local Finance Law ("Law"); STATING the plan of financing includes the use of said current funds to provide such down payment and the issuance of $1,021,896 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING $1,021,896 serial bonds of the Town to be issued pursuant to the provisions of the Law to finance the balance of said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of the class of objects or purposes is twenty (20) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds or of any notes in anticipation of the sale of such bonds and such current funds in the amount of $53,784 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550 - Capital Fund"; AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: PROVIDING that the resolution shall be subject to a permissive referendum.

DATED: MAY 15, 1978

RICHARD M. MOLESKI,

Town Clerk

Section 3. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspapers hereinabove referred to in Section 1 hereof, and hereby designated the official newspapers of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

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

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Supervisor Meyers offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MAY 15, 1978, AUTHORIZING THE CONSTRUCTION OF CULVERTS FOR THE SCAJAQUADA CREEK AND TRIBUTARIES FLOOD PROTECTION PROJECT, IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,074,600, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING $53,730 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT AND AUTHORIZING THE ISSUANCE OF $1,020,870 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the 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"), in the County of Erie, New York, is hereby authorized to construct box culverts for the "Scajaquada Creek and Tributaries Flood Protection Project", in the Town, including acquisition of land or rights in land, original furnishings, equipment, machinery or apparatus as required therefor. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is $1,074,600 and said amount is hereby appropriated therefor, including the amount of $53,730 current funds to provide the down payment required pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"). The plan of financing includes the use of said current funds to provide such down payment and the issuance of $1,020,870 serial bonds of the Town to

to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Pursuant to the provisions of the Law, serial bonds of the Town in the principal amount of $1,020,870, are hereby authorized to be issued to finance the balance of said appropriation.

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

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 3. of the Law, is thirty (30) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds and such current funds in the amount of $53,730 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550 - Capital Fund" and the Supervisor is hereby authorized and directed to set aside current funds and apply the same solely to said class of objects or purposes described in Section 1 hereof.

(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 bond anticipation notes issued in anticipation of the sale of said bonds 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 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 provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof 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 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 the 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 be subject to a permissive referendum.

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

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Supervisor 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 shall, within ten (10) days after the adoption of the bond resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof, cause to be published at least once in the "EXAMINER," a newspaper published in Cheektowaga, New York, and the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby designated the official newspapers of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall be in substantially the following form:

TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK

PLEASE TAKE NOTICE that on May 15, 1978, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted May 15, 1978, authorizing the construction of culverts for the Scajaquada Creek and Tributaries Flood Protection Project, in said Town, stating the estimated maximum cost thereof is $1,074,600, appropriating said amount therefor, including $53,730 current funds to provide the required down payment and authorizing the issuance of $1,020,870 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct box culverts for the "Scajaquada Creek and Tributaries Flood Protection Project", in the Town, including acquisition of land or rights in land, original furnishings, equipment, machinery or apparatus as required therefor; STATING the estimated maximum thereof is $1,074,600 and APPROPRIATING said amount therefor, including the amount of $53,730 current funds to provide the down payment required pursuant to the Local Finance Law ("Law"); STATING the plan of financing includes the use of said current funds to provide such down payment and the issuance of $1,020,870 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING $1,020,870 serial bonds of the Town to be issued pursuant to the provisions of the Law to finance the balance of said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of the class of objects or purposes is thirty (30) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds or of any notes in anticipation of the sale of such bonds and such current funds in the amount of $53,730 will be provided from moneys now available therefor in the current budget of the Town under the heading " A-9550 - Capital Fund "; AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: PROVIDING that the resolution shall be subject to a permissive referendum.

DATED: MAY 15, 1978

RICHARD M. MOLESKI,

Town Clerk

Section 3. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspapers hereinabove referred to in Section 1 hereof, and hereby designated the official newspapers of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

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

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, 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 May 15, 1978, 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 15th day of May, 1978.

(Seal)

Richard M. Moleski
Town Clerk

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

Gladys M. Leahter, 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 May 18, 1978; last publication May 18, 1978; and that no more than six days intervened between publications.

Gladys M. Leahter

Sworn to before me this 19th day of May, 1978

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, 1979

AFFIDAVIT

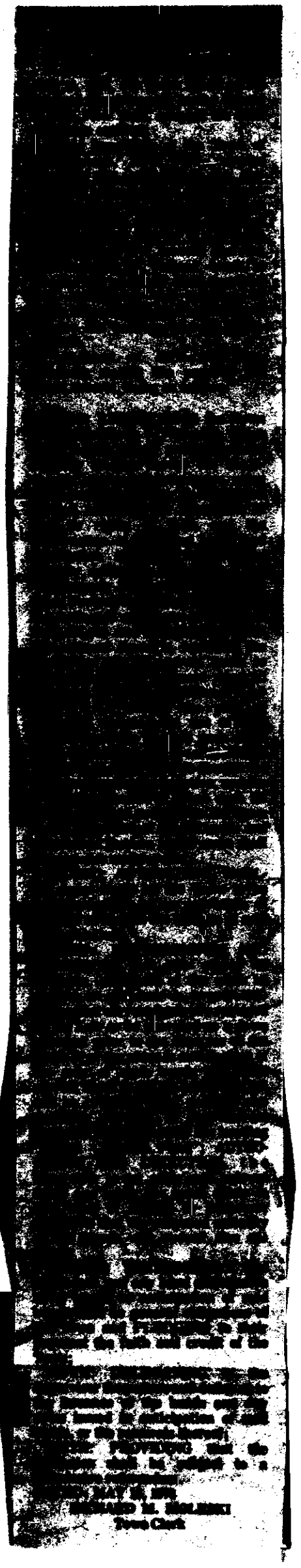
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 1978 and ending on the ____ day of ____, 19__

JC

Signed Jno L Charters
Sworn to before me, on the 18 day of May, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980



AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 19 78 and ending on the ____ day of _____, 19__

JC

Signed Jno J Charters
Sworn to before me, on the 18 day of May **19 78**
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

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

TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK

PLEASE TAKE NOTICE that on May 15, 1978, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted May 15, 1978, authorizing the construction of pedestrian and highway bridges across the Scajaquada Creek and tributaries, stating the estimated maximum cost thereof is $1,075,680, appropriating said amount therefor, including $53,784 current funds to provide the required down payment and authorizing the issuance of $1,021,896 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct pedestrian and highway bridges across the Scajaquada Creek and its tributaries, using steel, stone, concrete or a combination thereof, including the acquisition of land or rights in land, and the construction of retaining walls and approaches as may be required therefor, said work being part of the "Scajaquada Creek and Tributaries Flood Protection Project"; STATING the estimated maximum cost thereof is $1,075,680 and APPROPRIATING said amount therefor, including the amount of $53,784 current funds to provide the down payment required pursuant to the Local Finance Law ("Law"); STATING the plan of financing includes the use of said current funds to provide such down payment and the issuance of $1,021,896 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING $1,021,896 serial bonds of the Town to be issued pursuant to the provisions of the Law to finance the balance of said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of the class of objects or purposes is twenty (20) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds and such current funds in the amount of $53,784 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550-Capital Fund"; AUTHORIZING AND DIRECTING the Supervisor to set aside current funds and apply the same solely to said class of objects or purposes; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: PROVIDING that the resolution shall be subject to a permissive referendum.

DATED: MAY 15, 1978

RICHARD M. MOLESKI,
Town Clerk

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

Gladys M. Hesketh, 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 May 18, 1978; last publication May 18, 1978; and that no more than six days intervened between publications.

Gladys M. Hesketh

Sworn to before me this 19th

day of May, 1978

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, 1979

AFFIDAVIT

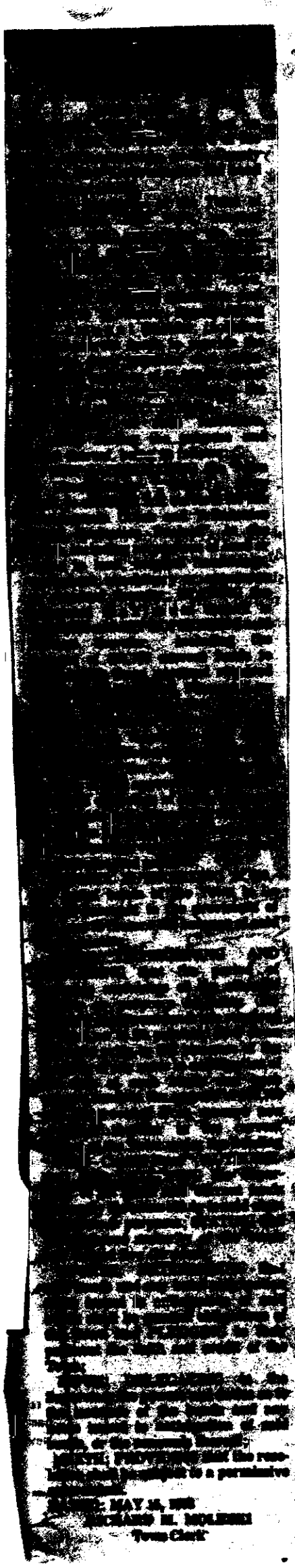
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 1978 and ending on the 18 day of _____, 19__

JC

Signed Jno J. Charters
Sworn to before me, on the 18
day of May 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980



AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 1978 and ending on the 8 day of _____, 19__

JC

Signed Jno J. Charters
Sworn to before me, on the 8
day of May 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

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

[redacted] OF CHEEKTOWAGA
IN THE COUNTY OF ERIE,
NEW YORK

PLEASE TAKE NOTICE that on May 15, 1978, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted May 15, 1978, authorizing the construction of culverts for the Scajaquada Creek and Tributaries Flood Protection Project, in said Town, stating the estimated maximum cost thereof is $1,074,600, appropriating said amount therefor, including $53,730 current funds to provide the required down payment and authorizing the issuance of $1,020,870 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct box culverts for the "Scajaquada Creek and Tributaries Flood Protection Project", in the Town, including acquisition of land or rights in land, original furnishings, equipment, machinery or apparatus as required therefor; STATING the estimated maximum thereof is $1,074,600 and APPROPRIATING said amount therefor, including the amount of $53,730 current funds to provide the down payment required pursuant to the Local Finance Law ("Law"); STATING the plan of financing includes the use of said current funds to provide such down payment and the issuance of $1,020,870 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING $1,020,870 serial bonds of the Town to be issued pursuant to the provisions of the Law to finance the balance of said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of the class of objects or purposes is thirty (30) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds or of any notes in anticipation of the sale of such bonds and such current funds in the amount of $53,730 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550 - Capital Fund"; AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: PROVIDING that the resolution shall be subject to a permissive referendum.

DATED: May 15, 1978
RICHARD M. MOLESKI,
Town Clerk

Item No. 11 Decision on Rezoning - 3405 Harlem Road
This item was withdrawn.

Item No. 12 Motion by Councilman Johnson, seconded by Councilman Wegner

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
Martinique Drive	The intersection of LeHavre Drive or the north property line of sublots 71 & 121, thence southerly on both sides	The intersection of No. Seine Drive or the south property line of sublots 40 & 41.

TYPE OF STREET LIGHTING INSTALLATION

Nine (9) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 per lot.

and hear all persons interested in the subject thereof, NOW, THEREFORE,

BE IT RESOLVED that thsi 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 street 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: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilman Johnson, seconded by Councilman Wegner

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
Barbados Drive	The north property line of sublots 5 & 6, thence southerly on both sides	The intersection of North Seine Drive or the south property line of sublots 31 & 43

Item No. 13 cont'd

TYPE OF STREET LIGHTING INSTALLATION

Ten (10) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 per lot.

and hear 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 street 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: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Johnson, seconded by Councilman Wegner

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
North Seine Drive	The west property line of sublots 31 & 32, thence easterly on both sides	The east property line of sublots 39 & 40

TYPE OF STREET LIGHTING INSTALLATION

Two (2) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 per lot.

and hear 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 street lighting equipment, and BE IT

Item No. 14 cont'd

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: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Johnson, seconded by Councilman Wegner

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
LeHavre Drive	The west property line of sublots 6 & 7, thence easterly on both sides	The east property line of sublots 1 & 121

TYPE OF STREET LIGHTING INSTALLATION

Two (2) 7000 lumen electrical post top mercury units.
Estimated cost per year for two years - $8.08 per lot.

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 street 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: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Meyers, seconded unanimously

WHEREAS, the Town Board of Cheektowaga has previously adopted a resolution dated May 1, 1978 providing for a Public Hearing to be held on May 15, 1978 for the purpose of considering the adoption of a local law, ordinance, or resolution providing for the exemption from taxation relative to taxes assessed by the Town of Cheektowaga to the extent of 50 percentum of the assessed valuation of real property owned by persons over 65 years of age whose income or the combined income of the

Item No. 16 cont'd

owners of said real property does not exceed the sum of $7,200.00 per year and for the purpose of considering other amendments to Section 467 of the Real Property Tax Law of the State of New York regarding said exemptions, and

WHEREAS, a legal notice was duly published in the CHEEKTOWAGA TIMES and the EXAMINER relative to the Public Hearing to be held on May 15, 1978, and

WHEREAS, said Public Hearing was held on May 15, 1978 by the Town Board of Cheektowaga and all interested parties were given an opportunity to be heard, NOW, THEREFORE, BE IT

RESOLVED that the Town Board, pursuant to the provisions set forth in Section 467 of the Real Property Tax Law of the State of New York, does hereby grant an exemption from Town taxes to the extent of 50 percentum of the assessed valuation of all real property owned by persons over the age of 65 years or real property owned by hustand and wife, one of whom is 65 years of age or over.

The income of the owner or the combined income of the owners of the property for the income tax year immediately proceeding the date of making application for exemption must not exceed the sum of $7,200.00. Income tax year shall mean the twelve-month period for which the owner or owners filed a Federal Income Tax Return or if no such return is filed, the calendar year. Where title is vested in either the husband or wife, the combined income may not exceed the sum of $7,200.00.

This resolution becomes effective immediately

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 1978 and ending on the 8 day of _____, 19__

Signed Jas L Charters JC
Sworn to before me, on the 18th day of May, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

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 Roads, in said Town on the 15th day of May, 1978 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson Jr
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner
ABSENT: 0

Motion by Supervisor Meyers
Seconded by Unanimously

WHEREAS, the Town Board of Cheektowaga has previously adopted a resolution dated May 1, 1978 providing for a Public Hearing to be held on May 15, 1978 for the purpose of considering the adoption of a local law, ordinance, or resolution providing for the exemption from taxation relative to taxes assessed by the Town of Cheektowaga to the extent of 50 percentum of the assessed valuation of real property owned by persons over 65 years of age whose income or the combined income of the owners of said real property does not exceed the sum of $7,200.00 per year and for the purpose of considering other amendments to Section 467 of the Real Property Tax Law of the State of New York regarding said exemptions, and

WHEREAS, a legal notice was duly published in the CHEEKTOWAGA TIMES and the EXAMINER relative to the Public Hearing to be held on May 15, 1978, and

WHEREAS, said Public Hearing was held on May 15, 1978 by the Town Board of Cheektowaga and all interested parties were given an opportunity to be heard, therefore, BE IT

RESOLVED that the Town Board, pursuant to the provisions set forth in Section 467 of the Real Property Tax Law of the State of New York, does hereby grant an exemption from Town taxes to the extent of 50 percentum of the assessed valuation of all real property owned by persons over the age of 65 years or real property owned by husband and wife, one of whom is 65 years of age or over.

The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption must not exceed the sum of $7,200.00. Income tax year shall mean the twelve-month period for which the owner or owners filed a Federal Income Tax Return or if no such return is filed, the calendar year. Where title is vested in either the husband or wife, the combined income may not exceed the sum of $7,200.00.

This resolution becomes effective immediately.

Upon roll call. . . . . .

Supervisor Meyers	Voting AYE
Councilman Swiatek	Voting AYE
Councilman Johnson	Voting AYE
Councilman Dux	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Burst	Voting AYE
Councilman Wegner	Voting AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, 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 May 15, 1978, and minutes of said meeting have been duly recorded in the Minute Book 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. 18, 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 18th day of May 1978.

RICHARD M. MOLESKI
Town Clerk

Item No. 17 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, Robert E. Mariacher and Others have made application and requested the rezoning of property located on 42.9+/ acres on the east side of Union Road, south of 2302 Union Road from M-1 - Light Manufacturing District to R - Residential District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 5, 1978 at 7:00 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Gladys M. Luckter, 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 May 18 1978; last publication May 18 1978; and that no more than six days intervened between publications.

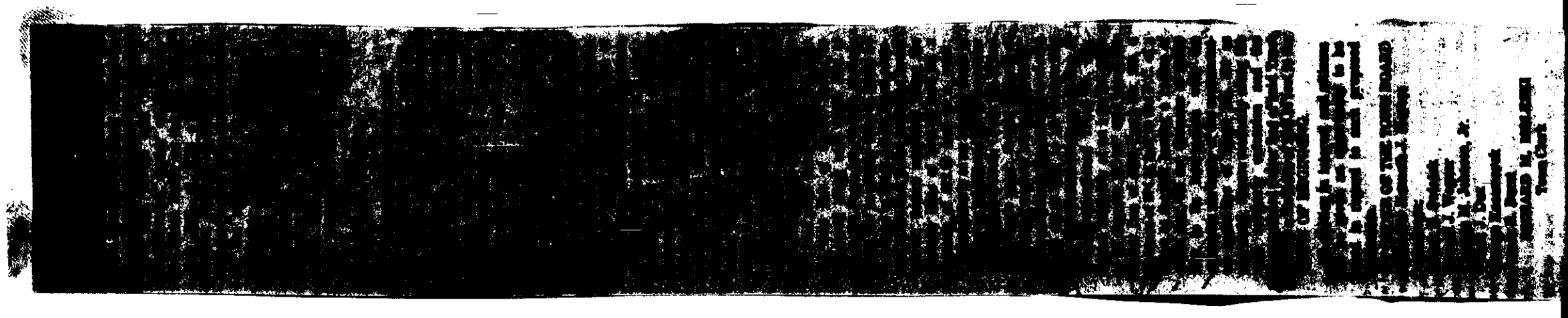
Gladys M. Luckter

Sworn to before me this 19th day of May, 1978

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, 1979



Item No. 18 Motion by Councilman Burst, seconded by Councilman Wegner

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 5th day of June, 1978 at 7:00 o'clock 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 EXAMINER on May 18, 1978, the said proposed amendment being set forth in the Notice of Hearing.

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

NOTICE OF HEARING

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 5th day of June, 1978 at 7:00 o'clock 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 relating to amending Article XII - Removal and Storage of Vehicles.

ARTICLE XII

Removal and Storage of Vehicles

Article XII is amended as follows. Additions in text are indicated by underline; deletions by ~~strikeouts~~.

Section 120. Authority to impound vehicles.

A. When any vehicle is parked or abandoned on any highway within this town during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

B. When any vehicle is found unattended on any highway within this town where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by any authorized town tower as designated by the Chief of Police.

C. When any vehicle is parked or abandoned on any highway within this town where stopping, standing or parking is prohibited, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

D. When any vehicle is disabled and rendered inoperable as a result of any collision or accident at or near the location of said accident upon a public highway or right-of-way, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

Section 121. Storage and charges.

After removal of any vehicle as provided in this Article, the authorized town tower may store such vehicle in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the authorized tower of the amount of all expenses actually and necessarily incurred in effecting such removal, such removal charges not to exceed ~~twenty dollars ($20.)~~, ~~together with any charges for storage, such storage charges not to exceed one dollar ($1.) per day or fraction thereof~~. twenty dollars ($20.00) when such removal is made between the hours of 8:00 a.m. to 6:00 p.m. and the sum of twenty-five dollars ($25.00) when such removal is made between the hours of 6:00 p.m. to 8:00 a.m.; together with any charges for storage, such storage not to exceed one dollar ($1.00) during the first twenty-four hours of storage or fraction thereof, and the sum of three dollars ($3.00) per day for every day or fraction thereof after the first twenty-four hour period of storage.

Item No. 18 cont'd

In addition to the above towing and storage charges, the owner or person in charge of the vehicle shall be required to pay to the authorized tower, the following charges when applicable:

A. A sum not to exceed ten dollars ($10.00) for winching of said vehicle.

B. A sum not to exceed ten dollars ($10.00) when the authorized tower is required to, and does use either a dolly or flatbed for the purpose of towing away and removing said vehicle.

Section 122. Notice of Removal

The authorized town tower shall without delay report the removal and the disposition of any vehicles removed as provided in this Article to the Chief of Police, and it shall be the duty of said Chief of Police to ascertain to the extent possible the owner of the vehicle or person having charge of the same, and to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same.

Section 123. ~~Delegation of duties.~~ Administration, enforcement, and delegation of duties.

Unless otherwise provided, the provisions of this ordinance shall be administered and enforced by the Chief of Police. The Chief of Police shall establish and enforce reasonable rules and guidelines requiring that authorized town towers store said vehicles in a fenced-in lot or enclosed building, maintain adequate security for safekeeping said vehicles, use and maintain safe and adequate equipment for towing and storage and provide twenty-four hour, seven days per week service.

Any of the duties of the Chief of Police under this Article may be delegated by him to other members of the Police Department of the town.

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

DATED: May 15, 1978

RICHARD M. MOLESKI
Town Clerk

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 1978, and ending on the 0 day of _____, 19__

Signed Jas L Charters JC
Sworn to before me, on the 18th day of May, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

NOTICE OF HEARING

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 5th day of June, 1978 at 7:00 o'clock p.m. Eastern Standard 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 relating to amending Article XII - Removal and Storage of Vehicles.

ARTICLE XII

Removal and Storage of Vehicles

Article XII is amended as follows. Additions in text are indicated by underline; deletions by strikeouts:

Section 120. Authority to impound vehicles.

A. When any vehicle is parked or abandoned on any highway within this town during a snowstorm, flood, fire or other public emergency which effects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

B. When any vehicle is found unattended on any highway within this town where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

C. When any vehicle is parked or abandoned on any highway within this town where stopping, standing or parking is prohibited, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

D. When any vehicle is disabled and rendered inoperable as a result of any collision or accident at or near the location of said accident upon a public highway or right-of-way, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

Section 121. Storage and charges.

After removal of any vehicle as provided in this Article, the authorized town tower may store such vehicle in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the authorized tower of the amount of all expenses actually and necessarily incurred in effecting such removal, such removal charges not to exceed twenty-dollars ~~($20.)~~, together with any charges for storage, ~~such storage charges not to exceed one dollar ($1.) per day or fraction thereof.~~ twenty dollars ($20.00) when such removal is made between the hours of 8:00 a.m. to 8:00 p.m. and the sum of twenty-five dollars ($25.00) when such removal is made between the hours of 8:00 p.m. to 8:00 a.m., together with any charges for storage such storage charges not to exceed one dollar ($1.00) during the first twenty-four hours of storage or fraction thereof, and the sum of three dollars ($3.00) per day for every day or fraction thereof after the first twenty-four hour period of storage.

In addition to the above towing and storage charges, the owner or person in charge of the vehicle shall be required to pay to the authorized tower, the following charges when applicable:

A. A sum not to exceed ten dollars ($10.00) for winching of said vehicle.

B. A sum not to exceed ten dollars ($10.00) when the authorized tower is required to, and does use either a dolly or flatbed for the purpose of towing away and removing said vehicle.

Section 122. Notice of removal.

The authorized town tower shall without delay report the removal and the disposition of any vehicles removed as provided in this Article to the Chief of Police, and it shall be the duty of said Chief of Police to ascertain to the extent possible the owner of the vehicle or person having charge of the same, and to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same.

Section 123. ~~Delegation of duties.~~ Administration, enforcement, and delegation of duties.

Unless otherwise provided, the provisions of this ordinance shall be administered and enforced by the Chief of Police. The Chief of Police shall establish and enforce reasonable rules and guidelines requiring that authorized town towers store said vehicles in a fenced-in lot or enclosed building, maintain adequate security for safe-keeping said vehicles, use and maintain safe and adequate equipment for towing and storage and provide twenty-four hour, seven days per week service.

Any of the duties of the Chief of Police under this Article may be delegated by him to other members of the Police Department of the town.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
Dated: May 15, 1978
RICHARD M. MOLESKI
Town Clerk

Item No. 19 Call for public hearing to amend Traffic Ordinance - Winter Parking Ban
This item was withdrawn.

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the westerly boundary of the Como Subdivision is located at the rear of the homes situated on the west side of Cromwell Drive as more fully appears on Map Cover No. 2331, which Subdivision Map was approved by the Town of Cheektowaga on 9/8/72, the Town Highway Department and Engineering Department on 10/2/72, and filed in the Erie County Clerk's Office on January 10, 1973, and

WHEREAS, according to he said Subdivision Map, there is a 10-foot easement along the entire westerly boundary of the said Como Subdivision, which easement, as stated on the filed Map is "for the benefit of the owners of the property within the subdivision, and the benefit derived from these easements is for the property owners only, and the Town of Cheektowaga assumes no responsibility for maintenance," and

WHEREAS, the aforementioned easement has not been maintained and/or has been improperly maintained, resulting in poor drainage, flooding and property damage, and

WHEREAS, several property owners, whose homes are situated on the west side of Cromwell Drive, have requested that the Town of Cheektowaga acquire the aforementioned 10-foot easement and maintain same, and

WHEREAS, this Town Board has evinced the Town policy of acquiring easements for the construction, improvement and maintenance of drainage systems, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office, in conjunction with the Town Highway Department and Town Engineering Department, take all necessary steps for the acquisition by the Town of the 10-foot easement located at the rear of the homes situated on the west side of Cromwell Drive, including, if necessary, the amendment of Map Cover No. 2331.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Dux, seconded by Councilman Kaczmarek

BE IT RESOLVED that the Town Board of the Town of Cheektowaga grants authorization to Richard M. Moleski, Town Clerk of the Town of Cheektowaga, to dispose of record item numbers as follows:

12. Form L.A. 23 or local equivalent "Real Property Transfer Report," together with accompanying photostatic copy of deed, forwarded to State Board of Equalization and Assessment and the County Equalization Agency.

19. List of property transfers supplied assessor for information purposes.

44. Copy of statement of assessment against real property delivered to property owners.

45. Collector's daily or monthly summary of cash receipts with machine tapes.

65. Preliminary Annual Budget.

68. Monthly department budget statements containing information extracted from appropriation ledger to show monthly status of appropriation accounts issued by the chief fiscal officer to departments.

71. Application for, stub or duplicate copy of a permit for a building and/or zoning.

Item No. 21 cont'd

73. Maps, plans, blueprints, specifications submitted in connection with an application for a building and/or zoning permit.

81. Application for variance to zoning board of appeals, together with supporting records.

85. Copy of reports by planning board of zoning commission to governing body.

96. Notice by zoning board of appeals to parties concerned at the time of hearing of appeal.

102. Records summarizing information contained in the applicationg for a building permit, the building permit, and records of final approval of disposition and related information used for administrative and accounting purposes.

103. Expired undertaking, bond, or surety of a contractor filed with a municipal corporation in compliance with an ordinance and covering plumbing, electrical, sidewalk work, house moving, street opening and other related activities when no litigation is involved.

124. Clerk's monthly report to county clerk of Conservation Department licenses sold.

126. Clerk's final report to county clerk of Conservation Department licenses sold for calender year.

138. Application for dog license.

139. Stub of dog license issued.

140. Application for kennel license together with supplement to application, if any.

141. Clerk's copy of kennel license.

142. Affidavit for transfer of dog license (DL31).

143. Affidavit in case of lost tage (DL32).

144. Affidavit for spayed female dog (DL33).

146. Certificate by veterinarian showing that the dog has been spayed submitted by applicant for license or spayed female dog.

145. Affidavit for nonliability (DL34).

147. Affidavit by dog license owner that dog described in license is dead, submitted upon application for a license for a new dog of which he has become owner.

148. Clerk's monthly report to county treasurer on dog licenses issued.

149. Clerk's list of delinquent dog owners (DL2).

152. Enumerator's list of owners or harborers od dogs.

155. Voted ballot where no court action or legislative investigation was commenced in regard to such election.

156. Unvoted ballot, where no court action or legislative investigation was commenced in regard to such election.

157. Sample ballot for election.

Item No. 21 cont'd

159. Tally Sheet

165. Election inspectors' return and statement of canvass of vote, other than a vote approving a bond or note issue or vote approving tax limit increase.

166. Proof of publication and posting of election notice of an election, other than an election approving a bond or note issue or a tax limit increase.

168. Statement of campaign receipts, expenditures, and contributions made by candidate for election.

173. Copy of certificate sent to board of elections stating town officers to be voted for at general election.

177. List of persons including supplemental lists qualified to serve as inspector of elections, submitted by political party.

184. Fee book showing fees received.

193. Bank Statement

195. Monthly bank statement reconciliation.

198. Duplicate deposit slip.

208. Copies, other than official copy, of supervisor's annual report to town board of bonded indebtedness.

211. Copy of annual report of financial condition of municipal corporation made to State Comptroller pursuant to Section 30, General Municipal Law.

227. Claim for payment, including claim, vendor's voucher and bill.

228. Receipt received for cash payment.

236. Work papers created and used by office personnel to itemize and list receipts, disbursements and balances at beginning and end of month in the preparation of the monthly financial report.

256. Daily cash record, including adding machine tapes.

269. Town highway superintendent's copy of county highway superintendent's permit to temporarily obstruct county highway, issued on request of town highway superintendent.

270. Permit to obstruct temporarily State highway, issued by State Department of Transportation.

271. Town Clerk's copy of county highway superintendent's certificate to close State highway, issued at request of State Department of Transportation.

324. Drafts or extra copies of minutes, when official copy is retained permanently.

325. General correspondence that no longer has sufficient administrative, fiscal, or legal value to warrant its continued retention.

329. Stenographer's shorthand notebook or mechanical dictating and transcribing medium, exclusive of court reporter's or hearing reporter's shorthand notebook.

Item No. 21 cont'd

336. Certificate of town clerk indicating that the Town records show the adoption of one or more ordinances and the requisite posting and publishing thereof.

364. Records dealing with an application for and granting of a bingo license, when the license has not been suspended or revoked including Forms BC-2, BC-2A, BC-2B, "Application for a Bingo License," Form BC-4 "Findings and Determinations for Bingo License," Form BC-5 "License to Conduct Bingo Games," Form BC-7 "Financial Statement of Bingo Operations," BC-7 "List of Persons in Charge and Assistants to Persons in Charge for Occasion," or previous forms used for similar purposes, copy of lease, investigation report by local enforcement agency for each bingo game occasion, and related correspondence.

365. Records concerning bingo operations created by a local unit of government for the control of bingo activities, when the license has not been suspended or revoked - the records include but are not limited to: Identification badges, Personnel cards, Inspector's Reports on Bingo Games, Application for and Certification of Building for Bingo Activities by a Building Department or Fire or Safety Department.

386. Employee's time cards, sheets, or books when information is posted to a summary record.

392. Employer's copy of Withholding Tax Statement.

396. Employer's Quarterly Federal Tax Return.

397. Employer's copy of New York State income tax records relating to employees.

451. Bid, successful, in connection with purchase of materials used in capital construction.

452. Specifications for materials, supplies and services not connected with capital construction.

453. Bid, successful, in connection with purchase of materials, supplies, and services not connected with capital construction.

454. Bid, unsuccessful, in connection with purchase of materials, supplies, and services not connected with capital construction.

455. Bid, unsuccessful, in connection with purchase of materials, supplies, and services.

on Local Records Disposition Request Number 272-TC-14 issued pursuant to part 185, Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, Regulations of the Commissioner of Education, and BE IT FURTHER

RESOLVED that the Town Clerk be, and hereby is, directed to furnish a certified copy of this Resolution to the New York State Commissioner of Education.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the New York State Department of Transportation is reconstructing Genesee Street from Beryl Drive eastward a distance of approximately 550' for

Item No. 22 cont'd

relocation of a box culvert as part of the Scajaquada Creek Flood Control Project, and

WHEREAS, the existing Beryl Drive - Genesee Street intersection is geometrically inadequate with a history of many accidents, and

WHEREAS, the Town of Cheektowaga desires to correct this unsafe condition and is presently obtaining a right of way at the corner of Beryl Drive and Genesee Street for making improvements to the intersection, NOW, THEREFORE, BE IT

RESOLVED that the New York State Department of Transportation be memorialized to include the improvement design and construction of the intersection of Beryl Drive andGenesee Street as part of the New York State Genesee Street Reconstruction Project, and BE IT FURTHER

RESOLVED that a copy of this resolution be transmitted to Daniel Ketchum, Design Engineer, New York State Department of Transportation, Region 5, for implementation.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the New York State Department of Transportation will be receiving bids for the reconstruction of Broadway, S.H. 914, from a point approximately 1/4 mile west of Union to the Erie County Fire Training Tower including bridge rework at Union Road, and

WHEREAS, said reconstruction requires that New York State acquire additional Right-of-way including a portion of Town property, said property located at the northwest corner of the Town Hall property to improve the right hand turning radius of the east Union Road approach, specifically a 13' X 44' triangular piece of property, tax No. 1-451, which is owned by the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that this Town Board accepts compensation in the amount of $2,000.00 for the appropriation of said land by the State of New York, and BE IT FURTHER

RESOLVED that the Supervisor on behalf of the Town Board execute the necessary agreement with the State of New York Department of Transportation, and BE IT FURTHER

RESOLVED that the Town Clerk shall present five (5) certified copies of this resolution to the New York State Department of Transportation.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, St. Aloysius Roman Catholic Church has offered the use of certain lands adjacent to the Church for recreational purposes, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be hereby authorized to negotiate a lease agreement with the Church.

Item No. 24 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

BE IT RESOLVED that the Town Attorney's Office is hereby directed to research the title of a paper street, namely, Wagner Street (Map Cover 868, lots 30 through 80 inclusive), and retain the services of a title company for such purposes, if necessary, for the purpose of establishing a drainage system on the proposed Right-of-Way known as Wagner Street, which is necessary to assure the drainage of the developed portion of Wagner Street and Claude Drive.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst, and Wegner
NAYES: 0
ABSENT: 0

Item No. 26a Motion by Councilman Swiatek, seconded by Councilman Johnson

WHEREAS, the Kennel Club of Buffalo, Inc. has requested permission to utilize "Losson Community Park", located on Losson Road, Cheektowaga, New York, to conduct a professional "Dog Show," and

WHEREAS, the Kennel Club of Buffalo, Inc. has requested the date of June 4, 1978, and

WHEREAS, the intent and purpose of the Kennel Club of Buffalo, Inc. and the Town of Cheektowaga is to reserve the area known as Diamond Number One, located within Losson Community Park, and

WHEREAS, the primary purpose of said "Dog Show" is to afford the general public an opportunity to observe various Pedigree species, catagorized and professionally judged, and

WHEREAS, the Kennel Club of Buffalo, Inc. have submitted a Certificate of Insurance from the American Home Insurance Company, , New York, New York to insure, General Liability to include Bodily Injury Liability in the amount of $300,000.00 each occurrence and Property Damage Liability in the amount of $50,000.00 each occurrence, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grants to the Kennel Club of Buffalo, exclusive use of the area known as Diamond Number One, Losson Community Park, on June 4, 1978; between the hours of 8 AM and 5:30 PM; under the guidelines set forth within said resolution.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Kaczmarek, Burst, and Wegner
NAYES: Councilman Dux
ABSENT: 0

Item No. 26b Motion by Councilman Swiatek, seconded by Councilman Johnson

WHEREAS, through prior Town Board resolution permission has been granted to the Kennel Club of Buffalo, to conduct a "Dog Show" at Losson Community Park, on June 4, 1978 between the hours of 8 AM and 5:30 PM, and

WHEREAS, the Code of the Town of Cheektowaga, Article 48-8 Domestic Animals Prohibited from Parks and Park Approaches, states, "No Domestic animals shall be permitted in a park or park approach,", and

Item No. 26b cont'd

WHEREAS, only duly authorized Kennel Club of Buffalo members are registered entrants shall be allowed to occupy the grounds of the Losson Community Park during such times as stated within said resolution, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board permit a waiver of, Article 48-8 of the Code of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that said waiver be extended to the Kennel Club of Buffalo, its membership and registrants on June 4, 1978 between the hours of 8 AM and 5:30 PM, and BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, it's membership and registrants, shall comply with the code of the Town of Cheektowaga, Chapter 21, Amended in its entirety on February 2, 1978, and BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, its membership and registrants, shall comply with the Code of the Town of Cheektowaga Article 21-1. Applicability; Article 21-2. Seizure of Unleashed Dogs Off Owners Premises; Article 21-3. Muzzling or Fastening of Dogs on Owner's Premises; Article 21-4. Noise by Dogs; and Article 21-5. Penalties for Orfenses, and BE IT FURTHER

RESOLVED that copies of said resolution be directed to the Acting Chief of Police, the Town Dog Warden and the Town Attorney, Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyrs, Councilmen Swiatek, Johnson, Kaczmarek, Burst and Wegner
NAYES: Councilman Dux
ABSENT: 0

Item No. 27 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, the Town Board of the Town of Cheektowaga has determined upon the recommendation of the Highway Superintendent and other department heads that the following items of personal property owned by the Town of Cheektowaga for Highway Department and other Department use are no longer required for Town use and that such items are surplus to the needs of the Town of Cheektowaga as set forth in the Notice of Sale attached hereto and made a part hereof.

NOW, THEREFORE, BE IT

RESOLVED that Auctioneers and Appraisets, Inc., heretofore retained by the Town are hereby authorized and directed to sell as separate items at public auction the aforesaid surplus items on June 3, 1978 at 10:00 o'clock a.m., Eastern Daylight Saving Time, at the Town of Cheektowaga Highway Garage, 3145 Union Road, Cheektowaga, New York, to the highest bidder with the terms of sale to be as follows:

1. Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.

2. Items sold shall be removed from place of sale no later than 72 hours after sale.

3. A minimum acceptable bid shall be set by the auctioneer at the time of sale for each separate item.

and BE IT FURTHER

RESOLVED that the Town Clerk shall give Notice of such sale by publishing a Notice in the CHEEKTOWAGA TIME and THE EXAMINER on May 18, 1978 and May 25, 1978 and by posting such notice on the Town Bulletin Board on May 18, 1978,

* See next six (6) pages for Notice of Public Auction

TOWN OF CHEEKTOWAGA

PUBLIC AUCTION

PLEASE TAKE NOTICE, that a public auction shall be held by Auctioneers and Appraisers, Inc. as agent for the Town of Cheektowaga, to sell town-owned Highway and other Town Departments surplus property and certain plumbing and other miscellaneous equipment at the Town Highway Garage, 3145 Union Road, Cheektowaga, New York, at 10:00 o'clock a.m. Eastern Daylight Saving Time, on Saturday, June 3, 1978.

The following items shall be offered for sale:

Highway Department

1) GMC Tractor, 1960 (Vehicle #S4636J), 860 Series, 671 Inline GMC Diesel, 10 speed, road ranger, with 1955 Talbert Trailer (Vehicle #1401), 15 T capacity. Good condition; operable at present time.

2) Dodge Polara, 1972 (Vehicle #DK41M2F208714). Needs engine work.

3) Huber Roller, 1952 (Vehicle #10947-10-12T). Workable condition.

4) Huber Roller, 1941 (Vehicle #0445). Poor condition, needs motor.

5) Gallion Grader, 1948 (Vehicle #MG20446). Needs motor and glass in cab.

6) Good Roads Leaf Loader, 1969, (Vehicle #20051HPR21068). Workable condition.

7) Gledhill Leaf Loader, 1964 (Vehicle #LL-HC-N). Workable condition.

8) (2) Oshkosh, 1958 (Vehicle #201244W5141), No. 12; Vehicle #198963W514D, No. 13), C190 Cummings Engine, with snow plows & wings. Both workable condition. One has a sander in workable condition and the other has a dump body.

9) (2) Chevrolet Trucks, 1966 (No. 20, Vehicle #HM8140P102583; No. 23, Vehicle #HM8140P102586), 80 series 478 magnum engines. Trucks are in workable condition, sanders need work.

10) Chevrolet Truck, 1966 (No. 24, Vehicle #HM8140P203585), with 478 magnum engine. Workable condition, but needs rear housing and parts.

11) Chevrolet Flat Bed Dump, 1967 (Vehicle #CS537112933). Needs engine.

12) Chevrolet, 1967 (No. 25, Vehicle #HM8140P103350), 80 series, 478 magnum engine, 5 speed transmission with 2 speed rear, has plow riggings but no plow or wing. Good condition.

13) GMC, 1967 (No. 21, Vehicle #D2014H), 8500 series, 478 magnum engine, 5 speed transmission with 2 speed rear, has plow riggings but no plow or wing. Good condition.

14) International, 1965 (No. 55, Vehicle #FD93472H), 549 V-8 gas engine, 5 speed transmission, 4 speed transfer case and 29,000 lb. rear axle, 10' dump body, twin cylinder back-up and down with plow riggings but no plow or wing. Very good condition.

15) Chevrolet, 1966 (No. 19, Vehicle #HM8140P102587), 80 series, 478 magnum engine, 5 speed transmission with 2 speed rear. Third gear needs work, engine in good working condition.

16) International, 1965 (No. 54, Vehicle #FD93394H), 549 V-8 gas engine, 5 speed transmission, 4 speed transfer case and 29,000 lb. rear axle, 10' dump body, twin cylinder back-up and down with plow riggings, but no plow or wing. Good condition.

17) Red Seal 6" Water Pump on Wheels with hoist bracket and towing tongue. Continental motor, 4 cyl., model Y112. Tires-good. Hand crank start, no hose. Good motor and pump.

18) 2" Water Pump, Midland Model 12M-1, Briggs-Stratton air cooled engine on wheels. Pump OK, Engine needs work.

19) (2) Hydraulic Sanders, Highways Model.

20) (6) Frink Plows. Serial #459S-42LO, #459SP-89LM, #448SP-31LO, #448SP-49LO, #459SP-90LM, and one with no serial number.

21) (1) Viking one-way plow with no push frame, Serial #P5477.

Sewer Department

1) Sewerroder (Flexible Inc.), 9 HP Wisconsin, air-cooled, with 500 feet of rods. Fair condition.

2) 25' Trailer (voting booth), no brakes or lights. Very good condition.

3) Stahl Electric Extension Ladder with bucket for pole painting for flat bed mounting. Very good/good condition.

Building & Grounds Department

1) Monroe "President," Model No. B166B8009, Serial No. B469069B.

2) Lawn Mower, Green Turf, 1976, 3-1/2 Briggs & Stratton. Shaft is bent.

3) Water Pump, portable gasoline driven, Comet, Briggs & Stratton 2 HP. Fair condition.

4) Grass Edger (Black & Decker), U277 Deluxe, 1/2 horse power. Good condition.

5) Westinghouse Water Cooler (drinking fountain).

Parks Department

1) Tru-Test DeluxeRiding Lawn Cutter, 1972, 8 HP Briggs & Stratton motor. Model 190707, Type 0777-01, Code 7203281. Poor condition; has not been used for three years.

2) Lambert "Klondike" Snow Thrower EZ 24, Briggs & Stratton motor. Very poor condition.

3) Snow Bird Power Snow Remover, S. 262. Poor condition.

4) Set of Toro Gang Mower, 3 cutters. Fair to poor condition.

Central Garage

1) Fairbanks-Morse Registering Beam with attachments, 0 - 40,000 pounds.

2) International Chassis, 1961, no brakes, motor does not run. Very poor condition.

3) International Chassis, 1971, Good motor, good condition. Dumpster lift in very good condition.

4) International Chassis, 1970, motor does not run. Truck in good condition. Dumpster lift in very good condition.

5) Oliver Gaz Crawler Tractor (1961) with blade, Model OC4-36, no steering clutch. Motor in running condition.

6) Ford Convertible, 1969, no registration, junk. Good motor.

7) (5) Dempster Dumpsters, Type "LFW," 300-C series. Very good condition.

8) (1) Dempster Dumpster, Type "LFW," 300-C series. Fair/good condition.

9) 10-Cubic Yard Dumpster. Container in good condition.

10) (4) 5-Cubic Yard Dumpsters. Containers in Fair/Poor condition.

11) (2) Heil Dump Bodies. Repairable.

12) Chevrolet Van, 1972, (blue), former plumbing van. Series CGE 352U154433. Body in fair/poor condition. Motor in good condition.

Town of Cheektowaga Equipment Auction

Sewer Treatment Plant #5

1) Motors

MAKE	PHASE	HP	FRAME	CYCLE	RPM	SERIAL NO.	SHAFT END	TYPE	VOLTS
#1 Westinghouse	3	5	215	60 220/240	1730	5505 H		ABDP #1778066	
#2 General Electric		1 1/2		60 cont.	1140		358003		115/230
#3 General Electric		1 1/2		60 cont.	1140		353003		115/230
#4 Westinghouse		5		2-0/240	1730	5505		ABDP #1778066	
#5 Century	1	1/2		60	760	854821		R 5	110/220
#6		1/2	54 A	60 cont.		7967870			220/440
#7 Century	1	1/8	E 48 Z		1725	c 4		SE	115
#8		3/4							220/240
#9 Chicago Pump	3	3		60 cont.	1160	551066-02-4		N254	220/240
#10 Wagner		3/4	7580		3450			RK	115/230
#11 Westinghouse	3	1 1/2		60	1160				220/240
#12 Westinghouse	3	3/4	182		960	5504		ABDP #1778004	220/240

2) Atlas 27 ft. Belt Conveyor, Model B 50

3) Three (3) Oil Containers with fixed pump on container, approx. capacity 15-20 gallons each.

Terms of sale shall be subject to the following conditions:

1. Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.

2. Items sold shall be removed from place of sale no later than 72 hours after sale.

3. A minimum acceptable bid shall be set by the auctioneer at the time of sale for each separate item.

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

RICHARD M. MOLESKI
Town Clerk

Dated: May 15, 1978

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 25 day of May, 1978 and ending on the _____ day of _____, 19__

JC

Signed Jas L. Charters
Sworn to before me, on the 25 day of May, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 1978, and ending on the _____ day of _____, 19__

JC

Signed Jas L Charters
Sworn to before me, on the 18 day of May, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

TOWN OF CHEEKTOWAGA
PUBLIC AUCTION

PLEASE TAKE NOTICE, that a public auction shall be held by Auctioneers and Appraisers, Inc. as agent for the Town of Cheektowaga, to sell town-owned Highway and other Town Departments surplus property and certain plumbing and other miscellaneous equipment at the Town Highway Garage, 3145 Union Road, Cheektowaga, New York, at 10:00 o'clock a.m. Eastern Daylight Saving Time, on Saturday, June 3, 1978.

The following items shall be offered for sale:

HIGHWAY DEPARTMENT

1) GMC Tractor, 1960 (Vehicle No. S4836J), 860 Series, 671 Inline GMC Diesel, 10 speed, road ranger, WITH 1955 Talbert Trailer (Vehicle No. 1401), 15 T capacity. Good Condition; operable at present time.

2) Dodge Polara, 1972 (Vehicle No. DK41M2F208714). Needs engine work.

3) Huber Roller, 1952 (Vehicle No. 10947-10-121). Workable condition.

4) Huber Roller, 1941 (Vehicle No. 0445). Poor condition, needs motor.

5) Gallon Grader, 1948 (Vehicle No. M92D446). Needs motor and glass in cab.

6) Good Roads Leaf Loader, 1969, (Vehicle No. 20051HPR21066). Workable condition.

7) Gledhill Leaf Loader, 1964 (Vehicle No. LL-HC-N). Workable condition.

8) (2) Oshkosh, 1958 (Vehicle No. 201244W5141), No. 12; Vehicle No. 196963W514D, No. 13), C190 Cummings Engine, WITH snow plows & wings. Both workable condition. One has a sander in workable condition and the other has a dump body.

9) (2) Chevrolet Trucks, 1966 (No. 20, Vehicle No. HM8140P102583; No. 23, Vehicle No. HM8140P102586), 80 series 478 magnum engines. Trucks are in workable condition, sanders need work.

10) Chevrolet Truck, 1966 (No. 24, Vehicle No. HM8140P203585), with 478 magnum engine. Workable condition, but needs rear housing and parts.

11) Chevrolet Flat Bed Dump, 1967 (Vehicle No. CS537112933). Needs engine.

12) Chevrolet, 1967 (No. 25, Vehicle No. HM8140P103350), 80 series, 478 magnum engine, 5 speed transmission with 2 speed rear, has plow riggings but no plow or wing. Good condition.

13) GMC, 1967 (No. 21, Vehicle No. D2014H), 8500 series, 478 magnum engine, 5 speed transmission with 2 speed rear, has plow riggings but no plow or wing. Good condition.

14) International, 1965 (No. 55, Vehicle No. FD93472H), 549 V-8 gas engine, 5 speed transmission, 4 speed transfer case and 29,000 lb. rear axle, 10' dump body, twin cylinder back-up and down with plow riggings but no plow or wing. Very good condition.

15) Chevrolet, 1966 (No. 19, Vehicle No. HM8140P102587), 80 series, 478 magnum engine, 5 speed transmission with 2 speed rear. Third gear needs work, engine in good working condition.

16) International, 1965 (No. 54, Vehicle No. FD93394H), 549 V-8 gas engine, 5 speed transmission, 4 speed transfer case and 29,000 lb. rear axle, 10' dump body, twin cylinder backup and down with plow riggings, but no plow or wing. Good condition.

17) Red Seal 6" Water Pump on Wheels with hoist bracket and towing tongue, Continental motor, 4 cyl., model YT12. Tires-good. Hand crank start, no hose. Good motor and pump.

18) 2" Water Pump, Midland Model 12M-1, Briggs-Stratton air cooled engine on wheels. Pump OK, Engine needs work.

19) (2) Hydraulic Sanders, Highways Model.

20) (6) Frink Plows. Serial No. 458S-42LO, No. 459SP-89LM, No. 448SP-31LO, No. 448SP-49LO, No. 458SP-80LM, and one with no serial number.

21) (1) Viking one-way plow with no push frame, Serial No. P5477.

SEWER DEPARTMENT

1) Sewerrodar (Reddie Inc.) 9 HP Wisconsin, air-cooled, with 500 feet of rods. Fair condition.

2) 25' Trailer (dump dump), no brakes or lights. Very good condition.

3) Stahl Electric Extension Ladder with bucket for pole painting for flat bed mounting. Very good/good condition.

BUILDING & GROUNDS DEPARTment

1) Monroe "President," Model No. 816688009, Serial No. 84690698.

2) Lawn Mower, Green Turf, 1976, 3-½ Briggs & Stratton. Shaft is bent.

3) Water Pump, portable gasoline driven, Comet, Briggs & Stratton 2 HP. Fair condition.

4) Grass Edger (Black & Decker), U277 Deluxe, 1/2 horse power. Good condition.

5) Westinghouse Water Cooler (drinking fountain).

PARKS DEPARTMENT

1) Tru-Test Deluxe Riding Lawn Cutter, 1972, 8 HP Briggs & Stratton motor. Model 190707, Type 0777-01, Code 7203281. Poor condition; has not been used for three years.

2) Lambert "Klondike" Snow Thrower EZ 24, Briggs & Stratton motor. Very poor condition.

3) Snow Bird Power Snow Remover, S. 262. Poor condition.

4) Set of Toro Gang Mower, 3 cutters. Fair to poor condition.

CENTRAL GARAGE

1) Fairbanks-Morse Registering Beam with attachments, 0 - 40,000 pounds.

2) International Chassis, 1961, no brakes, motor does not run. Very poor condition.

3) International Chassis, 1971, Good motor, good condition. Dumpster lift in very good condition.

4) International Chassis, 1970, motor does not run. Truck in good condition. Dumpster lift in very good condition.

5) Oliver Gaz Crawler Tractor (1961) with blade, Model OC4-36,. no steering clutch. Motor in running condition.

6) Ford Convertible, 1969, no registration, junk. Good motor.

7) (5) Dempster Dumpsters, Type "LFW," 300-C series. Very good condition.

8) (1) Dempster Dumpster, Type "LFW," 300-C series. Fair/good condition.

9) 10-Cubic Yard Dumpster. Container in good condition.

10) (4) 5-Cubic Yard Dumpsters. Containers in Fair/Poor condition.

11) (2) Heil Dump Bodies. Repairable.

12) Chevrolet Van, 1972, (blue), former plumbing van. Series CGE 352U154433. Body in fair/poor condition. Motor in good condition.

Town of Cheektowaga
Equipment Auction
Sewer Treatment Plant No. 5

1) Motors: MAKE No. 1 Westinghouse; PHASE 3; HP 5; FRAME 215; CYCLE 60220/240; RPM 1730; SERIAL NO. 5505 H; SHAFT END None; TYPE ABDP No. 1778066; VOLTS None. MAKE No. 2 General Electric; PHASE None; HP 1½; FRAME None; CYCLE 60 cont; RPM 1140; SERIAL NO. None; SHAFT END 358003; TYPE None; VOLTS 115/230. MAKE No. 3 General Electric; PHASE None; HP 1½; FRAME None; CYCLE 60 cont.; RPM 1140; SERIAL NO. None; SHAFT END 353003; TYPE None; VOLTS 115/230. MAKE No. 4 Westinghouse; PHASE None; HP 5; FRAME None; CYCLE 2-0/240; RPM 1730; SERIAL NO. 5505; SHAFT END None; TYPE ABDP No. 1778066; VOLTS None. MAKE No. 5 Century; PHASE 1; HP ½; FRAME None; CYCLE 60; RPM 760; SERIAL NO. 854821; SHAFT END None; TYPE R 5; VOLTS 110/220. MAKE No. 6 None; PHASE None; HP ½; FRAME 54 A; CYCLE 60 cont.; RPM None; SERIAL NO. 7967870; SHAFT END None; TYPE None; VOLTS 220/440. MAKE No. 7 Century; PHASE 1; HP 1/8; FRAME E 48 Z; CYCLE None; RPM 1725; SERIAL NO. c 4; SHAFT END None; TYPE SE; VOLTS 115. MAKE No. 8 None; PHASE None; HP ¾; FRAME None; CYCLE None; RPM None; SERIAL No. None; SHAFT END None; TYPE None; VOLTS 220/240. MAKE No. 9 Chicago Pump; PHASE 3; HP 3; FRAME None; CYCLE 60 cont.; RPM 1160; SERIAL NO. 551066-02-4; SHAFT END None; TYPE K254; VOLTS 220/240. MAKE No. 10 Wagner; PHASE None; HP ¾; FRAME 7580; CYCLE None RPM 3450; SERIAL NO. None; SHAFT END None; TYPE RK; VOLTS 115/230. MAKE No. 11 Westinghouse; PHASE 3; HP 1½; FRAME None; CYCLE 60; RPM 1160; SERIAL NO. None; SHAFT END None; TYPE None; VOLTS 220/240. MAKE No. 12 Westinghouse; PHASE 3; HP ¾; FRAME 182; CYCLE None; RPM 960; SERIAL NO. 5504; SHAFT END None; TYPE ABDP No. 1778004; VOLTS 220/240.

2) Atlas 27 ft. Belt Conveyor, Model B 50

3) Three (3) Oil Containers with fixed pump on container, approx. capacity 15-20 gallons each.

Terms of sale shall be subject to the following conditions:

1. Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.

2. Items sold shall be removed from place of sale no later than 72 hours after sale.

3. A minimum acceptable bid shall be set by the auctioneer at the time of sale for each separate item.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
RICHARD M. MOLESKI
Town Clerk
Dated: May 15, 1978

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AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 1978, and ending on the _____ day of _____, 19__

JC

Signed Jas L Charters
Sworn to before me, on the 18th
day of May, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHA
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TOWN OF CHEEKTOWAGA
PUBLIC AUCTION

PLEASE TAKE NOTICE, that a public auction shall be held by Auctioneers and Appraisers, Inc. as agent for the Town of Cheektowaga, to sell town-owned Highway and other Town Departments surplus property and certain plumbing and other miscellaneous equipment at the Town Highway Garage, 3145 Union Road, Cheektowaga, New York, at 10:00 o'clock a.m. Eastern Daylight Saving Time, on Saturday, June 3, 1978.

The following items shall be offered for sale:

HIGHWAY DEPARTMENT

1) GMC Tractor, 1980 (Vehicle No. 84536J), 880 Series, 671 inline GMC Diesel, 10 speed, road ranger, WITH 1955 Talbert Trailer (Vehicle No. 1401). 15 T capacity. Good Condition; operable at present time.

2) Dodge Pakara, 1972 (Vehicle No. DM41M2F206714). Needs engine work.

3) Huber Roller, 1952 (Vehicle No. 10947-10-127). Workable condition.

4) Huber Roller, 1941 (Vehicle No. 0446). Poor condition, needs motor.

5) Gallion Grader, 1948 (Vehicle No. M880446). Needs motor and glass in cab.

6) Good Roads Leaf Loader, 1968, (Vehicle No. 2006WPR21068). Workable condition.

7) Gledhill Leaf Loader, 1964 (Vehicle No. LL-HC-N). Workable condition.

8) (2) Oshkosh, 1968 (Vehicle No. 20T244W5141), No. 12; Vehicle No. 19863W5140, No. 13), C180 Cummings Engine, WITH snow plows & wings. Both workable condition. One has a sander in workable condition and the other has a dump body.

9) (2) Chevrolet Trucks, 1966 (No. 20, Vehicle No. HM6140P102583; No. 23, Vehicle No. HM6140P102586), 80 series 478 magnum engines. Trucks are in workable condition, sanders need work.

10) Chevrolet Truck, 1966 (No. 24, Vehicle No. HM6140P203585), with 478 magnum engine. Workable condition, but needs rear housing and parts.

11) Chevrolet Flat Bed Dump, 1967 (Vehicle No. CS537T12933). Needs engine.

12) Chevrolet, 1967 (No. 25, Vehicle No. HM6140P103350), 80 series, 478 magnum engine, 5 speed transmission with 2 speed rear, has plow riggings but no plow or wing. Good condition.

13) GMC, 1967 (No. 21, Vehicle No. D20141), 6500 series, 478 magnum engine, 5 speed transmission with 2 speed rear, has plow riggings but no plow or wing. Good condition.

14) International, 1965 (No. 55, Vehicle No. FD93472H), 549 V-8 gas engine, 5 speed transmission, 4 speed transfer case and 29,000 lb. rear axle, 10' dump body, twin cylinder back-up and down with plow riggings but no plow or wing. Very good condition.

15) Chevrolet, 1966 (No. 19, Vehicle No. HM6140P102587), 80 series, 478 magnum engine, 5 speed transmission with 2 speed rear. Third gear needs work, engine in good working condition.

16) International, 1965 (No. 54, Vehicle No. FD93394H), 549 V-8 gas engine, 5 speed transmission, 4 speed transfer case and 29,000 lb. rear axle, 10' dump body, twin cylinder backup and down with plow riggings, but no plow or wing. Good condition.

17) Red Seal 6" Water Pump on Wheels with hoist bracket and towing tongue, Continental motor, 4 cyl., model YT12. Three-good. Hand crank start, no hose. Good motor and pump.

18) 2" Water Pump, Midland Model 12M-1, Briggs-Stratton air cooled engine on wheels. Pump OK, Engine needs work.

19) (2) Hydraulic Sanders, Highways Model.

20) (6) Frink Plows. Serial No. 4585-42LO, No. 4585P-80LM, No. 4485P-31LO, No. 4485P-40LO, No. 4585P-80LM, and one with no serial number.

21) (1) Viking one-way plow with no push frame, Serial No. P5477.

SEWER DEPARTMENT

1) Sewerrodar (Flexible Inc.) 9 HP Wisconsin, air-cooled, with 500 feet of rods. Fair condition.

2) 25' Trailer (voting booth), no brakes or lights. Very good condition.

3) Stahl Electric Extension Ladder with bucket for pole painting for flat bed mounting. Very good/good condition.

BUILDING & GROUNDS DEPARTMENT

1) Monroe "President," Model No. 816688009, Serial No. B4690698.

2) Lawn Mower, Green Turf, 1976, 3-½ Briggs & Stratton. Shaft is bent.

3) Water Pump, portable gasoline driven, Comet, Briggs & Stratton 2 HP. Fair condition.

4) Grass Edger (Black & Decker), U277 Deluxe, 1/2 horse power. Good condition.

5) Westinghouse Water Cooler (drinking fountain).

PARKS DEPARTMENT

1) Tru-Test Deluxe Riding Lawn Cutter, 1972, 8 HP Briggs & Stratton motor. Model 190707, Type 0777-01, Code 7203281. Poor condition; has not been used for three years.

2) Lambert "Klondike" Snow Thrower EZ 24, Briggs & Stratton motor. Very poor condition.

3) Snow Bird Power Snow Remover, S. 262. Poor condition.

4) Set of Toro Gang Mower, 3 cutters. Fair to poor condition.

CENTRAL GARAGE

1) Fairbanks-Morse Registering Beam with attachments, 0 - 40,000 pounds.

2) International Chassis, 1961, no brakes, motor does not run. Very poor condition.

3) International Chassis, 1971, Good motor, good condition. Dumpster lift in very good condition.

4) International Chassis, 1970, motor does not run. Truck in good condition. Dumpster lift in very good condition.

5) Oliver Gaz Crawler Tractor (1961) with blade, Model OC4-36, no steering clutch. Motor in running condition.

6) Ford Convertible, 1969, no registration, junk. Good motor.

7) (5) Dempster Dumpsters, Type "LFW," 300-C series. Very good condition.

8) (1) Dempster Dumpster, Type "LFW," 300-C series. Fair/good condition.

9) 10-Cubic Yard Dumpster. Container in good condition.

10) (4) 5-Cubic Yard Dumpsters. Containers in Fair/Poor condition.

11) (2) Heil Dump Bodies. Repairable.

12) Chevrolet Van, 1972, (blue), former plumbing van. Series CGE 352U154433. Body in fair/poor condition, Motor in good condition.

Town of Cheektowaga
Equipment Auction
Sewer Treatment Plant No. 5

1) Motors: MAKE No. 1 Westinghouse; PHASE 3; HP 5; FRAME 215; CYCLE 60220/240; RPM 1730; SERIAL NO. 5505 H; SHAFT END None; TYPE ABDP No. 1778066; VOLTS None. MAKE No. 2 General Electric; PHASE None; HP 1½; FRAME None; CYCLE 60 cont; RPM 1140; SERIAL NO. None; SHAFT END 358003; TYPE None; VOLTS 115/230. MAKE No. 3 General Electric; PHASE None; HP 1½; FRAME None; CYCLE 60 cont.; RPM 1140; SERIAL NO. None; SHAFT END 353003; TYPE None; VOLTS 115/230. MAKE No. 4 Westinghouse; PHASE None; HP 5; FRAME None; CYCLE 2-0/240; RPM 1730; SERIAL NO. 5505; SHAFT END None; TYPE ABDP No. 1778066; VOLTS None. MAKE No. 5 Century; PHASE 1; HP ½; FRAME None; CYCLE 60; RPM 760; SERIAL NO. 854821; SHAFT END None; TYPE R 5; VOLTS 110/220. MAKE No. 6 None; PHASE None; HP ½; FRAME 54 A; CYCLE 60 cont.; RPM None; SERIAL NO. 7967670; SHAFT END None; TYPE None; VOLTS 220/440. MAKE No. 7 Century; PHASE 1; HP 1/8; FRAME E 48 Z; CYCLE None; RPM 1725; SERIAL NO. c 4; SHAFT END None; TYPE SE; VOLTS 115. MAKE No. 8 None; PHASE None; HP ¾; FRAME None; CYCLE None; RPM None; SERIAL No. None; SHAFT END None; TYPE None; VOLTS 220/240. MAKE No. 9 Chicago Pump; PHASE 3; HP 3; FRAME None; CYCLE 60 cont.; RPM 1160; SERIAL NO. 551066-08-4; SHAFT END None; TYPE N254; VOLTS 220/240. MAKE No. 10 Wagner; PHASE None; HP ¾; FRAME 756O; CYCLE None RPM 3450; SERIAL NO. None; SHAFT END None; TYPE BK; VOLTS 115/230. MAKE No. 11 Westinghouse; PHASE 3; HP 1½; FRAME None; CYCLE 60; RPM 1160; SERIAL NO. None; SHAFT END None; TYPE None; VOLTS 220/240. MAKE No. 12 Westinghouse; PHASE 3; HP ¾; FRAME 182; CYCLE None; RPM 960; SERIAL NO. 5504; SHAFT END None; TYPE ABDP No. 1779004; VOLTS 220/240.

2) Atlas 27 ft. Belt Conveyor, Model B 50

3) Three (3) Oil Containers with fixed pump on container, approx. capacity 15-20 gallons each.

Terms of sale shall be subject to the following conditions:

1. Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.

2. Items sold shall be removed from place of sale no later than 72 hours after sale.

3. A minimum acceptable bid shall be set by the auctioneer at the time of sale for each separate item.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
RICHARD M. MOLESKI
Town Clerk
Dated: May 16, 1978

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

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 Cheek-towaga 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 2 weeks: first publication May 18, 1978; last publication May 25, 1978; and that no more than six days intervened between publications.

Gladys M. Seckter

Sworn to before me this 26th day of May, 1978

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, 19 79

Item No. 27 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED that Change Order No. 11 for the St. Felix Drainage Project (EDA No. 01-51-03603) to Caradori Construction Company, Inc. for adjustment of contract quantities reflected in the as built measurements in the amount of $9,658.00, be paid, in addition to the contract, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst, and Wegner
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

BE IT RESOLVED that Change Order No. 1, Contract No. 1, Northeast Interceptor Project of the Sewer District #5 Water Pollution Control Program in the amount of $4,580.00 as a deduction to the contract of Amadori Construction Company, Inc., and BE IT FURTHER

RESOLVED that Change Order No. 5, Contract No. 2A, Northeast Interceptor Project of the Sewer District #5 Water Pollution Control Program, with no change in the contract price of Amadori Construction Company, Inc., and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town of Cheektowaga Sewer District #5.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst, and Wegner
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the U.S. Army Corps of Engineers Scajaquada Creek Flood Control Project requires the construction of a new drainage channel on tributary T-2A, which channel is commonly referred to as the new Laurentian drainage ditch, and

WHEREAS, the construction of a new channel is of concern to the abutting property owners as constituting a hazard to their children, and

WHEREAS, the U.S. Army Corps of Engineers in view of these concerns has agreed to the installation of a fence along both sides of this new Laurentian drainage ditch as part of the flood control project, NOW, THEREFORE, BE IT

RESOLVED that this Town Board agrees to the U.S. Army Corps of Engineers proposal to construct said fence and agrees to assume the maintenance of this fence as a Town of Cheektowaga responsibility.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, it is in order that bids be advertised to cover the purchase of four (4) mobile radios and three (3) portable radios for the Parks Department of the Town of Cheektowaga at the request of the Parks Director, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of four (4) mobile radios and three (3) portable radios for the Town of Cheektowaga, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 5th day of June, 1978 at 7:00 P.M., Eastern Daylight Savings 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 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 June 5, 1978 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of four (4) mobile radios and three (3) portable radios for the Parks Department.

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.

RICHARD M. MOLESKI
Town Clerk

DATED: May 12, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deehts, 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 May 18, 1978; last publication May 18, 1978; and that no more than six days intervened between publications.

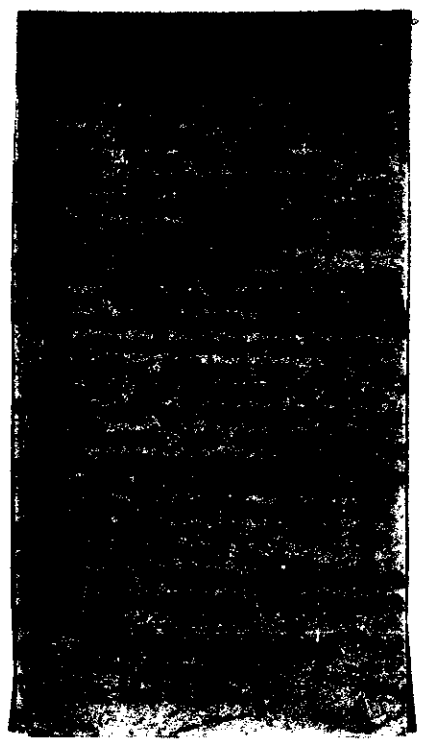
Gladys M. Deehts

Sworn to before me this 19th day of May, 1978

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, 1979



Item No. 32 Engineering - Notice to Bidders for installation and construction of sidewalks including incidental piping.

This item was withdrawn.

Item No. 33 Motion by Councilman Kaczmarek, seconded by Councilman Dux

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe requirements for the Town for the 1978 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 1978, notice to be published in the EXAMINER, and BE IT FURTHER

RESOLVED that the Town Board meet on the 5th day of June, 1978 at 7:00 P.M., Local 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 June 5, 1978 at 7:00 P.M., Local Time at the Town Hall, corner of Broadway and Union Road, for the furnishing of corrugated metal pipe for the year of 1978.

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.

RICHARD M. MOLESKI
Town Clerk

Dated: May 15, 1978

* *

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst, and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 19 78 and ending on the 1 day of _____, 19__

JC

Signed Jas L Charters
Sworn to before me, on the 18th day of May, 1978

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 5, 1978 at 7:00 P.M., Local Time at the Town Hall, corner of Broadway and Union Road, for the furnishing of corrugated metal pipe for the year of 1978.

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.

RICHARD M. MOLESKI
Town Clerk

DATED: May 15, 1978

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

WHEREAS, the existing caulking at the vertical panel joints shows signs of deterioration or totally lacking, and

WHEREAS, it is in order that bids be advertised to caulk external joints in the Cheektowaga Recreation Center, NOW, THEREFORE, BE IT

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

RESOLVED that the Town Board meet on the 5th day of June, 1978 at 7:00 P.M., Eastern Daylight Savings 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 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 June 5, 1978 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the caulking external joints of the Cheektowaga Recreation Center in the Town Park.

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.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

The successful bidder will be required to furnish a performance bond acceptable to the owner, in an amount equal to the contract award.

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

RICHARD M. MOLESKI
Town Clerk

* *

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst, and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deckter, 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 May 18, 1978; last publication May 18, 1978; and that no more than six days intervened between publications.

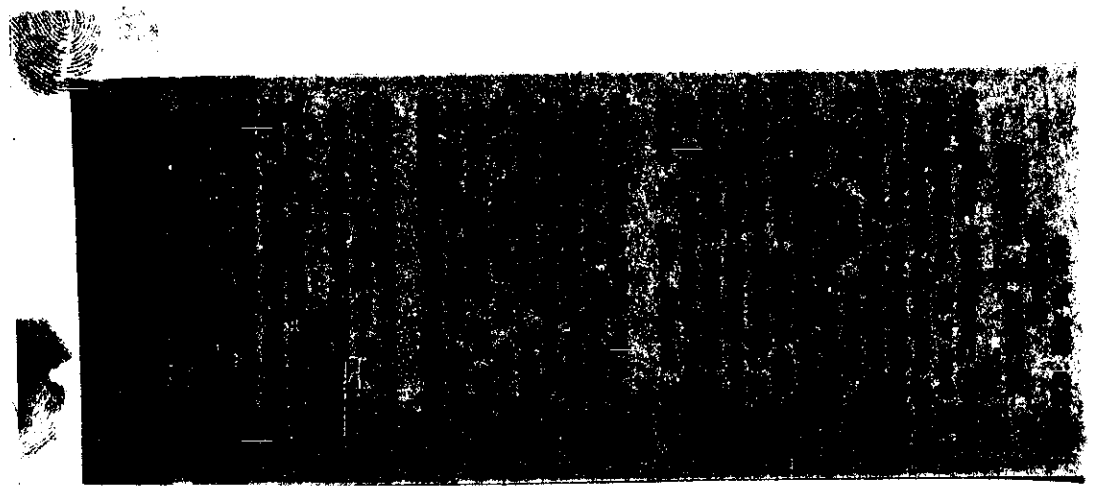
Gladys M. Deckter

Sworn to before me this 19th day of May, 1978

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 79



Item No. 35 Motion by Councilman Dux, seconded by Councilman Kaczmarek

WHEREAS, it is in order that bids be advertised to cover the purchase of material required for an infrared heating system for the Town of Cheektowaga Sanitation Garage, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of material required for an infrared heating system for the Town of Cheektowaga Sanitation Garage, notice to be published in the EXAMINER, and BE IT FURTHER

RESOLVED that the Town Board meet on the 5th day of June, 1978 at 7:00 P.M., Eastern Daylight Savings 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 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 June 5, 1978 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of material required for an infrared heating system for the Town of Cheektowaga Sanitation Garage.

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.

RICHARD M. MOLESKI
Town Clerk

DATED: May 15, 1978

* *

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 18 day of May, 19 78 and ending on the 0 day of _____, 19__

Signed Jm J Charters JC
Sworn to before me, on the 18th day of May, 19 78
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 5, 1978 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of material required for an infrared heating system for the Town of Cheektowaga Sanitation Garage.

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.

RICHARD M. MOLESKI
Town Clerk

DATED: May 15, 1978

Item No. 36 Motion by Councilman Dux, seconded by Councilman Kaczmarek

WHEREAS, it is in order that bids be advertised to cover the purchase of material required to insulate the exterior walls of the Sanitation Garage in the Town of Cheekowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of material required to insulate the exterior walls of the Sanitation Garage in the Town of Cheektowaga, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 5th day of June, 1978 at 7:00 P.M., Eastern Daylight Savings 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 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 Cheekotwaga on June 5, 1978 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of material required to insulate the exterior walls of the Sanitation Garage in the Town of Cheektowaga.

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.

RICHARD M. MOLESKI
Town Clerk

DATED: May 15, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deckter, 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 May 18, 1978; last publication May 18, 1978; and that no more than six days intervened between publications.

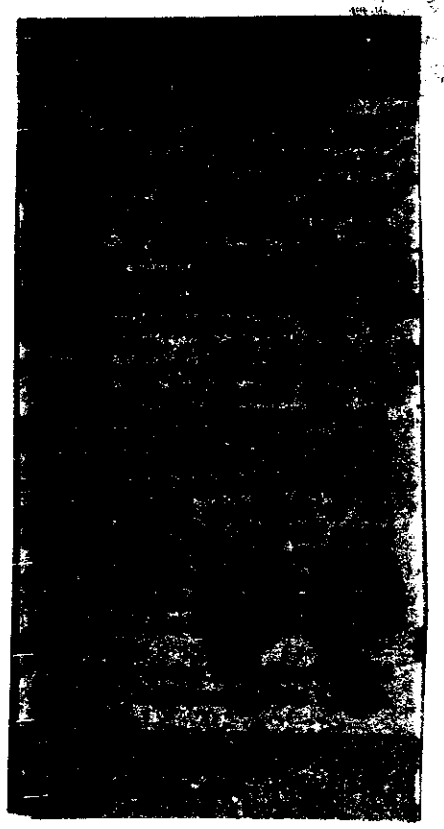
Gladys M. Deckter

Sworn to before me this 19th day of May, 1978

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, 1979



Item No. 37 Motion by Councilman Burst, seconded by Supervisor Meyers

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of four (4) Mobile Radio Transmitter-Receiver Combinations for the Cheektowaga Police Department. 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; said Notice to be published in the EXAMINER, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m. on June 5, 1978 for hte purpose of properly opening and reading the sealed bids.

* *

L E G A L N O T I C E

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 7:00 P.M., Eastern Daylight Saving Time on June 5, 1978 for the furnishing of four (4) Mobile Radio Transmitter-Receiver Combinations for the Cheektowaga Police Department. 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.

DATED: May 15, 1978

RICHARD M. MOLESKI
Town Clerk

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 11 day of May **19 78 and ending on the 0 day of _____, 19__**

Signed Mrs J Charters JC
Sworn to before me, on the 18 day of May **19 78**
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

LEGAL NOTICE
NOTICE TO BIDDERS

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 7:00 p.m. Eastern Daylight Saving Time on June 5, 1978 for the furnishing of four (4) Mobile Radio Transmitter-Receiver Combinations for the Cheektowaga Police Department. 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.

Dated: May 15, 1978

RICHARD M. MOLESKI
Town Clerk

Item No. 38 Motion by Councilman Dux, seconded by Councilman Kaczmarek

WHEREAS, continuous complaints have been received by the Town Board regarding the condition of property located at teh northwest corner of Harlem Avenue and Clinton Street, in the Town of Cheektowaga, and according to the Assessor's Office records is owned by Louis Bronstein, residing at , Buffalo, New York 14203, and

WHEREAS, these conditions require that some positive steps be taken to rectify this unsafe condition by cleaning up the debris and removing a fire-damaged semi trailer to prevent the premises from becomming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of the position of "Recreation Attendant Part-Time", and

WHEREAS, the Erie County Department of Personnel has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Recreation Attendant Part-Time" in the Cheektowaga Recreation Department, be and hereby is created.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, the position of "Recreation Attendant Part-Time" in the Cheektowaga Recreation Department has previously been created, NOW, THEREFORE, BE IT

RESOLVED that Wilifred Mongiovi, of , Cheektowaga, New York, be and hereby is appointed to the position of "Recreation Attendant Part-Time", at an annual salary of $4,000.00, said appointment effective immediately.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 41 Motion by Councilman Kaczmarek, seconded by Councilman Dux

RESOLVED that the following be hired in the Sanitation Department as part-time vacation laborers, not to exceed 120 days, to be called as needed. Hourly rate of $2.50 per hour.

Kurt Emmanuele,
David Chowaniec,
Daniel Majchrzycki,
Ronald J. Fenske,
Paul Pinak,
Gerald A. Calhoon,
James Jarnot.
Paul Kranz,
Michael Pastuch,
Joseph Trautmann,
Raymond Jablonski.
Mark Jackson,

Item No. 41 cont'd

David J. Zolnowski,
John M. Pochylski,
John J. Kaniecki,
Michael P. Kasprzak,
Greg Kensy,
Michael J. Calhoon,
Frank D. Maurin,
Dennis J. Kelm,
William C. Bannister,
Frankie Dalka,
Robert J. Jarnot,
Stuart Hoffman,
Donald Proehl,
Paul Buczynski,
Kenneth Zoeller,
Keith Sozniak,
Greg Sczepanik,
Fred Stevens,
Scott Kantorski.
Frederick Stevens,
David Gasiewicz,
Edward Silvestri,

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Swiatek, seconded by Councilman Burst

BE IT RESOLVED that the following be hired as Part-Time Seasonal Employees in the Town of Cheektowaga Parks Department, effective May 16, 1978:

Seasonal Maintenance Man - Beach & Pool - $2.50 per hour

Ray Schieder

P.T. Seasonal Laborers - $2.50 per hour

Robert Gielinski
David Janiszewski
Patrick J. Glascott
David Kosobucki
Nicholas A. Leonardi
William Maturski
Dale Zolenka
Richard R. Wroblewski
Lee A. Dronchowski
Eric J. Krupski
David Shermet
Mike Dolan
Gregory A. Frank
Mark Maleck
Kurt Gruber
Andrew DiLuca
John Lynch
Terence Miller
John Sutton
Doug Wegner
James Lumadue
Carl Winkler

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 43 Motion by Councilman Swiatek, seconded by Councilman Burst

BE IT RESOLVED that the following employees be hired by the Recreation Department to conduct 1978 summer recreation programs in the parks and pools:

Tennis Director - $1,500 for 10 weeks

1. April Zolczer

Tennis Instructors - $1,200 for 10 weeks

1. Nancy Cardinale
2. Damian Courtin
3. Joanne Fahey
4. Joe Orzel
5. Gerard Owczarczak
6. Russell Reinagel
7. Greg Shalke
8. Alan Syracuse
9. Janice Warren
10. Karen M. Utz
11. Patricia Kieffer

Playground Supervisors - $1,500 for 10 weeks

1. Doug Conley
2. Joseph Farugia
3. Barbara Fiorello
4. Charles Geary
5. Ken Maciejewski
6. Francis Maroney
7. Pete Odrobina
8. Jean Olson
9. Joseph Piscopo
10. Paul Ruda
11. Helen Domske
12. Gerald Klas
13. Charles O'Brien

Arts and Crafts Instructor - $1,500 for 10 weeks

1. Lisa Andelora
2. Anthony Denson
3. Nancy LaRuffa
4. Kathleen Palkowski
5. Kathryn Paulus
6. Sharon Sell
7. Nancy Sztukowski
8. Dianne Urso
9. Carol White

Pool Director - $2,500 for 10 weeks

1. Brian Hansen

Special Events Supervisor - $1,800 for 10 weeks

1. Jack Hartman

Pool Supervisor - $1,400 for 10 weeks

1. Mary Lou Dion
2. David Getz
3. Donnamarie Jaworowicz
4. Keith Schessel
5. Jeffrey Sifkovits
6. Peggy Anne State
7. Jack Zastempowslo

Item No. 43 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 44 Motion by Councilman Burst, seconded by Councilman Dux

BE IT RESOLVED that the following individuals are hired as seasonal employees in the Town Central Garage at an hourly rate of $2.50 effective immediately:

Tim Palka	Al Czenszak
Cheektowaga, New York	Cheektowaga, New York
Keith Baran	Jeffrey Vallone
Cheektowaga, New York	Cheektowaga, New York
Craig Boundy	Bernard Wojtkowiak
Cheektowaga, New York	Cheektowaga, New York
Ronald Dux	Eugene Dudek
Cheektowaga, New York	Cheektowaga, New York

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 45 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, Title VI, and

WHEREAS, Joseph Kozub of , Cheektowaga, New York 14225 is transferring from Title VI, Special Project #90 Town of Hamburg, to a Cheekotwaga P.S.E. (Public Service Employment) slot, NOW, THEREFORE, BE IT

RESOLVED that Joseph Kozub is hired as a laborer in the Recreation Department with an hourly rate of $4.8583, starting date established by the department head.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 46 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, there is an opening in the Sewer Maintenance Department for a Maintenance Man, and

WHEREAS, the job opportunity has been posted on bulletin boards in accordance with Local 1026, AFL-CIO agreement, NOW, THEREFORE, BE IT

RESOLVED that the following is hereby promoted to Maintenance Man at the current wage rate for said position, effective May 15, 1978.

Ronald S. Kozell
9 Bink Street
Cheektowaga, New York 14227

Item No. 47 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, a vacancy exists for the position of site manager at the Our Lady of Czestochowa Senior Citizen Nutrition Site, NOW, THEREFORE, BE IT

RESOLVED that Adele Makowski of , Cheektowaga, New York is hereby appointed to the position of Nutrition Site Manager at the Our Lady of Czestochowa Senior Citizen Nutrition Site at a rate of $2.50 per hour for an average of 20 hours per week, effective June 1, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 48 Motion by Supervisor Meyers, Councilmen Swiatek

WHEREAS, the Town of Cheektowaga has been experiencing large increases in the cost of casualty and compensation insurance, and

WHEREAS, a committee of professional insurance consultants has reviewed the various problems related to these rising premiums and the Chairman of this group has recommended regular risk management service on a continuing basis, and

WHEREAS, the current Town agent, E.T. Clauss and Co., has also recommended the Town obtain risk management assistance, and

WHEREAS, the Town Board has reviewed a proposal of risk management consulting services from Ernest A. Holfoth, CPCU, NOW, THEREFORE, BE IT

RESOLVED that Ernest A. Holfoth, CPCU, be retained to provide approximately 420 hours of such services for the period June 1 to December 31, 1978 at a total fee of $8,750.00 to be paid $1,250.00 monthly and that the funds for these services be provided by a budget transfer of $8,750.00 from A-1990.480 - Contingent to A-1910.451 - Risk Management Consulting.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 49 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, S. Rita Thielman, Clerk in the Town of Cheektowaga Assessor's Office, has been absent from work due to illness, and

WHEREAS, said employee has requested an extension of her sick leave benefits pursuant to the limitations specified in the Collective Bargaining Agreement between the Town of Cheektowaga and the Employees' representative, NOW, THEREFORE, BE IT

RESOLVED that said S. Rita Thielman be and hereby is granted extended sick leave pay not to exceed fifteen (15) days commencing on May 17, 1978, subject to the provisions of the Collective Bargaining Agreement between the Town of Cheektowaga and the Employees representative.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 50 Motion by Councilman Kaczmarek, seconded by Councilman Johnson

WHEREAS, within the next few years, the Town of Cheektowaga will be faced with decisions relative to solid waste disposal sites and methods, and

Item No. 50 cont'd

WHEREAS, a need exists for an analysis of the Town's present and projected solid waste disposal problems and needs, and

WHEREAS, the firm of Ecology and Environment Incorporated has submitted a proposal to conduct an economic analysis of solid waste disposal alternatives for the Town, NOW, THEREFORE, BE IT

RESOLVED that the firm of Ecology and Environment, Inc., 195 Sugg Road, Cheektowaga, New York, be and hereby is retained by the Town to conduct an economic analysis of solid waste alternatives to the Town in accordance with the attached porposal for a fee not to exceed $8,500.00.

* See next nine (9) pages for proposal

PROPOSAL TO ANALYZE
SOLID WASTE DISPOSAL ALTERNATIVES
IN THE TOWN OF CHEEKTOWAGA, NEW YORK

April 27, 1978

Submitted to:
TOWN OF CHEEKTOWAGA
DEPARTMENT OF SANITATION
Cheektowaga Town Hall
Cheektowaga, New York 14227

ecology and environment, incorporated

P. O. Box D Buffalo, New York 14225 area code (716) 632-4491

Anchorage / Billings / Caracas / Houston / Tokyo / Washington Headquarters *Buffalo, New York*

I paper

CHEEKTOWAGA SOLID WASTE DISPOSAL STUDY

INTRODUCTION

Within the next few years the Town of Cheektowaga will be faced with the closure of its existing solid waste disposal facilities and the problem of finding alternate disposal sites and disposal methods. The town presently landfills its wastes at a site owned by Land Reclamation, Inc., which is located on Indian Road in the town. However, this site has only three years' remaining capacity, after which time alternate methods must be implemented. The purpose of this proposed solid waste disposal study will be to evaluate all options open to the town concerning future solid waste disposal and to recommend a solid waste disposal plan and strategy that will best serve the needs of the town.

Several alternative methods of disposal have been discussed at state, county, and local levels, involving public and private resource recovery, and landfilling options. Approximately one year ago, in the spring of 1977, three privately-sponsored proposals were being considered in the formulation of a countywide resource recovery program. These projects included two proposals, one by Niagara Mohawk Power Corp. and one by Union Carbide, Linde Division, which would involve partial state and/or county funding. The third proposal, by Hooker Energy Corp., would involve entirely private funding of the resource recovery system. Erie County underwent substantial budget cuts during the period of consideration of these proposals; consequently, much of its involvement in solid waste management planning was curtailed. Currently the County does not have funds to sponsor resource recovery systems, thus making the Hooker Energy Corp. proposal more attractive to the County than either the Niagara

Mohawk or Linde proposals, since the Hooker system would be privately financed and operated. Hooker Energy Corp. would contract with Newco Waste Company to transport wastes from transfer stations to the Hooker facility and to provide landfill capacity.

In addition to the countywide proposals, the New York State Department of Environmental Conservation (NYSDEC) has recently released for comment its Comprehensive Resource Recovery and Solid Waste Management Plan. This plan places heavy emphasis upon privately sponsored resource recovery systems and upon strict implementation of the state's environmental controls on land disposal. The plan underwent public hearings in early April and is scheduled to be sent to the New York State Legislature on July 1, 1978.

An alternative to resource recovery possibilities is that of continuing landfill operations if other suitable sites can be found and if environmental requirements can be met at these sites. Two active quarry sites off Como Park Boulevard in the Town of Cheektowaga may have potential, pending economic and environmental feasibility studies. The smaller active quarry site has only three years' capacity; however, it could provide an immediate stop-gap measure. Alternatives for waste disposal after this quarry is filled must be considered.

The town may also have the option of constructing singly, or in conjunction with other towns in the area which are facing similar problems, a small scale solid waste recovery plant. This option is dependent upon long term economic feasibility studies, funding potential, and acceptable management schemes.

STUDY APPROACH

Based on the information presented above, Ecology and Environment, Inc., proposes to examine the following solid waste management options open to the Town of Cheektowaga if economic and environmental studies prove feasible:

1) The Hooker Energy Corp.-Newco Waste Company proposal which would give responsibility for solid waste disposal to Newco. Newco would landfill the waste until such time as the Hooker plant was on line, and then would convey wastes to the new facility for resource recovery and conversion of the light fraction to steam.

2) The Hooker Energy Corp. proposal modified so that the Town of Cheektowaga would build a transfer station and haul solid wastes to the plant after it went on line. The town would continue to dispose of wastes until such time as the Hooker facility became available.
3) Landfill operations in the large quarry off Como Park Boulevard.
4) Landfill operations in the small quarry off Como Park Boulevard for the three-year life of the quarry and options for post-quarry life disposal.
5) Potential for constructing and operating a resource recovery facility solely or in conjunction with other towns in the immediate vicinity.

In view of potential strong state support for private resource recovery systems if the Comprehensive Resource Recovery and Solid Waste Management Plan is passed by the Legislature, the Niagara Mohawk and Union Carbide proposals should be further evaluated for increased feasibility with state incentives.

The proposed scope of work is broken down into two phases. Phase I will involve an economic feasibility analysis to determine the economic attractiveness of the various alternative disposal methods to the Town of Cheektowaga. Based on this analysis, certain alternatives may become more attractive to the town than others, and some of the alternatives may be dropped from further consideration. In Phase II of the proposed study the economically feasible alternatives will be analyzed for environmental feasibility and environmental effects, including energy consumption. The cost of Phase I of the study is projected to be approximately $8500; Phase II costs will depend on the number and type of alternatives to be evaluated. A separate cost proposal for Phase II will be submitted upon completion of Phase I.

Phase I

The first step of Phase I, as shown in Figure 1, is to determine the magnitude of the present disposal problem within the town. This step involves a determination of the locations of principal sources of waste generation, and the location and capacity of the disposal site. In addition, any wastes requiring special handling or treatment will be identified in the analysis. Much of the information should be available from the town sanitation department.

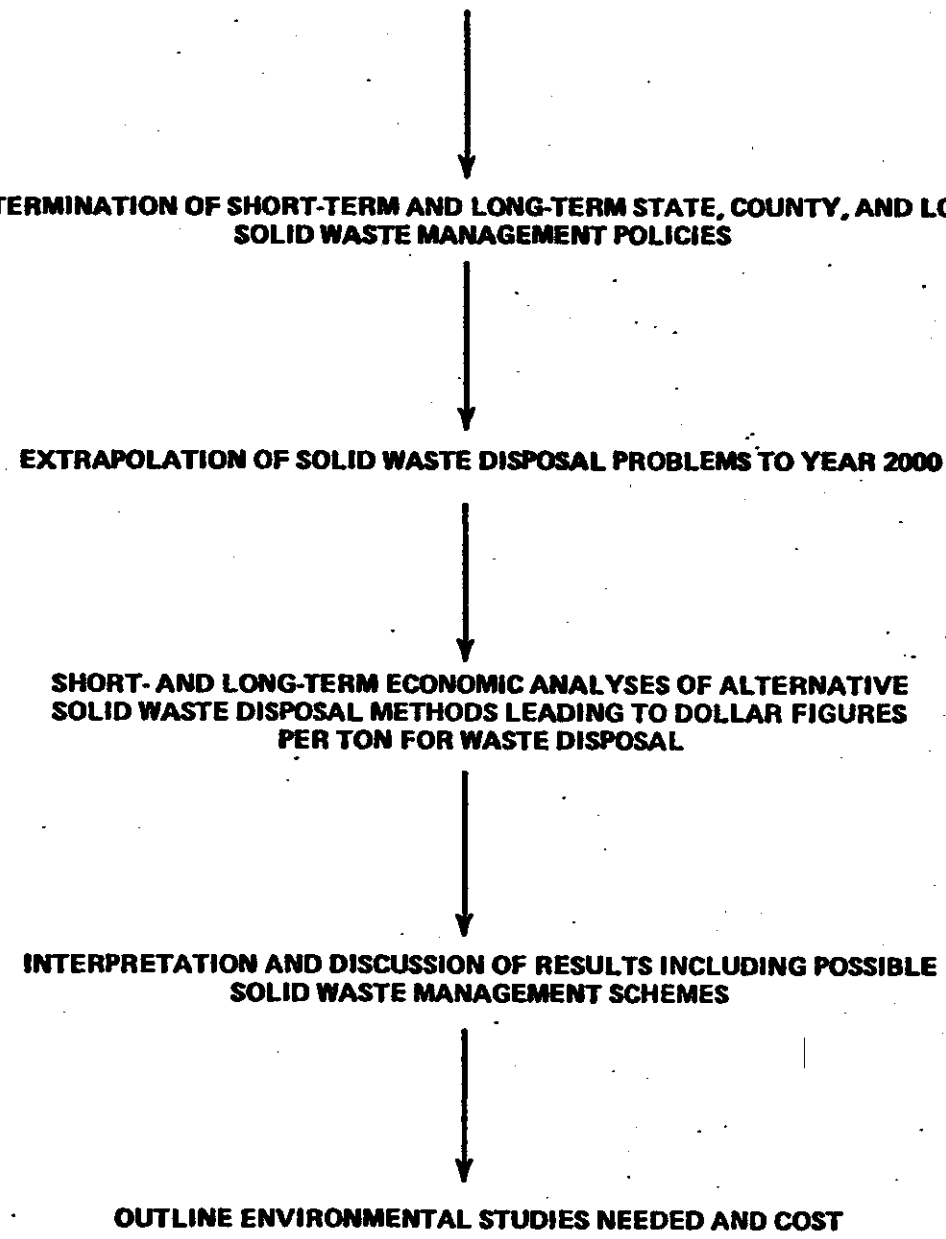


Figure 1 PHASE I SOLID WASTE MANAGEMENT ANALYSIS

The second step of Phase I is the determination of state, county and local policies with respect to present and future methods of solid waste disposal. Policy decisions which are presently being made at the state level may have far-reaching effects on the options open to the Town of Cheektowaga for waste disposal. The State Comprehensive Resource Recovery and Solid Waste Management Plan, which places heavy emphasis on state incentives for private resource recovery systems, should be decided on by the Legislature by July 1, 1978. State support for privately sponsored resource recovery systems may reactivate considerations by companies such as Niagara Mohawk and Union Carbide, or may encourage other companies in this area to formulate resource recovery plans using locally generated solid wastes. These companies will be contacted as part of the Phase I analysis to determine whether the potential for state support would induce them to develop or reactivate recovery plans. Similarly, strict enforcement of the state's environmental controls in landfill areas may result in shutdown of present facilities and exclusion of other areas from consideration. In addition, increases in county funding could lead to increased county participation in solid waste management schemes. State, county, local, and private agencies, including the NYSDEC, Erie County Department of Environment and Planning, the Erie-Niagara County Regional Planning Board, Niagara Mohawk Power Corp., Union Carbide Corp., Hooker Energy Corp., and other pertinent agencies and organizations, will be contacted to determine what the present and future management objectives are and how they may affect the waste disposal plans of the Town of Cheektowaga.

The information on solid wastes gathered in step 1 will be used as a basis for an estimate of the volumes and characteristics of solid waste which may be expected. Existing data on per capita waste production, population trends, and residential relocation patterns will be used to predict expected townwide waste volumes. These figures will be compared to those shown in the 1972 Camp-Dresser-McKee study. Results of the step 3 analysis will include waste volume projections for the following base years: 1980, 1985, 1990, 1995, and 2000.

Results from the present and projected waste volume analyses will be used as input to the economic analysis of alternatives. Alternatives will be analyzed for short term cost-effective solutions to the disposal problem; however, since the economic analysis should result in a long-range

management scheme, emphasis will be given to determining which alternatives will provide the most economical and attractive long-range solution to the disposal problem up to the year 2000.

Several factors will be of prime importance in the determination of costs per ton for waste disposal. The cost of transportation will affect all of the alternatives analyzed. Transportation costs will be determined by the distance from the transfer station to the disposal site or processing facility, the type of vehicle used for transport, the number of runs per day, existing and future fuel costs, the number of operators to be employed, vehicle maintenance costs, and other factors. Transportation costs will be projected into the future for use in the analyses of long-range programs using inflation rate trends, projected increases in fuel costs, and projected increases in the volumes of solid waste which must be handled. Another factor which will determine costs is the tipping fees charged by various private landfill operations and the fees charged by various private resource recovery operations. Present tipping fee data will be collected for past and ongoing operations in the county. This data will provide estimates of average tipping fees and will also indicate how the fees have changed through the years, so that projections of the increase in tipping fees with time can be made and used in the 5-year step analyses.

A third factor of major importance to the analysis is the projected changes in population in the town over the period of the study. Obviously, changes in population will influence the amount of waste which must be disposed of. Shifts in the location of the population may also influence the amount of equipment, energy and money which must be expended for waste disposal. Population data for the town will be gathered and extrapolated to the year 2000, if extrapolations are not already available. If current projections are available, they will be used. The amounts of waste produced per capita must also be extrapolated into the future, because waste production has generally increased as the standard of living has increased. In the analysis of the feasibility of a small scale recycling operation, the costs of construction of the facility must be determined, as well as the cost per ton of processing the solid waste to separate the various fractions and to convert the light fraction to steam or fuel. The value of the energy produced and the potential market for this fuel would also have to be determined and factored in.

As part of the Phase I analysis, estimates of the cost of environmental studies associated with each alternative will be given. However, it is not projected that these costs will significantly alter the cost per ton of waste disposal. Since the state is planning to stringently enforce existing legislation on landfills and waste disposal, careful analyses of the potential environmental effects of each alternative are necessary. In addition, pollution control equipment may be required for certain alternatives. The cost of the control equipment will be determined in Phase I and will be reflected in the final cost per ton of waste disposed.

Table 1 presents a summary matrix of factors which must be considered for each alternative to be analyzed in Phase I of the proposed study.

The ultimate result of the Phase I cost analyses will be dollar per ton estimates of the disposal costs for each alternative. These costs will be compared and interpreted in light of town policies, pending state and county policies, short-term vs. long-term decision factors, and other parameters which could influence the town's decision. One or more solid waste management schemes will be proposed based solely on the economic analyses. The environmental consequences of these alternative schemes must be analyzed in Phase II of the study.

Table 1
CONSIDERATIONS IN ALTERNATIVE COST ANALYSES

CONSIDERATION	ALTERNATIVE				
	1	2	3	4	5
1. TRANSPORTATION COSTS (PRESENT)	X	X	X	X	X
TRANSPORTATION COSTS (PROJECTED)		X	X	X	X
2. TIPPING FEE (PRESENT)	X	X	X	X	X
3. PROJECTED TIPPING FEES	X	X	X		X
4. POPULATION INCREASE	X	X	X	X	X
5. CHANGES IN RATE AT WHICH WASTES PRODUCED	X	X	X	X	X
6. COST OF CONVERSION OF SOLID WASTE TO FUEL PER TON					X
7. COST OF CONSTRUCTION OF SIMILAR RECYCLING FACILITY					X
8. MARKET VALUE OF FUEL PRODUCED					X
9. COST OF ENVIRONMENTAL STUDIES	X	X	X	X	X
10. COST OF ENVIRONMENTAL CONTROL EQUIPMENT	X	X	X	X	X

Item No. 50 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 51 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is presently engaged in a sewer project which requires appraisal of a certain parcel of property within the Town for the purpose of obtaining an easement on behalf of the Town, and

WHEREAS, the Town Board by resolution adopted December 19, 1977 retained Robert Laport to appraise a parcel of property located on Pine Ridge Road and owned by the Order of the Felician Sisters of St. Francis for the purpose of obtaining an easement on behalf of the Town for the Sanitary Sewer District Number 5-Buffalo Sewer Authority Connection for a fee not to exceed $200.00, and

WHEREAS, since the receipt of the original appraisal, additional work and services were required and provided by the appraiser for condemnation proceedings, and

WHEREAS, other easement in addition to the aforesaid easement has since been required for the project by the Town's consulting engineers, and an appraisal of the additional easement is necessary on behalf of the Town, NOW, THEREFORE, BE IT

RESOLVED that Robert Laport, with offices in the Statler Hilton, Buffalo, New York, be and hereby is retained to appraise said real property relative to said easement, and BE IT FURTHER

RESOLVED that Robert Laport be paid the reasonable fees for said second appraisal and for his additional services relative to the appraisal of the first easement; said fees for all the aforementioned services not to exceed the total sum of $1,000.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 52 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Autumnwood Drainage Project is being funded primarily thru the Economic Development Administration Local Public Works Grant, which grant does not have sufficient funds to provide consulting services during construction, NOW, THEREFORE, BE IT

RESOLVED that the engineering firm of Nussbaumer & Clarke, Inc. of Buffalo, New York is hereby engaged to provide services during construction for the Autumnwood Drainage Project including resident inspection for the sum of $20,000 as proposed in their letter of April 25, 1978 to the Town Engineer, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign the agreement of the proposal dated April 25, 1978 as submitted by Nussbaumer & Clarke, Inc. on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the cost for said services shall be charged to the Federal Revenue Sharing Account - Capital.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 53 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the 1978 Police Conference of New York, Inc., Convention will be held on May 15-18th, 1978, at the Concord Hotel, Kiamesha Lake, New York, and

WHEREAS, the current agreement between the Town of Cheektowaga and the Cheektowaga Police Club provides for administrative leave to attend said Police Conference Convention, NOW, THEREFORE, BE IT

RESOLVED that the following officers of the Cheektowaga Police Department are hereby granted the necessary leave to attend the above named annual Convention:

James Bobeck	Frederick Roll
William Ertel	Charles Switalski
Charles Iwanski	Richard Thurnherr
Gerald Grant	Thomas Wentland
Stanley Keller	Robert Zastempowski
Richard Kozell	John Zuppa
Robert Mossman	

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 54 Motion by Councilman Kaczmarek, seconded by Councilman Burst

WHEREAS, the Association of Towns of the State of New York is conducting a combined seminar for Town Clerks and Tax Collecting Officers at Cornell University, Ithaca, New York on June 5th, 1978, and

WHEREAS, Mary Holtz, Deputy Town Clerk has requested permission to attend this conference, NOW, THEREFORE, BE IT

RESOLVED that Mary Holtz, be and hereby is authorized to attend said conference on June 5th, along with registration day on June 4th, 1978, and BE IT FURTHER

RESOLVED that the expenses incurred do not exceed $100.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 55 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the 50th Annual Spring Meeting of the New York Water Pollution Control Association will be held in Ellenville, New York on June 11 thru 14th, 1978, and

WHEREAS, technical and legislative developments in the wastewater field are included in the seminars, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is authorized to attend same with all legal expenses to be reimbursed by the Town with said expenses not to exceed $250 plus the registration fee.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 56 Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the amount of $12,000.00 be transferred from G 8160.460 - Operation of Disposal Site, to G 8160.445 - Building Maintenance, to provide funds for improvements to Sanitation Garage heating.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that funds in the amount of $107,514.00, be transferred from A-599 - General Fund Appropriated Fund Balance, to A-9550 - Capital Fund, for down payment prior to issuance of bonds or notes, relative to the Bond Resolution for the Scajaquada Creek bridges and culverts constructions and improvements.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 57 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to May 15th, 1978 be and the same are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NO. FROM TO	AMOUNT
General Fund	5785, 5788-5942	$1,514,489.59
Special Dist. Fund	4212, 4276-4322	179,459.36
Special Dist. - Investment	None	200,000.00
Highway Fund	3483-3518	67,660.77
Highway Fund - Investment	None	150,000.00
Part Town Fund	884-897	6,569.20
Part Town Fund - Investment	None	75,000.00
Debt Service Fund	120	113,200.00
Trust and Agency Fund	541-547	305,777.40
Special Assessment Fund	2	1,698.00
Town Hall E.D.A. Fund	9-11	26,671.00
St. Felix E.D.A. Fund	118	30,702.92
H.U.D. - C.D.B.G. Fund	63-64	20,472.50
Capital Fund	38-45	436,541.01
Federal Revenue Sharing Fund	60-62	105,950.00
	TOTAL	$3,234,191.75

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 58 Building Permits
Received and Filed.

Item No. 59 Supervisor's Statement of Funds
Received and Filed.

Item No. 60 Health Report
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 61 N.Y.S. Department of Transportation - Notice of Order regarding left turn on Genesee and Sugg Roads
Received and Filed.

Item No. 62 N.Y.S. Department of Transportation - letter regarding "Right on Red" at intersections
Received and Filed.

Item No. 63 Designation of Restricted Highway - Union Road
Received and Filed.

Item No. 64 News Release from County of Erie and City of Buffalo regarding rat control
Received and Filed.

Item No. 65 Reserve Naval Construction, Battalion 20, Detachment 1120 - letter regarding authorization for helicopter landing
Received and Filed.

Item No. 66 Traffic Safety Commission - letter regarding recommendations for changes to Town Traffic Ordinance
Received and Filed.

Item No. 67 William Street Citizens & Taxpayer's Association - letter regarding tax exemtpion for Senior Citizens
Received and Filed.

Item No. 68 VERIFIED NOTICE OF CLAIM - M. Faligano Const. Inc. vs Town of Cheektowaga and Cheektowaga Police Department
Received and Filed.

Item No. 69 Correspondence requesting permission to speak by:
a. Eugene L. Pierce, Suburban Citizens Affirmative Action Commission on state and federal regulations and guidelines involved in fair employment
Received and Filed.

b. Mary Ann Hamann, Citizen's Alliance on volunteers willing to serve on Affirmative Action Committee.
Received and Filed.

Item No. 70 Letter from Patricia Smith regarding Damage to tire
Received and Filed.

Item No. 71 Letter from C. Roberto regarding driveway approach and apron
Received and Filed.

Item No. 72 J. Michalik - letter regarding vacant lot between Starlite and Tamark Court

Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Burst, seconded by Councilman Swiatek to suspend the rules to include the following items.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 73 Extended sick leave for Sewer Department Employee

Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Matthew Piwowarski, M.E.O. in the Town of Cheektowaga Sewer Maintenance Department, has been absent from work due to illness, and

WHEREAS, said employee has requested an extension of his sick leave benefits pursuant to the limitations specified in the Collective Bargaining Agreement between the Town of Cheektowaga and the Employees' Representative, NOW, THEREFORE, BE IT

RESOLVED that said Matthew Piwowarski be and hereby is granted extended sick leave pay not to exceed fifteen (15) days commencing on June 5, 1978, and subject to the provisions of the Collective Bargaining Agreement between the Town of Cheektowaga and the Employees Representative.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 74 Change Order regarding Town Park Cultural Recreation Facility

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the firm of Marzak and Powell Architects, P.C. have instructed the Electrical Contractor of the Town Park Cultural Recreational Facility' to submit proposals to furnish and install the minimal stage and security lighting and Sound System, and

WHEREAS, the Electrical Contractor has submitted for approval the following quotation:

Item #1.	Five (5) 250 watt Mercury Vapor Fixtures	@ $2,350.00
Item #2.	Two (2) 400 watt Flood lights	@ $2,580.00
Item #3.	Two (2) 30 ampere weather proof recepticles	@ $ 475.00
Item #4.	Nine (9) 14" round spheres w/150 watt lamps	@ $3,100.00
Item #5.	One (1) 100 ampere 4 wire panel w/feed	@ $1,968.00
Item #6.	Sound System - McMartin Equipment	@ $6,985.00

and

WHEREAS, Park Director, James J. Matecki has reviewed and approved the items with the firm of Marzak and Powell, Architects, P.C., NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board approve Change Order E-2, Item #1, Item #2, Item #3, Item #4, Item #5, Item #6; as submitted in the amount of

Item No. 74 cont'd

$17,458.00, Seventeen thousand, four hundred fifty-eight dollars and no cents ($17,458.00) to Zablotny Electric, Inc., 1311 Walden Avenue, Buffalo, New York, and BE IT FURTHER

RESOLVED that the Cheektowaga Town Board hereby authorizes Supervisor Kenneth J. Meyers to sign all pertinent documents related to Change Order E-2.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 75 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

BE IT RESOLVED that permission is hereby given to New York State Electric & Gas Corporation to install 1 - 3350 lumen mercury vapor lamp on Dubonnet Drive (on wood pole at the north dead-end in front of house #161) at an annual increase of $40.00, in accordance with the attached proposal, on a temporary basis until such time when Dubonnet Drive is extended and street lighting is installed in accordance with an underground lay-out established by New York State Electric and Gas Corporation.

* See next page for proposal.

May 15, 1978

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Dubonnet Drive

Install 1 - 3350 lumen mercury vapor lamp @ $40.00 ea.
(On wood pole at north dead-end in front
of house #161)

TOTAL ANNUAL INCREASE ------ $40.00

NEW YORK STATE ELECTRIC & GAS CORPORATION

Item No. 75 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 76 Authorization for four (4) employees to attend sign program classes

Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED that two employees of the Cheektowaga Highway Department, as designated by the Cheektowaga Highway Superintendent, and the following two employees of the Sewer Maintenance Department be and hereby are authorized to attend classes on signing to be held at the Buffalo Police Academy, 74 Franklin Street, on May 31, June 1st, June 7th and June 8th from 9:00 A.M. to 5:00 P.M.:

David Torgalski

Arthur Blachowski

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 77 Highway - Award of bid for replacement & repair of approaches & curbs

Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on May 15, 1978 for replacement and repair of approaches and curbs, 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 hererof, NOW, THEREFORE, BE IT

RESOLVED that the bids be awarded as per the attached letter and tabulation; said bidders being the lowest responsible bidders meeting specifications.

* See next two (2) pages for tabulation and letter.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

May 15, 1978

Honorable Kenneth J. Meyers, Supervisor
Honorable Town Board Members
Town Hall, Cheektowaga, New York

Gentlemen:

Bids were received for replacement and repair of approaches and curbs at the Town Board meeting of May 15, 1978.

This work to be performed no later than June 30th, 1978. After reviewing the bids received, I wish to award the bid to the lowest responsible bidder listed below.

	Replace and/ or Repair Appr. 70,000 Sq.Ft. Appr./Sq. Ft.	Repair Curbs Lin./Ft.	Replace Curbs /Ft.	Replace Conc. Appr. 4"/Sq.FT.	Replace Conc. Appr. 6"/Sq.Ft.
Mar-Wal Const. Co., Inc.	1.48			1.48	1.68
Kicak Const. Co.		4.50	7.50		

I trust this meets with your approval.

Very truly yours,
TOWN OF CHEEKTOWAGA
Alfred F. Wnek
Alfred F. Wnek
Superintendent of Highways

AFW/mss
CC: Town Clerk - Richard Moleski
Town Attorney - John Rogowski
Files

"When better roads are built — Cheektowaga will build them"

TOWN OF CHEEKTOWAGA

BIDS OPENED 5-15-78

BID TABULATION

BIDDER / ITEMS	ITEM 1 REPAIR CURBS $/FT	2 REPLACE CURBS $/FT	3 REPLACE CONC. APPR. 4" $/SQ FT	4 REPLACE CONC. APPR. 6" $/SQ FT	5 REPLACE AND/OR REPAIR SIDEWALK APPROACHES $/SQ FT	
M. FALGIANO CONC. CO.	12.50	14.50	1.75	2.25	2.00	
MAR-WAL CONST. CO., INC.	11.80	11.80	(1.48)	(1.68)	(1.48)	
JOHN TATA CONC. [redacted] CONST. CO.						
DIAMOND "D"						
COLLANA BROS.	8.00	13.00	1.55	1.75	4"-1.55 6"-1.75	
KICKAK CONST CO.	(4.00)	(7.00)	1.69	1.89	1.75	
P.I.O. CONST. CO., INC.						
STELLAR CONST. CO., INC.						

Item No. 77 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 78 Motion by Councilman Kaczmarek, seconded by Councilman Dux to adjourn the meeting in memory of Msgr. Stanley Swiakowski, past pastor of St. John Gualbert R.C. Church.

RICHARD M. MOLESKI
Town Clerk

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B I D S

* * * *

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3	Engineering - Four (4) mobile radios and three (3) portable radios for Parks Department	1
4	Engineering - caulking external joints of Chktg. Recreation Center	1
5	Engineering - furnishing material for infra-red heating system for Sanitation Garage	1
6	Engineering - furnishing material to insulate exterior walls of Sanitation Garage	1
7	Police Dept. - Four (4) mobile radio transmitter-receiver combinations	1
	Meeting No. 15 June 19, 1978	
2	Highway - Diesel Fuel Oil, Motor Oil, Lubricants, Anti-freeze, etc.	1
3	Highway - 10,000 gallon fuel storage tank with installation	1
4	Highway - snow plow blades, wing blades, receiver grates, frames & covers for manholes	1
5	Engineering - construction of Alexander-Victoria syphon including chambers, manholes & related work	1

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PUBLIC HEARINGS

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6	Amendment to Traffic Ordinance - Art. X "Parking, Standing and Stopping" - All Night Parking Ban	1-2
7	Amendment to Traffic Ordinance - Art. X "Parking, Standing and Stopping" - Cayuga Creek Road	2

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R E S O L U T I O N S

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14	Call for public hearing to amend Traffic Ordinance - Article X: Parking, Standing, Stopping (Winter parking ban)	9
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16	Recommendations on two (2) sign applications requested by Whitmier and Ferris Co., Inc.	10
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19	Resolution regarding telephone service	11
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21	Resolution relative to street lighting installation costs; amending public improvements permit requirements	12-13
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MEETING NO. 13

CHEEKTOWAGA, NEW YORK
JUNE 5, 1978

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 5th day of June, 1978 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Robert Miller, Deputy Town Attorney; Chester L. Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; Ron Marten, Building & Plumbing Inspector; Ron Zoeller, Sanitation Foreman; Sal LaGreca, Assistant Manpower Program Director I; Ray Matot, Superintendent of Buildings and Grounds; Ed Leak, Recreation Director; Dr. Louis Vendetti, Town Health Officer; Julia Reinstein, Town Historian.

I. BIDS

Item No. 2 Engineering - Corrugated metal pipe for the year, 1978.
Referred to Chester L. Bryan, Town Engineer.

Item No. 3 Engineering - Four (4) mobile radios and three (3) portable radios for Parks Department.
Referred to Chester L. Bryan, Town Engineer.

Item No. 4 Engineering - Caulking external joints of Cheektowaga Recreation Center.
Referred to Chester L. Bryan, Town Engineer.

Item No. 5 Engineering - Furnishing material for infra-red heating system for Sanitation Garage.
Referred to Chester L. Bryan, Town Engineer.

Item No. 6 Engineering - Furnishing material to insulate exterior walls of Sanitation Garage.
Referred to Chester L. Bryan, Town Engineer.

Item No. 7 Police Department - Four (4) mobile radio transmitter-receiver combinations.
Referred to John B. Gruber, Acting Chief of Police.

II. PUBLIC HEARINGS

Item No. 8 This being the time and place advertised for a public hearing 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, 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

Item No. 8 Cont'd.

the Supervisor such proof was duly filed. Said proposed amendment being as follows:

* *

ARTICLE XII

Removal and Storage of Vehicles

Article XII is amended as follows. Additions in text are indicated by underline; deletions by ~~strikeouts~~.

Section 120. Authority to impound vehicles.

A. When any vehicle is parked or abandoned on any highway within this town during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

B. When any vehicle is found unattended on any highway within this town where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

C. When any vehicle is parked or abandoned on any highway within this town where stopping, standing or parking is prohibited, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

D. When any vehicle is disabled and rendered inoperable as a result of any collision or accident at or near the location of said accident upon a public highway or right-of-way, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

Section 121. Storage and charges.

After removal of any vehicle as provided in this Article, the authorized town tower may store such vehicle in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the authorized tower of the amount of all expenses actually and necessarily incurred in effecting such removal, such removal charges not to exceed ~~twenty dollars ($20), together with any charges for storage, such storage charges not to exceed one dollar ($1.) per day or fraction thereof~~. twenty dollars ($20.00) when such removal is made between the hours of 8:00 a.m. to 6:00 p.m. and the sum of twenty-five dollars ($25.00) when such removal is made between the hours of 6:00 p.m. to 8:00 a.m.; together with any charges for storage, such storage charges not to exceed one dollar ($1.00) during the first twenty-four hours of storage or fraction thereof, and the sum of three dollars ($3.00) per day for every day or fraction thereof after the first twenty-four hour period of storage.

In addition to the above towing and storage charges, the owner or person in charge of the vehicle shall be required to pay to the authorized tower, the following charges when applicable:

A. A sum not to exceed ten dollars ($10.00) for winching of said vehicle.

B. A sum not to exceed ten dollars ($10.00) when the authorized tower is required to, and does use either a dolly or flatbed for the purpose of towing away and removing said vehicle.

Section 122. Notice of removal.

The authorized town tower shall without delay report the removal and the disposition of any vehicles removed as provided in this Article to the Chief of Police, and it shall be the duty of said Chief of Police to ascertain to the extent possible the owner of the vehicle or person having charge of the same, and to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same.

Item No. 8 Cont'd.

Section 123. ~~Delegation of duties~~. Administration, enforcement, and delegation of duties.

Unless otherwise provided, the provisions of this ordinance shall be administered and enforced by the Chief of Police. The Chief of Police shall establish and enforce reasonable rules and guidelines requiring that authorized town towers store said vehicles in a fenced-in lot or enclosed building, maintain adequate security for safe-keeping said vehicles, use and maintain safe and adequate equipment for towing and storage and provide twenty-four hour, seven days per week service.

Any of the duties of the Chief of Police under this Article may be delegated by him to other members of the Police Department of the town.

* *

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

Item No. 9 Public Hearing relative to the proposed establishment of the Ellicott Road Water District.

*See next few pages relating to said Public Hearing.

* *

Motion by Councilman Burst, seconded by Councilman Wegner to Waive the Rules in order to act on the following Item No. 9a relating to Ellicott Road Water District.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

* *

Item No. 9a Resolution of the Town of Cheektowaga, New York approving the establishment of the proposed Ellicott Road Water District in said Town, and construction of a water system therein; and provision stating that such resolution shall be subject to permissive referendum.

*See next several pages for abstract of such resolution concisely stating the purpose and effect thereof; certifications; affidavits of publication.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York.

June 5, 1978

* * *

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, in said Town, on June 5, 1978, at 7:00 o'clock P .M.(D.S.T.).

There were present: Honorable Kenneth J. Meyers, Supervisor, and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

There were absent:

Also present: Richard M. Moleski, Town Clerk

~~John V. Rogowski, Town Attorney~~
Robert Miller, Deputy Town Attorney

* * *

The Town Clerk, reading from the calendar, stated that a public hearing had been called for this meeting at the Town Hall, in said Town, at 7:00 o'clock P .M.(D.S.T.) to consider the establishment of Ellicott Road Water District, in the Town of Cheektowaga. The Town Clerk presented affidavits showing that certified copies of the Order Calling Public Hearing had been duly published and posted pursuant to the provisions of Article 12-A of the Town Law.

RECEIVED
JUN 26 1978
Richard M. Moleski, Town Clerk

The Supervisor stated that the public hearing on the establishment of said proposed Ellicott Road Water District, in the Town of Cheektowaga, and the construction of a water system therein, was now op and asked if there was any interested person who desired to be heard.

The following persons appeared in favor of the establishment of said proposed Ellicott Road Water District and the construction of a water system therein:

None.

The following persons appeared in opposition to the establishment of said proposed Ellicott Road Water District and the construction of a water system therein:

None.

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

None.

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

* * *

On motion of Supervisor Meyers, seconded by Councilman Burst, the following resolution was adopted on roll call vote as follows:

AYES: 7 NOES: 0

RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 5, 1978, APPROVING THE ESTABLISHMENT OF PROPOSED ELLICOTT ROAD WATER DISTRICT, IN SAID TOWN AND CONSTRUCTION OF A WATER SYSTEM THEREIN AND PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM.

Recital

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has heretofore duly caused the Town Engineering Department to prepare a general map, plan and report, dated September 26, 1977, relating to the establishment of proposed Ellicott Road Water District, in the Town (herein called "District"), as hereinafter described and the construction of a water system therein, consisting of the installation of approximately 850 linear feet of 8 inch cast iron pipe along Indian Road and approximately 3,050 linear feet of 8 inch cast iron pipe along Ellicott Road, in the District, together with hydrants, original furnishings, equipment, machinery and apparatus, which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, pursuant to Order duly adopted on May 1, 1978, the Town Board determined to proceed with the establishment of the District and the construction of such water system therein and adopted an Order reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, including acquisition of necessary land and rights in land, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in

the Town Clerk's office for public inspection and specifying June 5, 1978, at 7:00 o'clock P.M.(D.S.T.) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the establishment of the District and the construction of a water system therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by law; and

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

WHEREAS, a public hearing in the matter was duly held by the Town Board on this 5th day of June, 1978, commencing at 7:00 o'clock P.M.(D.S.T.) at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of the District and the construction therein of said water system; now, therefore, be it

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

Section 1. It is hereby determined that:

(a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient;

(b) all the property and property owners included within the District hereinabove referred to in the recitals hereof are benefited thereby;

(c) all the property and property owners benefited are included within the limits of the District; and

(d) it is in the public interest to establish the District.

Section 2. The establishment of the District is hereby approved as hereinafter described and the proposed water system shall be constructed as set forth in the said Order Calling Public Hearing and the District shall be designated and known as Ellicott Road Water District, in the Town of Cheektowaga, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

LEGAL DESCRIPTION
ELLICOTT ROAD WATER DISTRICT
TOWN OF CHEEKTOWAGA, NEW YORK

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lot 2, Township 11, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

Beginning at an iron pipe in the southerly line of Ellicott Road at its intersection with the westerly line of a triangular parcel of land acquired by the County of Erie for highway purposes adjoining the west line of Dick Road, so called, and recorded under Liber 4946 of Deeds, page 298;

Thence southerly along the westerly line of said parcel acquired by the County of Erie for a distance of 282 feet to the west line of Dick Road, so called;

Thence southerly along the west line of Dick Road, so called, for a distance of 18.73 feet to a point in a line as established by boundary line agreement recorded under Liber 8140 of Deeds, page 171;

Thence westerly along said boundary line and through lands conveyed to Stephen B. Korduba under Liber 8593 of Deeds, page 442 and partly through lands conveyed to Stephen B. Korduba and William M. Charlock under Liber 8587 of Deeds, page 485 for a distance of 326.05 feet;

Thence southerly parallel with the east line of lands conveyed to Globe Amerada Glass Co. under Liber 8296 of Deeds, page 456 for a distance of 43.05 feet;

RECEIVED
JUN 26 1978
Richard M. Moleski, Town Clerk

Thence westerly along the southerly line of lands so conveyed to Stephen B. Korduba and Globe Amerada Glass Co. and along the southerly line of lands conveyed to Glauber & Schaefer Co., Inc. under Liber 8378 of Deeds, page 71 for a distance of 358.70 feet to the westerly line of the last mentioned conveyance, being also the easterly line of Lot 44, Map Cover 39, being also the easterly line of lands conveyed to Otto Lee Bowen and wife under Liber 7243 of Deeds, page 483, being also the southerly extension of the easterly line of lands conveyed to New York State Electric & Gas Corporation under Liber 3207 of Deeds, page 397;

Thence southerly along said easterly line of lands conveyed to Otto Lee Bowen for a distance of 137.5 feet to a southeasterly corner thereof;

Thence westerly along the southerly line of said lands of Bowen for a distance of 325 feet to the westerly line thereof, said westerly line of lands of Bowen being also the southerly extension of the westerly line of lands conveyed to J. Cervi & Son, Inc. under Liber 7986 of Deeds, page 113;

Thence continuing westerly along the westerly extension of the last described line and through lands conveyed to Branch Motor Express Company under Liber 7026 of Deeds, page 335, and through lands conveyed to Henry C. Moffatt (deceased) under Liber 943 of Deeds, page 221 (said lands of Moffatt including lands of Indian Road) for a distance of 852.5 feet, more or less, to the westerly line of Indian Road;

Thence southerly along said west line of Indian Road and along the easterly line of lands conveyed to King Pin Enterprises under Liber 8425 of Deeds, page 75, for a distance of 80 feet, more or less, to the southeasterly corner of lands so conveyed;

Thence westerly along the southerly line of lands so conveyed and along the southerly line of lands conveyed to Edward J. Kader, Jr. under Liber 8484 of Deeds, page 171, and along the southerly line of lands conveyed to Joseph H. Morgante under Liber 6905 of Deeds, page 213, and through lands conveyed to 303 Central Avenue Corporation under Liber 6994 of Deeds, page 537, for a calculated distance of 624.5 feet, more or less, to a point in the west line of the last mentioned conveyance;

Thence northerly along the last mentioned west line for a calculated distance of 275.2 feet, more or less, to a point in said southerly line of Ellicott Road;

Thence easterly along said southerly line of Ellicott Road and along the northerly line of all of the hereinbefore mentioned lands for a total distance of 2159.4 feet, more or less, to the point or place of beginning.

Section 3. The maximum amount proposed to be expended for the construction of said water system, consisting of the installation of approximately 850 linear feet of 8 inch cast iron pipe along Indian Road and approximately 3,050 linear feet of 8 inch cast iron pipe along Ellicott Road, in the District, together with hydrants, original furnishings, equipment, machinery and apparatus, is $70,000, which is planned to be financed by the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said water system 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.

Section 4. The Town Clerk of the Town is hereby authorized and directed within ten (10) days after the adoption of the resolution, to file certified copies of this resolution, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, together with an application by the Town Board, in duplicate, for permission to establish the District, in the Town, as herein described, pursuant to the provisions of the Town Law and that such application shall be executed and verified by and in behalf of the Town Board by the Supervisor of the Town.

Section 5. This resolution is subject to permissive referendum.

* * *

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

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Supervisor Meyers offered the following resolution and moved its adoption:

RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 5, 1978, DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF THE RESOLUTION APPROVING THE ESTABLISHMENT OF ELLICOTT ROAD WATER DISTRICT, IN THE TOWN OF CHEEKTOWAGA AND THE CONSTRUCTION OF A WATER SYSTEM THEREIN.

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, shall, within ten (10) days after the adoption by the Town Board of said Town, of the resolution entitled:

"Resolution of the Town of Cheektowaga, New York, adopted June 5, 1978, approving the establishment of proposed Ellicott Road Water District, in said Town and construction of a water system therein and providing that such resolution shall be subject to permissive referendum,"

cause to be published at least once in the "EXAMINER," the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five (5) public places in the proposed Ellicott Road Water District, in said Town of Cheektowaga, a Notice which shall set forth the date of adoption of said foregoing resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. Said Notice shall be in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 5, 1978, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a resolution entitled:

"Resolution of the Town of Cheektowaga, New York, adopted June 5, 1978, approving the establishment of proposed Ellicott Road Water District, in said Town and construction of a water system therein and providing that such resolution shall be subject to permissive referendum,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING that the Town Board of the Town of Cheektowaga ("Town Board" and "Town", respectively), New York, has heretofore duly caused the preparation of a general map, plan and report, dated September 26, 1977, relating to the establishment of proposed Ellicott Road Water District, in the Town ("District"), therein described and for the construction of a water system therein; which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; that an Order was adopted on May 1, 1978, reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection, and specifying the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; that copies of such Order have been duly published and posted, and that such hearing has been duly held on June 5, 1978, at the time and place specified;

SECOND: RESOLVING AND DETERMINING that (a) the Notice of hearing was published and posted as required by Law and is otherwise sufficient, (b) all the property and property owners within the District are benefited thereby, (c) all the property and property owners benefited are included within the limits of the District and (d) that the establishment of the District is in the public interest;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of the District be approved, that the proposed water system shall be constructed therein; DESIGNATING such District as Ellicott Road Water District, in the Town of Cheektowaga, and DESCRIBING the District by metes and bounds;

FOURTH: RESOLVING that the maximum amount proposed to be expended for the construction of said water system, consisting of the installation of approximately 850 linear feet of 8 inch cast iron pipe along Indian Road and approximately 3,050 linear feet of 8 inch cast iron pipe along Ellicott Road, in the District, together with hydrants, original furnishings, equipment, machinery and apparatus is $70,000, which is planned to be financed by the issuance of serial bonds of the Town and the assessment, levy and collection of special

assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said water system 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.

FIFTH: FURTHER RESOLVING that the Town shall, within ten (10) days after adoption of this resolution, file certified copies in the office of the Department of Audit and Control, together with an application by the Town Board for permission to establish the District and that such application shall be executed by the Supervisor; and

SIXTH: STATING that this resolution is subject to permissive referendum.

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

Dated: June 5, 1978

RICHARD M. MOLESKI,

Town Clerk

Section 3. This resolution shall take effect immediately.

* * *

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

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, 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 June 5, 1978, 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 5th day of June, 1978

Richard M. Moleski
Town Clerk

(Seal)

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

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all the times hereinafter mentioned was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, New York; that on the 12th day of June, 1978, he caused to be conspicuously posted and fastened up a certified copy of a Notice with an abstract of a resolution duly adopted by the Town Board of said Town on June 5, 1978, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places, and that said places constitute five (5) of the most public places within the proposed Ellicott Road Water District, in said Town of Cheektowaga:

1. Rear of Forks Fire Hall - Post #T 46
2. Post # T42
3. Rear of Broadway Bowling Center - Post T 36
4. N. J. Gittere Landscaping - Post #3 T 27
5. Maaco Auto Painting - Post #12

Richard M. Moleski
Town Clerk

Subecirbed and sworn to before me
this 20th day of June, 1978.

John V. Rogowski
Notary Public, State of New York

JOHN V. ROGOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1979

RECEIVED
JUN 26 1978
Richard M. Moleski, Town Clerk

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 5, 1978, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a resolution entitled:

"Resolution of the Town of Cheektowaga, New York, adopted June 5, 1978, approving the establishment of proposed Ellicott Road Water District, in said Town and construction of a water system therein and providing that such resolution shall be subject to permissive referendum,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING that the Town Board of the Town of Cheektowaga ("Town Board" and "Town", respectively), New York, has heretofore duly caused the preparation of a general map, plan and report, dated September 26, 1977, relating to the establishment of proposed Ellicott Road Water District, in the Town ("District"), therein described and for the construction of a water system therein; which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; that an Order was adopted on May 1, 1978, reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection, and specifying the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; that copies of such Order have been duly published and posted, and that such hearing has been duly held on June 5, 1978, at the time and place specified;

SECOND: RESOLVING AND DETERMINING that (a) the Notice of hearing was published and posted as required by Law and is otherwise sufficient, (b) all the property and property owners within the District are benefited thereby, (c) all the property and property owners benefited are included within the limits of the District and (d) that the establishment of the District is in the public interest;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of the District be approved, that the proposed water system shall be constructed therein; DESIGNATING such District as Ellicott Road Water District, in the Town of Cheektowaga, and DESCRIBING the District by metes and bounds;

FOURTH: RESOLVING that the maximum amount proposed to be expended for the construction of said water system, consisting of the installation of approximately 850 linear feet of 8 inch cast iron pipe along Indian Road and approximately 3,050 linear feet of 8 inch cast iron pipe along Ellicott Road, in the District, together with hydrants, original furnishings, equipment, machinery and apparatus is $70,000, which is planned to be financed by the issuance of serial bonds of the Town and the assessment, levy and collection of special

assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said water system 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.

FIFTH: FURTHER RESOLVING that the Town shall, within ten (10) days after adoption of this resolution, file certified copies in the office of the Department of Audit and Control, together with an application by the Town Board for permission to establish the District and that such application shall be executed by the Supervisor; and

SIXTH: STATING that this resolution is subject to permissive referendum.

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

Dated: June 5, 1978

RICHARD M. MOLESKI,

Town Clerk

NEW YORK

[redacted] that on June 5, 1978, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a resolution entitled:

"Resolution of the Town of Cheektowaga, New York, adopted June 5, 1978, approving the establishment of proposed Ellicott Road Water District, in said Town and construction of a water system therein and providing that such resolution shall be subject to permissive referendum."

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING that the Town Board of the Town of Cheektowaga ("Town Board" and "Town", respectively), New York, has heretofore duly caused the preparation of a general map, plan and report, dated September 28, 1977, relating to the establishment of proposed Ellicott Road Water District, in the Town ("District"), therein described and for the construction of a water system therein; which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; that an Order was adopted on May 1, 1978, reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection, and specifying the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; that copies of such Order have been duly published and posted, and that such hearing has been duly held on June 5, 1978, at the time and place specified;

SECOND: RESOLVING AND DETERMINING that (a) the Notice of hearing was published and posted as required by Law and is otherwise sufficient, (b) all the property and property owners within the District are benefited thereby, (c) all the property and property owners benefited are included within the limits of the District and (d) that the establishment of the District is in the public interest;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of the District be approved, that the proposed water system shall be constructed therein; DESIGNATING such District as Ellicott Road Water District, in the Town of Cheektowaga, and DESCRIBING the District by metes and bounds;

FOURTH: RESOLVING that the maximum amount proposed to be expended for the construction of said water system, consisting of the installation of approximately 800 linear feet of 8 inch cast iron pipe along Indian Road and approximately 3,050 linear feet of 8 inch cast iron pipe along Ellicott Road, in the District, together with hydrants, original furnishings, equipment, machinery and appurtenances is $70,000, which is planned to be financed by the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said water system as much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same.

FIFTH: FURTHER RESOLVING that the Town shall, within ten (10) days after adoption of this resolution, file certified copies in the office of the Department of Audit and Control, together with an application by the Town Board for permission to establish the District and that such application shall be executed by the Supervisor; and

SIXTH: STATING that this resolution is subject to permissive referendum.

By order of the Town Board of the Town of Cheektowaga, in the County of Erie, New York
DATED: June 5, 1978
RICHARD M. MOLESKI,
Town Clerk

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 8 day of June, 1978, and ending on the _____ day of _____ 19_____

S.C.

Signed Jas. L. Charters
Sworn to before me, on the 8 day of June, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

III. RESOLUTIONS

Item No. 10 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, Ruth E. A. Beyer has applied for a rezoning from R-Residential District to RC-Restricted Business District on property located at 765 Borden 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 Number forty-four (44), Township ten (10), Range seven (7), of the Buffalo Creek Reservation, bounded and described as follows:
>
> BEGINNING at the northwest corner of said Lot Number forty-four (44), the same being in the center line of Borden Road; thence southerly along the westerly line of said Lot Number forty-four (44) and the center line of Borden Road ninety (90) feet to the northwest corner of lands conveyed to Henry T. Ebbing and Barbara K. his wife by deed recorded in Liber 3169 of Deeds at page 161; thence easterly along the northerly line of said Ebbing's land and parallel with the northerly line of said Lot Number forty-four (44), one thousand six hundred eleven and twenty hundredths (1611.20) feet to the westerly line of lands conveyed to Arthur Martin Fronchowiak by deed recorded in Liber 2751 of Deeds at page 383; thence northerly along said westerly line of said Fronchowiak's land ninety (90) feet to the north line of said Lot Number forty-four (44); thence westerly along the said northerly line of said Lot Number forty-four (44), one thousand six hundred ten and sixty hundredths (1610.60) 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 15th day of May, 1978 at 6:30 o'clock p.m. Eastern Daylight Saving Time after publication of the notice as required by the provisions of the Town Ordinance 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 Board and the Erie County Department of Planning have recommended denial of said rezoning, and

WHEREAS, it appears that the proposed rezoning would interfere with the use and enjoyment of the surrounding residential area by the owners or occupants thereof, and

WHEREAS, the proposed rezoning would not be conducive to preserving and maintaining the residential aspects of the surrounding neighborhood, now, therefore, BE IT

RESOLVED that the proposed rezoning of said premises from R-Residential District to RC-Restricted Business District be and hereby is denied.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

Item No. 11 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Anthony J. Marczak, Jr. has applied for a rezoning from M-2 General Manufacturing District to R-Residential District on property located on Kennedy 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 23, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:
>
> BEGINNING at a point in the westerly line of Kennedy Road at its intersection with the northeast corner of Sublot 281 as shown on a

Item No. 11 Cont'd.

map filed in Erie County Clerk's Office under Cover No. 800; running thence northerly along the westerly line of Kennedy Road 448.24 feet to the southerly line of lands conveyed to Buffalo General Electric Company by deed recorded in Erie County Clerk's Office in Liber 1881 of Deeds at page 418; thence southwesterly along the southerly line of lands so conveyed to Buffalo General Electric Company by deed aforesaid 127.89 feet to a point; running thence southerly at an interior angle of 110° 15' with the last described line 402.03 feet to the north line of lands shown on Map Cover 800; running thence easterly at an interior angle of 90° 48' and along the north line of lands shown on Map Cover 800, a distance of 120 feet to the westerly line of Kennedy Road at 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 15th day of May, 1978 at 6:30 o'clock p.m. Eastern Daylight Saving Time after publication of the notice as required by the provisions of the Town Ordinance 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, it appears that the proposed rezoning would not interfere with the use and enjoyment of the surrounding area by the owners or occupants thereof, now, therefore, BE IT

RESOLVED that the above described premises be and hereby are rezoned from M-2 General Manufacturing District to R-Residential District, and BE IT FURTHER

RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT	0

AFFIDAVIT-NEXT PAGE

[illegible]

and amend the Zoning Map and Ordinance accordingly, pursuant to Section [illegible] of the Zoning Ordinance of the Town of Cheektowaga, New York, and

held before the Cheektowaga Town Board on the 15th day of May, 1978 at 8:30 o'clock p.m. Eastern Daylight Saving Time after publication of the notice as required by the provisions of the Town Ordinance 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, it appears that the proposed rezoning would not interfere [illegible]

[illegible]

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga [illegible]

1. [illegible]

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 the matters referred to in said extract.

3. Said attached [illegible]

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 8th day of June, 1978.

RICHARD M. MOLESKI
Town Clerk
(SEAL)

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 8 day of June, 1978 and ending on the ____ day of ____, 19__

JC

Signed Jm J. Charters
Sworn to before me, on the 8 day of June, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

Item No. 12 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, this Town Board duly held a public hearing on the 15th day of May, 1978 to consider the advisability of adoption of a proposed amendment 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side

WILLIAM STREET	North side:	from the west curb line of Starlite Avenue to the east curb line of Standard Parkway

Section 2. Time to take effect.

(a) This amendment 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 this amendment which is 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.

This amendment 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 this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper 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 the State 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 this amendment specifying the date of adoption thereof.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Gedatus, 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 June 8, 1978; last publication June 8, 1978; and that no more than six days intervened between publications.

Gladys M. Gedatus

Sworn to before me this 9th day of June, 1978

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, 1979

STATE OF NEW YORK)

I, [redacted], do hereby certify that I am the duly qualified and acting Secretary of the Town Board of the Town of [redacted], in the County of Erie, State of New York, and that on June 5, 1978, said minutes of said meeting have been duly recorded in the minute book 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. [redacted], inclusive, of said book.

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 the matters referred to in said extract.

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 affixed the seal of said Town Board, this [redacted] day of June, 1978.

Item No. 13 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

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 19th day of June, 1978 at 7:00 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 EXAMINER, on June 8th, 1978; the said 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 19th day of June, 1978 at 7:00 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 deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations:

F. Miscellaneous parking signs.

(6) No parking or standing.

CAYUGA CREEK ROAD	North side:	at John F. Kennedy High School between Nos. 282 and 352.
CAYUGA CREEK ROAD	South side:	at John F. Kennedy High School between Nos. 279 and 351.

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

F. Miscellaneous parking signs.

(6) No parking or standing.

CAYUGA CREEK ROAD	Northwest side: North side:	from the south curb line of William Street to its intersection with Harlem Road
CAYUGA CREEK ROAD	Southeast side: South side:	from the south curb line of William Street to its intersection with Harlem Road

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

DATED: June 5, 1978

RICHARD M. MOLESKI, TOWN CLERK

* *

Item No. 13 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-BELOW

NOTICE OF HEARING

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 19th day of June, 1978 at 7:00 o.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 deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations

F. Miscellaneous parking signs.

(6) No parking or standing.

CAYUGA CREEK ROAD North side: at John F. Kennedy High School between Nos. 282 and 352.

CAYUGA CREEK ROAD South side: at John F. Kennedy High School between Nos. 279 and 351

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations

F. Miscellaneous parking signs.

(6) No parking or standing.

CAYUGA CREEK ROAD Northwest side: North side: from the south curb line of William Street to its intersection with Harlem Road

CAYUGA CREEK ROAD Southside side: South Side: from the south curb line of William Street to its intersection with Harlem Road

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

Dated: June 5, 1978

RICHARD M. MOLESKI

[redacted]

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 8 day of June, 1978 and ending on the _____ day of _____, 19__

Signed Jas L. Charters JC

Sworn to before me, on the 8 day of June 1978

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Item No. 14 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

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 19th day of June, 1978 at 7:00 o'clock 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 TIMES on June 8, 1978, 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 19th day of June, 1978 at 7:00 o'clock 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 relating to amending Article X - Parking, Standing and Stopping as follows:

ARTICLE X

Parking, Standing and Stopping

Section 101. All-night parking: is amended as follows. Additions in text are indicated by underline; deletions by ~~strikeouts~~.

The parking of vehicles is hereby prohibited on all highways within the Town of Cheektowaga exclusive of the Villages of Sloan and Depew, between 1 A.M. and 6 A.M. from ~~December 1~~ November 15 to ~~March 15~~ April 1 side parking overnight from 1:00 a.m. to 6:00 a.m. opposite the hydrant side the entire length of the following streets: St. James Road, Pendennis Place, Loxley Road, Winkler Road, Rowland Road, Normandy Avenue, David Avenue, Long Avenue, Andrews Avenue, Neibert Place, Schoedel Avenue, Herbert Avenue, Alpine Place, Avery Place between Genesee Street and Herbert Avenue and Olcott Place between Genesee Street and Herbert Avenue; Barbara Place, Atwood Place, Vera Avenue, Bell Street, Adlon Place, Randolph Avenue, Euclid Avenue, Hoerner Avenue, Haller Avenue, Gualbert Avenue, Alexander Avenue, Ridge Park Avenue, Reo Avenue, Wanda Avenue, Woodell Avenue, Hedwig Avenue, Ivanhoe Road, Marne Road, Preston Place, and Carol Drive

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

Dated: June 5, 1978

RICHARD M. MOLESKI
TOWN CLERK

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Deckter, 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 June 8, 1978; last publication June 8, 1978; and that no more than six days intervened between publications.

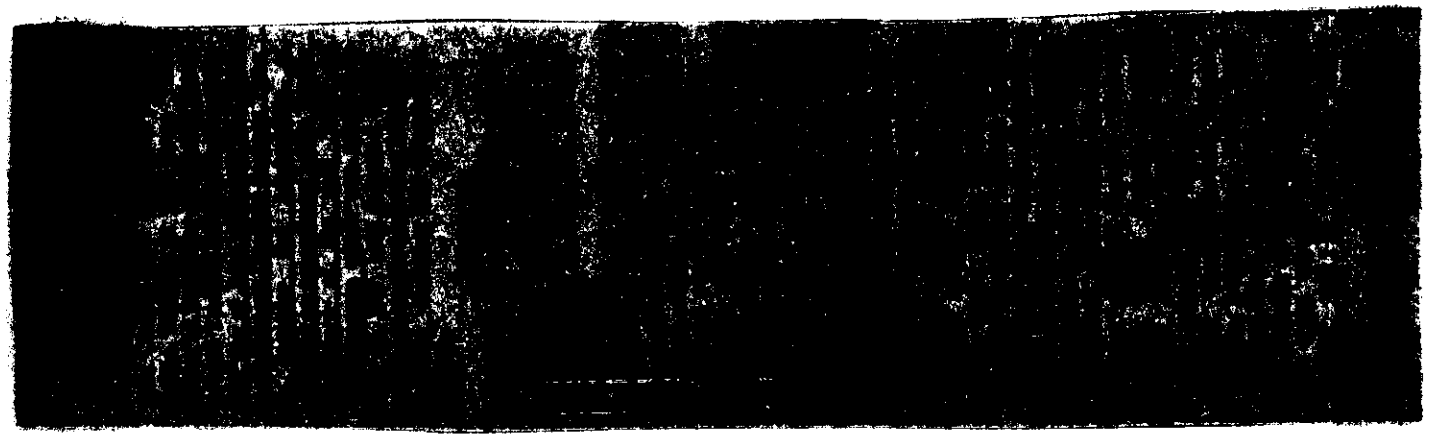
Gladys M. Deckter

Sworn to before me this 9th day of June, 1978

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, 19 79



Item No. 15 Motion by Councilman Wegner, seconded by Councilman Johnson

BE IT RESOLVED that the Town of Cheektowaga hereby requests the Erie County Division of Highways to conduct a study at the intersections listed below for the purpose of changing the traffic signals from fixed-time to semi-vehicle actuated:

1. Delavan & Pine Ridge
2. Pine Ridge & Walden
3. Delavan & Andrews
4. Pine Ridge & Doat
5. Walden Avenue & Gualbert

AND, BE IT

FURTHER RESOLVED that the Town of Cheektowaga will pay any necessary costs related to the said studies, AND BE IT

FURTHER RESOLVED that a certified copy of this resolution be forwarded to Mr. Kenneth Reitmeier, Deputy Commissioner of Highways, County of Erie, 95 Franklin Street, Buffalo, New York 14202.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Whitmier & Ferris Co., Inc. has requested permission to erect two (2) advertising signs at two locations in the Town, pursuant to Article III, Section 3-01A of the Zoning Ordinance of the Town of Cheektowaga, and

WHEREAS, said applications were referred to the Building Inspector of the Town of Cheektowaga, and

WHEREAS, said Building Inspector has made recommendations on said sign applications, now, therefore, BE IT

RESOLVED, that Whitmier & Ferris Co., Inc. be and is hereby granted permission to erect the following sign:

2065 Harlem Road - East side 600 ft. south of Broadway - a 12 foot by 25 foot double faced billboard to replace (2) 12 foot by 25 foot single faced billboards.

and BE IT FURTHER

RESOLVED, that Whitmier & Ferris Co., Inc. be and is hereby denied permission to erect the following sign:

Kensington Expressway - North side 760 feet east of Union Road - two single faced 12 foot by 25 foot billboards.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Town of Cheektowaga and Kenneth Meyers, individually and in his official capacity have been served with a Summons and Complaint in a lawsuit entitled, "JAMES GUY, Individually and as President of LIFE LINE AMBULANCE SERVICE INC., and LIFE LINE AMBULANCE SERVICE, INC., Plaintiff v THE TOWN OF CHEEKTOWAGA, et al, Defendant", Civil Action File No. CIV-78 239, in the U.S. District Court for the Western District of New York, and

WHEREAS, it is deemed legally and economically feasible to join with

Item No. 17 Cont'd.

our co-defendants, the Village of Sloan, members of the Board of Fire Commissioners within the Town of Cheektowaga, and other defendant fire district officers in retaining legal counsel, therefore, BE IT

RESOLVED that the law firm of Lipsitz, Green, Fahringer, Roll, Schuller and James, 1 Niagara Square, Buffalo, New York, be and is hereby retained to represent and defend the Town of Cheektowaga and Kenneth Meyers, Individually and in his official capacity, and to share equally in the cost and expenses with the other defendants, i.e., Cheektowaga Fire District Officers, Cheektowaga Fire Districts and the Village of Sloan, and hereby authorize the Town Attorney, John V. Rogowski, to coordinate and act as co-counsel in said lawsuit.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Kaczmarek, seconded by Councilman Burst

BE IT RESOLVED that the Town Board hereby retains the firm of Marzak and Powell, 385 Cleveland Drive, Buffalo, New York for the purpose of preparing descriptive plans for a proposed highway garage and highway garage extension for purposes of complying with provisions for bonding procedures, including consultations and meetings with the Town Board, for a fee not to exceed $7,500.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Kaczmarek, Burst and Wegner
NAYES: Councilman Dux
ABSENT: 0

Item No. 19 Resolution regarding telephone service.
Item Withdrawn.

Item No. 20 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga has been exploring the possibilities and costs of burying overhead utility lines in targeted Neighborhood Improvement Areas, and

WHEREAS, a long-term commitment of Town capital improvement and Community Development Block Grant funds has been made to the revitalization of the Cedargrove Heights (Tiorunda) Neighborhood Improvement Area, a low-income significantly impacted area, and

WHEREAS, the Town has sought the technical and financial assistance of the public utility companies in planning and designing improvements for the Cedargrove Heights area, and

WHEREAS, the Town has been informed by the public utility companies that they will not incur any of the costs associated with such overhead utility line burial in Neighborhood Improvement Areas, and

WHEREAS, the Town itself is not able to bear the costs of such overhead utility line burial, and

WHEREAS, the diversion of Community Development Block Grant funds to the burial of overhead utility lines in Cedargrove Heights and other targeted areas would severely cripple neighborhood and housing restoration and improvement programs planned for those areas, and

WHEREAS, such underground services would accrue as real assets to the respective utility company, would continue to generate revenues on the same basis as existing overhead service and would require significantly less maintenance cost over their useful life, and

Item No. 20 Cont'd.

WHEREAS, the underground installation of utility services (electric, telephone, cable, etc.) is required by the New York State Public Service Commission in all new subdivisions within the Town, and

WHEREAS, the Town of Cheektowaga is of the opinion that the public utility companies should be responsible for incurring the costs of overhead utility line burial in targeted Neighborhood Improvement Areas to insure the health, safety and welfare of the low-income residents of those areas, NOW THEREFORE

BE IT RESOLVED, that the New York State Public Service Commission, the New York State Legislature and the U.S. Department of Housing and Urban Development be and hereby are memorialized to mandate the burial of overhead utility lines in all areas officially targeted as Neighborhood Improvement Areas, and

BE IT FURTHER RESOLVED, that the New York State Public Service Commission, the New York State Legislature and the U.S. Department of Housing and Urban Development are hereby memorialized to mandate that the costs of planning, facilities and burial of overhead utility lines in targeted Neighborhood Improvement Areas be incurred by public utility companies servicing those areas, and

BE IT FURTHER RESOLVED, that the New York State Public Service Commission, the New York State Legislature and the U.S. Department of Housing and Urban Development be sent a certified copy of this resolution.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED that the Town Board be and hereby is authorized to adopt the policy that all electrical service for street lighting within subdivisions where all utilities are underground by Public Service Commission mandate within the Town of Cheektowaga must be through underground wiring with underground fed fixtures and paid for by the developer according to the following procedures:

1. Developer must request a street lighting proposal from the New York State Electric and Gas Corporation which will be patterned after the general plan in the Town of Cheektowaga;

2. Plan must be approved by the Town Board Capital Improvements Committee and the Town Board prior to installation;

3. Developer may have underground wiring and the installation of underground fed fixtures installed by the contractor of his choice. All posts and fixtures must conform to New York State Electric and Gas Corporation specifications. Or, the developer may arrange for the New York State Electric and Gas Corporation to make the installation. In the latter case, the estimated cost of same must be deposited by the developer with the Town of Cheektowaga prior to installation and held in escrow, then paid to the New York State Electric and Gas Corporation upon completion. The Town of Cheektowaga will then own the underground wiring and standards;

AND, BE IT FURTHER

RESOLVED that this policy become a part of all approvals for Subdivision Plans by the Planning Board, Town Engineer, Building Inspector's Officer, Highway Superintendent, and Town Board, AND, BE IT FURTHER

RESOLVED that this policy become a part of the Public Improvement Permit that is issued and approved prior to acceptance by Dedication of Public Improvements (Road, Water, Sewer, Storm Sewer and now Street Lighting) by the Town of Cheektowaga, AND, BE IT FURTHER

RESOLVED that this policy be and is hereby binding on all present subdivisions where electrical service for street lighting has not yet been installed and which are governed by the mandate of the Public Service Commission "that all utilities be installed underground", and more specifically those areas where a Town highway has not yet been accepted.

Item No. 21 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, Ronald S. Kozell was erroneously appointed as a Maintenance Man in the Sewer Maintenance Department by a Town Board Resolution dated May 15, 1978, and

WHEREAS, there is an opening in the Sewer Maintenance Department for a Laborer, and

WHEREAS, the job opportunity has been posted on bulletin boards in accordance with Local 1026, AFL-CIO Agreement, now, therefore, BE IT

RESOLVED that the resolution of May 15, 1978 be rescinded, and, BE IT FURTHER

RESOLVED that the following is hereby appointed to the position of Laborer at the current wage rate for said position effective May 15, 1978:

Ronald S. Kozell

Cheektowaga, New York 14227

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that Detective Sergeant Felix T. Wroblewski, Jr. be and is hereby transferred to his Civil Service rank of Patrolman in the Cheektowaga Police Department, effective immediately, and BE IT FURTHER

RESOLVED that the Town Accounting Office re-establish his salary as Patrolman in accordance with the rates set forth by the collective bargaining agreement as related to the status of his employment, including seniority and longevity.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

RESOLVED that the hourly rate of all summer laborers hired by the Town of Cheektowaga in various departments for the summer of 1978, shall be raised from the present rate of $2.50 per hour to $2.65 per hour; effective Tuesday, June 6, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24b Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that the following be hired as part-time clerks in the Judges' Office, at the salaries listed:

Cheryl Rozniak	$22.00 per day
Janet Kordasiewicz	$2.50 per hour
Maria Sisti	$2.50 per hour

and, BE IT FURTHER

RESOLVED that the following be hired as Assistant Law Clerk in the office of the Town Attorney:

Dennis Ciotuszynski	$3.50 per hour

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24c Motion by Councilman Kaczmarek, seconded by Councilman Dux

RESOLVED that the following individuals be hired as part-time summer help in the office of the Town Clerk at the rate of $2.50 per hour:

Cheryl Koscielniak

Cheektowaga, New York

Corinne Furmanek

Cheektowaga, New York

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24d Motion by Councilman Burst, seconded by Councilman Kaczmarek

BE IT RESOLVED that the following individual be and hereby is hired as a seasonal laborer in the Town Central Garage at an hourly rate of $2.65:

Robert Sprada

Cheektowaga, New York 14227

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24e Motion by Councilman Swiatek, seconded by Councilman Wegner

BE IT RESOLVED that the following individuals be and hereby are hired for the Town's summer employment season in the Departments listed below at the following rates:

Item No. 24e Cont'd.

BASKET CHECKERS - $2.00 per hour - 10 hours per week

Hugh Allan
Dan Allen
Karen Aquilino
Paula Arcara
Edward Atzrott
Terry Bakowski
Daneen Baumgardner
William Benner
Deborah Binga
Norman Bucholtz
Kimberly Chapman
John Choinski
Michael Christel
Ronald Cipressi
Frances Coleman
Mark Cross
Cheryl Cummings
James Czajka
Christopher DeMarzio
Daryl Dux
Donald D. Eggert
Jeff Fiorello
Kathleen Frainier
Terri Geck
Frank Giardina
Timothy Glowny
Mark Golubski
Timothy Grapczynski
Christopher Grave
Sharon Ann Grubka
Christie Haas, Jr.
Brian Handzlik
Sandra Jaskier
Doreen Jurkowski
Janet Kaczmarek
Ted Kapturowski
Kenneth Karl
Ellen Koch
Paul Kogut
Cheryl Koscielniak
Paul Kowal
Diane Krawczyk
Doreen Kreutzer
Richard Krueger, Jr.
Nancy Kwiatkowski
Mary Lynn Lasko
Camille Leszczynski
Kenneth Lewandowski
Darren Liberati
Donald Lotalfu
Sue Lullia
Mark Maciuba
Maureen Mahoney
Michael Masse
Michele McEwen
Judith Moskal
Fred Mueller
David Nowak
Susan Nowicki
Timothy Obstarczyk
Ellen Pacer
Sandra Penkalski
Susan Pietrzak
Sandra J. Penny
Lisa Ritz
Kim Roth
Susan Russell

Item No. 24e Cont'd.

BASKET CHECKERS cont'd.

Janet Sabers
Valerie Sadowski
Barbara Saniewski
William Sauers
Kim Schneider
Michael Shaw
Barbara Sibley
Carl Staszak
Sonya Sweeney
Thomas Swiatek
Michele Szafranski
Jeffrey J. Szymanski
Dawn Truax
Chris Wagner
Margaret Waite
David Warda
David Wayne
Jerry Weber Jr.
Diane Wild
Gary Winkler
James Zalemski
Paul Cross
Cathleen Pajak
Richard Wagner, Jr.
David Lonczak
Gary Wazny
Brenda Bjornland
David Lyon

PARK ATTENDANTS - $2.65 per hour

1) Agosti, Barry
2) Barkowiak, Dee
3) Benner, Linda S.
4) Bilski, Mary
5) Binner, Richard A.
6) Binner, Robert Jr.
7) Block, Thomas M.
8) Bonk, Kenneth R.
9) Buczik, Mark A.
10) Bullis, Caryl
11) Casciori, Michael
12) Case, Marsha S.
13) Catalfu, Diane
14) Chalcraft, Debra
15) Conway, Amy Lynn
16) Derylak, Roseline
17) Dolan, Deborah S.
18) Dombrowski, Diane M.
19) Dombrowski, Michael
20) Duke, Cynthia A.
21) Eldridge, Mary Ellen
22) Emmanuele, Pamela L.
23) Fenske, William Jr.
24) Filipski, Andre
25) Gervase, Diane F.
26) Grandits, Greg
27) Grupp, David
28) Halicki, James E.
29) Izydorczak, Cindy
30) Jachimiak, Karen
31) Janik, Lynne M.
32) Junik, Glenn
33) Kaminski, Joseph V.
34) Kensy, Mark E.
35) Koch, Michael G.

Item No. 24e Cont'd.

PARK ATTENDANTS - $2.65 per hour

36) Kubera, Debby
37) Leonardi, Virginia
38) Licata, Laurie
39) Lichtenberger, Mike
40) Lonczak, Alfred J.
41) Lopardi, Anthony J.
42) Lysiak, Margaret
43) Mason, James G.
44) Maturski, Karen
45) McGinty, Thomas
46) Meyer, Philip S.
47) Moriarity, Kathleen
48) Moriarity, Kenneth
49) Murawski, Lisa A.
50) Murphy, Eileen
51) Olejniczak, Robert
52) Pawlowski, Raymond
53) Pongie, Mary Ann
54) Portanova, Frank
55) Prorok, Melissa
56) Pudlewski, Christina
57) Reinacher, Stacy
58) Roger, Linda Anne
59) Scheelar, David R.
60) Schlehr, Karen M.
61) Skalski, Claudine J.
62) Smaczniak, Peter
63) Solowski, Cynthia
64) Stirratt, Kristin
65) Szrama, Elaine
66) Tenney, Mary Ann
67) Thirion, Jeri
68) White, Timothy
69) Wityk, Michele
70) Wnek, Mary Ann
71) Wydro, Deborah Ann
72) Zasada, Raymond J.
73) Zelasko, Timothy
74) Zotter, Leslie Ann
75) Zulawski, Marjorie
76) Tonsoline, Philip
77) Gasiewicz, David D.

LABORERS - PARKS DEPARTMENT - $2.65 per hour

Michael Catanzaro
Gordon Heyden
Dennis Kelm
Thomas Mroz
William O'Rourke
Dean Szymkowiak
Michael Serio
Thomas Tabone

LABORERS - BUILDING MAINTENANCE DEPARTMENT - $2.65 per hour

Joe Shivens
Jeffrey Szymanski
David Longo
Michael Torgalski
Michael Lopardi
James Gabryszak
Douglas Champagne
Alan Oryszak

Item No. 24e Cont'd.

LABORERS - UTILITY DEPARTMENT - $2.65 per hour

Gary Costine
Allan Kuczka
Alfred Lonczak
Brian Kempski
Gary Slawiak

WORK EXPERIENCE

BEAUTIFICATION @ $2.35 per hour

Greg M. Baran
Martin A. Bifaro
Michael Bobeck
Michael Brunner
Gregory A. Day
Mark J. Dolan
Paul Dorobiala
Beverly Dziadosz
Stanley Dznowski III
William Ertel III
Richard Fenske
Joe Farey
Gregory Gamerek
Thomas Griffin
Allen Havernick Jr.
Eugene D. Jaroszewski
Mark Kerling
Elicia Klager
Gregory Kranz
Tom Mackowski
Richard Marinaccio
Michael T. Maroney
Mike Mazurkiewicz
Patrick J. McCann
Mark McMahon
Bob Mroz
William Owczarczak
Kurt S. Preisigke
Robert Quinn
Andrew J. Reinacher
Beth Ellen Richter
Marylou Ritchell
Laurie Rogers
Stephen Rogers
Andrew J. Rutski
Daniel J. Scherer
Dale Mark Selbert
Mark Setlock
Frank J. Simmeth
John Sisti III
James E. Szemraj
Gary Sovinsky
David Szymanski
Gary Szymkowiak
Thomas Topolski
Allen Tresch
Edward J. Ziarnowski
Camille V. Zolkiewicz
Raymond Scott Zurowski
Gail Gallmeyer
David Toporczyk
Bruce Blachowski
Lawrence Miller
Mark Lauber

Item No. 24e Cont'd.

SUMMER DAY CAMP FOR DEVELOPMENTALLY DISABLED YOUTH

ACTIVITY DIRECTORS @ $3.00 per hour

Diane Pappas
Roberta Cianciosi

COUNSELORS @ $2.65 per hour

Sandra Zygmunt
Pam Huntz
Elizabeth Schneider
Sue Bojar
Donna Piatkowski
Brian Januszkiewicz
Sharon Foster
Kathleen Karaszewski
Patrice Huntz
Annamarie Marinaccio
Deborah Jusiak
Dawn Hicks
Denise Rabent
Patricia Wnek

ADMINISTRATIVE INTERN PROGRAM

CLERK @ $3.00 per hour

James Butters

YOUTH CONSERVATION CORP. - STATE FUNDED PROJECT

LABORER @ $2.65 per hour

G. H. Michael
D. Mariano
R. J. Wojtanowski
J. D. Suckow
R. M. Stawasz
J. R. Gorny
J. P. Pugh
S. A. Lippert
M. J. Lauer
M. J. Dziamski
M. J. Ruffato
M. E. Fuller
L. S. Moskal
B. L. Gentile
P. A. Halter
L. A. Monczynski
M. J. Snyder
M. F. Mann
R. L. Chudzik
J. R. Rote

LIFEGUARDS: $3.00 per hour with W.S.I. Certificate
$2.75 per hour

1) Baran, Sandra L.
2) Bauers, Katherine-Ann
3) Bermel, Mary
4) Blendowski, Debora
5) Bork, Nancy Ann
6) Buyea, Michelle

Item No. 24e Cont'd.

LIFEGUARDS CONT'D.: $3.00 per hour with W.S.I. Certificate
$2.75 per hour

7) Cegielski, Deborah
8) Conwell, Karen Lynne
9) Costrine, Candyce M.
10) Daly, Sharon A.
11) Franzek, Linda A.
12) Fredette, Craig
13) Galuszka, Joseph G.
14) Giles, Katherine D.
15) Gill, Audrey
16) Hansen, Wendy
17) Healey, Deborah
18) Hochul, William J. Jr.
19) Jagodzinski, Janet
20) Jagodzinski, Linda
21) Johnson, Regina
22) Kaczmarek, Paul G.
23) Karlinski, Roger
24) Konoda, Deborah
25) Kusher, Susan M.
26) Ladowski, John A.
27) Lawrence, Mary Jane
28) Lizak, Mary E.
29) Magnano, David
30) Mildenberger, Elizabeth
31) Morris, Lynda J.
32) McGee, Deborah
33) Nicholson, Linda A.
34) Nowak, Denise
35) Olday, Charles W. Jr.
36) Pilat, Thomas R.
37) Potempa, Michael L.
38) Przepasniak, James E.
39) Schenk, Ronald J.
40) Sopczyk, Susan
41) Turner, Susan M.
42) Urso, Tina
43) Walentynowicz, Janet M.
44) Weigel, Lynn
45) Logeman, Laura
46) Schranz, Ronald E.

ARTS & CRAFTS INSTRUCTOR - $1,500 / 10 weeks

Donna Manning

SPECIAL EVENTS SUPERVISOR
Transferred from code 7140.161 to 7140.163 @ $3.00 / hour

Carolyn Stawasz
Pamela Stempniak
Larry Brownell

PARK ATTENDANTS
Transferred from code 7140.161 to 7140.163 @ $2.65 / hour

Diana Koczon
Joann Gruber

PARK ATTENDANT
Transferred from code 7140.160 to 7140.163 @ $2.65 / hour

Colleen Lester

Item No. 24e Cont'd.

SPECIAL EVENTS SUPERVISORS - $3.00 / hour

Diane Peacock
Linda Zawilski
Mike Burzynski

Transferred from Parks Laborer to TENNIS INSTRUCTOR - RECREATION DEPARTMENT

Gerry Owczarczak

TENNIS INSTRUCTOR - $1,200 / 10 weeks

Maureen Dwyer

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

RESOLVED that the following be hired as summer laborers in the various departments listed at the rate of $2.65 per hour:

PLUMBING DEPARTMENT:

Robert Klosko

SEWER MAINTENANCE DEPARTMENT:

Joseph Russo
Michael Kirisits
Robert Green
Timothy White
Michael Carroll
James Kalinowski
Todd J. Meyers

SEWAGE TREATMENT PLANT:

Gilles Woolrich
Ronald Kaczmarek
Richard Ogrodnik
Rodney Maciuba
Thomas Truax
Michell Lembke

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Johnson
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

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

RESOLVED that the following be and hereby are hired under the positions listed below, at the salary rate as specified, starting date established by the department head:

Item No. 25 Cont'd.

Clerk-Typist - Erie County Industrial Development - at a yearly rate of $8,562.24

Mangan, Loretta D.
Chktg., New York 14227

Clerk-Typist - Cheektowaga Accounting Office - at a yearly rate of $8,562.24

Orr, Joanne D.
Depew, New York 14043

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, Title II, and

WHEREAS, Rosemary Karm of , Cheektowaga, New York is transferring from Title VI, Special Project #620 County Clerks Office, to a Cheektowaga P.S.E. (Public Service Employment) slot, NOW THEREFORE BE IT

RESOLVED that Rosemary Karm is hired as a Clerk-Typist in the Labor Management Council with a yearly salary of $8,562.24, starting date established by the department head.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Twenty-Third International Convention of AFSCME, AFL-CIO Union will be held in Las Vegas, Nevada from June 26 through June 30, 1978, AND

WHEREAS, Local 1026, AFSCME, AFL-CIO, has requested an excusable leave of absence for Joseph F. Klosko and Robert A. Bartosz, members elected to attend said convention, pursuant to the terms of the present working agreement, Article 10, Section 10.06, NOW THEREFORE BE IT

RESOLVED that Joseph F. Klosko and Robert A. Bartosz be and hereby are granted an excusable leave of absence to attend said Twenty-Third International Convention of AFSCME, AFL-CIO from June 26 through June 30, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Supervisor Meyers, seconded by Councilman Dux

BE IT RESOLVED that Robert H. Sosnowski, laborer in the Cheektowaga Utility Department, be and hereby is granted a two week military leave of absence to report for annual training with the U.S. Air Force Reserve Unit, Niagara Falls, New York, effective June 10 through June 24, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, the Cheektowaga Youth Bureau has received a Youth Conservation Corps Grant through the New York State Department of Environmental Conservation, and

WHEREAS, the Department of Environmental Conservation requires a training program to be attended by all subgrantee agents, now, therefore, BE IT

RESOLVED that Bonnie Przybylak is hereby authorized to attend two training sessions to be held on June 5th in Cortland, New York and on June 8th in Avon, New York, and BE IT FURTHER

RESOLVED that Ms. Przybylak, as Project Coordinator, be permitted to attend any future meetings that her presence is required at, by the Department of Environmental Conservation during the course of the administration of this grant, and that all necessary travel expenses be hereby reimbursed at a cost not to exceed $100.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, the Cheektowaga Youth Bureau has received a grant from the New York State Department of Environmental Conservation for the operation of a Youth Conservation Corps Project, and

WHEREAS, it is necessary to engage the service of professional consultants, versed in the areas of trail construction, specification, design, cost analysis, as well as ecology, environment, flora and fauna analysis, and

WHEREAS, Tifft Farm, Inc. is chartered for the purpose of providing such assistance to local communities, therefore, BE IT

RESOLVED that the Supervisor be and hereby is authorized to sign the agreement on the proposal dated May 31, 1978 as submitted by Tifft Farm, Inc. on behalf of the Town of Cheektowaga for a sum not to exceed $850.00.

*See next few pages for copy of agreement.

tifft farm
nature
preserve

LOSSON PARK DEVELOPMENT PROPOSAL

On this 31st day of May, 1978, Tifft Farm Inc. does hereby offer to the Cheektowaga Youth Bureau the following services to be performed for the Losson Park Site located in Cheektowaga, New York. These services will take place five working days after contract approval and will be completed 30 working days after commencement. These services will be provided for the sum of $500 dollars, to be paid in full to Tifft Farm, Inc. 10 working days after submission of the final report to the Cheektowaga Youth Bureau.

Tifft Farm Inc. will provide the following services to be included in this report:

--Introduction and Purpose

--Historical Development

--Floral and Faunal Analysis to Include most Abundant Species

--Soil Analysis and Inventory

--Trail Development Map and Overlays

--Plans for Trail Structures as Needed

--Plans for Trail Side Structures as Requested not to Exceed 16 Hours of Preparation Time of Tifft Farm Staff

--Cost Analysis of Trail Development

--Cost Analysis of Trail Structures as Needed

--Cost Analysis of Trail Side Structures as Needed

RECEIVED
JUN 16 1978
Richard M. Moleski, Town Clerk

tifft farm, inc. • 1133 rand building • buffalo, new york 14203 • phone (716) 847-1323

tifft farm nature preserve

This report is not to exceed 10 working days and will include one half day on-site consultation. Additional on-sight days can be purchased at $100 per day plus expenses for on-sight consultation.

Kenneth J Meyer
Supervisor, Town of Cheektowaga

Thomas C. Benjamin
Director of Tifft Farm, Inc.

This will be considered a valid agreement when signed by both parties.

Item No. 30 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Town Clerk has sent a communication to the Erie County Board of Elections indicating that on Registration Days the cost of operations could be greatly reduced by consolidating 111 election districts into approximately 24 centrally located districts in town, AND

WHEREAS, the Town Clerks Association of Erie County has also been interested in the subject of consolidation of polling places to reduce registration costs and has unanimously registered approval of this proposal at their April 11th meeting, AND

WHEREAS, adoption of this program by the Erie County Board of Elections would result in savings in excess of $20,000., NOW THEREFORE BE IT

RESOLVED that the Town Clerk be and hereby is authorized to request permission form the Erie County Board of Elections to consolidate election districts for Registration Days from 111 to approximately 24 districts.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Sanford Stuchell (representing Elma Nurseries) has made application and requested the rezoning of property located at 2804 Union Road from C-Retail Business District to CM-General Commercial District, said applicant possessing ownership of property aforementioned, NOW THEREFORE BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 19, 1978 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Keckler, 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 June 8, 1978; last publication June 8, 1978; and that no more than six days intervened between publications.

Gladys M. Keckler

Sworn to before me this 9th day of June, 1978

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, 1979



Item No. 33 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Mary L. Ylmar has made application and requested the re-zoning of property located at 782 Aero Drive from M1-Light Manufacturing District to M2-General Manufacturing District, said applicant possessing ownership of property aforementioned, NOW THEREFORE BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 19, 1978 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Zechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheek-towaga 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 June 8 1978; last publication June 8 1978; and that no more than six days intervened between publications.

Gladys M. Zechter

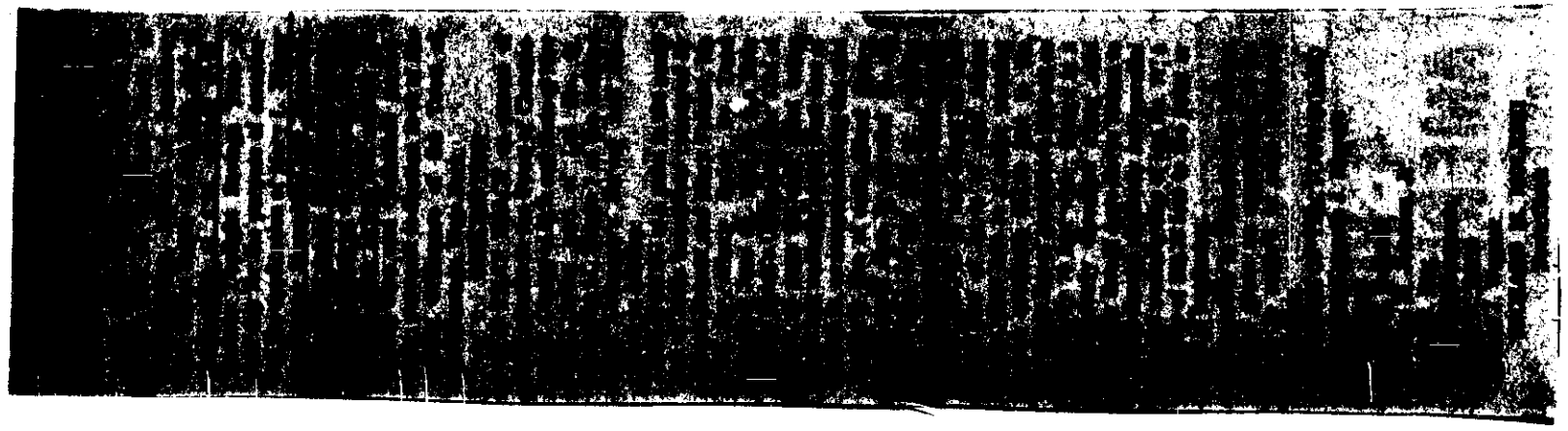
Sworn to before me this 9th

day of June, 1978

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, 1979



Item No. 34 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

BE IT RESOLVED, that Change Order No. 1, Contract #2B, Northeast Interceptor Project of the Sewer District #5 Water Pollution Control Program, in the amount of $2,947.95 as an addition to the contract of Amadori Construction Company, Inc. be paid, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga Sewer District #5.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

BE IT RESOLVED, that Change Order No. 6, Contract #2, Northeast Interceptor Project of the Sewer District #5 Water Pollution Control Program, in the amount of $8,314.00 as an addition to the contract of Amadori Construction Company, Inc. be paid, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga Sewer District #5.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Councilman Johnson, seconded by Supervisor Meyers

BE IT RESOLVED, that Change Order No. 1 for the St. Felix Drainage Project, Nandale/Veterans Extension, (EDA NO. 01-51-03603) to Firstrhyme Construction Company, Inc., for construction work in the amount of $4,675.60 as a deduction to the contract signed, be approved, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 37 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the purchase of grit chamber chains for the Town of Cheektowaga Treatment Plant, 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 bid be awarded to Root, Neal & Company, P.O. Box 101, 64 Peabody Street, Buffalo, New York 14240 for the submission of a bid of $4.62 for unit bid price for the cast chains and $9.98 unit bid price for attachments, for a total unit bid price of $14.60, said bid meeting all the requirements of the specifications.

*See next page for copy of tabulation.

Town of Cheektowaga

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

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

May 31, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Grit Chamber Chains

Gentlemen:

Bids were received and publicly opened at the regular Town Board Meeting of May 15, 1978 for the furnishing of grit chamber chains for the Town Wastewater Treatment Plant.

Four (4) bids were received and are as follows:

BIDDER	ITEM I CAST CHAINS	ITEM II CHAIN ATTACHMENT	TOTAL ITEM I & II
Rhodes Welding Works Inc.	$4.385	$9.48	$13.865
Applied Design Co.	$4.57	$29.86	$34.43
Root, Neal & Co.	$4.62	$9.98	$14.60
Bruening Bearing Inc.	$4.26	$17.96	$22.22

Rhodes Welding requested to be withdrawn from bidding in a letter dated May 22, 1978, sent to the Town Clerk, as his bid was in error due to misinformation given to him by his supplier. This withdrawal request was checked with Deputy Attorney, Jim Kirisits, and he determined that it was proper to accept the withdrawal.

It is recommended that the bid be awarded to Root, Neal & Company for submitting a bid of $4.62 for the chain and $9.98 for the attachment. Quantities of each item will be determined in the replacement process.

Very truly yours,
TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 37 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 38 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the U.S. Army Corps of Engineers' Scajaquada Creek Flood Control Project is proceeding on the main channel from Pine Ridge Road to Harlem Road, AND

WHEREAS, two utility overhead distribution poles are in the way of the proposed creek widening, AND

WHEREAS, such utility pole relocation is a local cost, NOW, THEREFORE, BE IT

RESOLVED that Niagara Mohawk Power Corporation is authorized to relocate two overhead distribution poles on the north bank of Scajaquada Creek west of Harlem Road in accordance with their proposal dated May 12, 1978 to the Town Engineer at a cost to be adjusted for actual cost incurred.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 39 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, the U.S. Army Corps of Engineers' Scajaquada Creek Flood Control Project requires that the Alexander-Victoria sanitary sewer siphon be re-constructed, AND

WHEREAS, Nussbaumer & Clarke, Inc., Consulting Engineers were directed to prepare plans and specifications for the replacement of said siphon, which plans and specifications are ready, NOW THEREFORE BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the construction of a new siphon, notice to be published in the EXAMINER, and, BE IT FURTHER

RESOLVED that the Town Board meet on the 19th day of June, 1978 at 7:00 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 meeting called for that purpose.

* *

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 19th day of June, 1978, at 7:00 p.m. Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of Alexander-Victoria Siphon, including chambers, manholes, and related work, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers, at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be

Item No. 39 Cont'd.

secured at the office of Nussbaumer & Clarke, Inc. upon payment of $50.00 per set of documents. Checks shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one(1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Construction of the Alexander-Victoria Siphon Replacement."

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within 45 days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for the opening of bids.

The successful bidders will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's certificate of non-collusion. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, ARE EXPLAINED IN THE SPECIFICATIONS.

Town of Cheektowaga, New York
Richard M. Moleski, Town Clerk

DATED: June 5, 1978
PUBLISHED: June 8, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 19th day of June, 1978, at 7:00 p.m. Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of Alexander-Victoria Syphon, including chambers, manholes, and related work, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers, at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc. upon payment of $50.00 per set of documents. Checks shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, [redacted], New York 14227, and

[redacted] bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within 45 days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for the opening of bids.

The successful bidders will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention to the bidders is further called to Section 2684 of the Public Authorities Law which requires a bidder's certificate of non-collusion. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, ARE EXPLAINED IN THE SPECIFICATIONS.

Town of Cheektowaga, New York
Richard M. Maleski, Town Clerk
Dated: June 5, 1978
Published: June 8, 1978

[redacted]

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 8 day of June, 1978 and ending on the _____ day of _____, 19__

SC

Signed Jm L. Charters
Sworn to before me, on the 8 day of June, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 80

Item No. 40 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Federal Water Pollution Control Act required secondary treatment for municipal wastewater treatment works by July 1, 1977, AND

WHEREAS, Congress, in its Clean Water Act Amendment of 1977, Section 301(i), provided for extensions to this deadline for publicly owned treatment works and other dischargers currently under design or construction, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized by this Town Board to make an official request for an extension of the National Pollutant Discharge Elimination System Permit for the Town Wastewater Treatment Plants No. 3 and No. 5, and, BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish a legal notice for said extension request in the BUFFALO EVENING NEWS.

* *

LEGAL NOTICE FOR 301 (i) (1) EXTENSION

Notice is hereby given that the Town of Cheektowaga has applied to the New York State Department of Environmental Conservation pursuant to section 301 (i) (1) of the Clean Water Act amendments of 1977 (CWA) for an extension of the July 1, 1977 deadline for attainment of compliance with Section 301 (b) (1) of the CWA.

Any existing private or industrial facility which currently has a direct discharge to surface waters but which is supposed to "tie-in" to the Town of Cheektowaga sewerage collection system when its construction is complete may write to the PDES Permit Section, New York State Department of Environmental Conservation (NYSDEC), Room 201, 50 Wolf Road, Albany, New York 12233, and request an extension pursuant to Section 301 (i) (2) of the CWA. Any such request to NYSDEC must be made within 180 days following the date of this notice in order to be eligible.

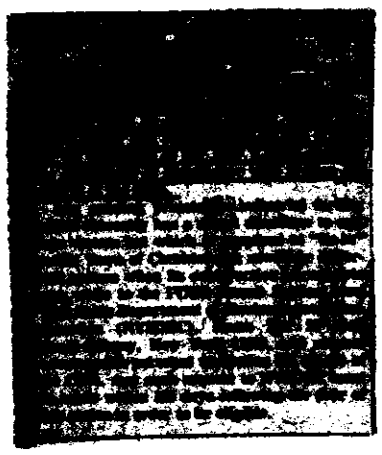
* *

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT-NEXT PAGE

State of New York }
ERIE COUNTY }
CITY OF BUFFALO }



D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that she 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 a week for ~~[illegible]~~ insertion being on the 8th day of June 19 78 ~~[illegible]~~

D. Eileen Perry

Sworn to before me this 9th day of June 19 78

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 79

Paul E. Bielman
Notary Public, Erie County, N. Y.

Item No. 41 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, emergency repairs were necessary on the force main in the main pump station at the Wastewater Treatment Plant No. 5 where neglect to make said repairs would have resulted in damages to equipment at the main pump station together with by-pass of raw sewage into the receiving stream, AND

WHEREAS, the needed repairs were ordered by the Town Engineer, which repairs were completed in an expeditious manner and with the cooperation of the NYSDEC, NOW, THEREFORE, BE IT

RESOLVED, that the vouchers of Rhodes Welding Works Inc., 2412 Bailey Avenue, Buffalo, New York in the amounts of $562.29, $4,306.21 and $4,413.78 to do the repair work and furnish materials for said force main repair be approved and ordered paid, and, BE IT FURTHER

RESOLVED, that the voucher of Buffalo X-Ray Company, 81 East Market Street, Buffalo, New York in the amount of $200.00 to do investigative work on the condition of the force main be approved and ordered paid.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, this Town Board desires to undertake immediate improvements of the Walden Avenue sanitary sewers from Harlem Road to the Buffalo City Line, AND

WHEREAS, a complete television and inflow and infiltration study is necessary in order to determine exact structural deficiencies of the sewer so as to do remedial work only in sections requiring corrective measures, NOW, THEREFORE, BE IT

RESOLVED, that the firm of Nussbaumer & Clarke, Inc., Consulting Engineers, be and hereby are directed to undertake said sewer investigative work in accordance with their proposal dated June 1, 1978 as addressed to the Town Engineer, and, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign said agreement with the firm of Nussbaumer & Clarke, Inc. to do this work.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 43 Motion by Councilman Burst, seconded by Councilman Dux

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of snow plow blades, wing blades, cutting edges, wing and front plow shoes, grader blades, receiver grates, receiver frames, 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, 3145 Union Road, Cheektowaga, New York; siad Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m. on June 19, 1978 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

Item No. 43 Cont'd.

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 14227 at 7:00 p.m. on June 19th, 1978 for Snow Plow Blades, Wing Blades, Cutting Edges, Wing and Front Plow Shoes, Grader Blades, Receiver Grates, Receiver Frames, 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, S. Cheektowaga, New York. Proposals must be enclosed and sealed in opaque envelopes plainly marked "SEALED BID FOR SNOW PLOW BLADES, WING BLADES, ETC. FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT." Non-collusion forms must be signed and submitted with bids.

SIGNED_____
Richard M. Moleski
Town Clerk

DATED: May 23, 1978
PUBLISHED: June 8, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Deshuter 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 June 8, 1978; last publication June 8, 1978; and that no more than six days intervened between publications.

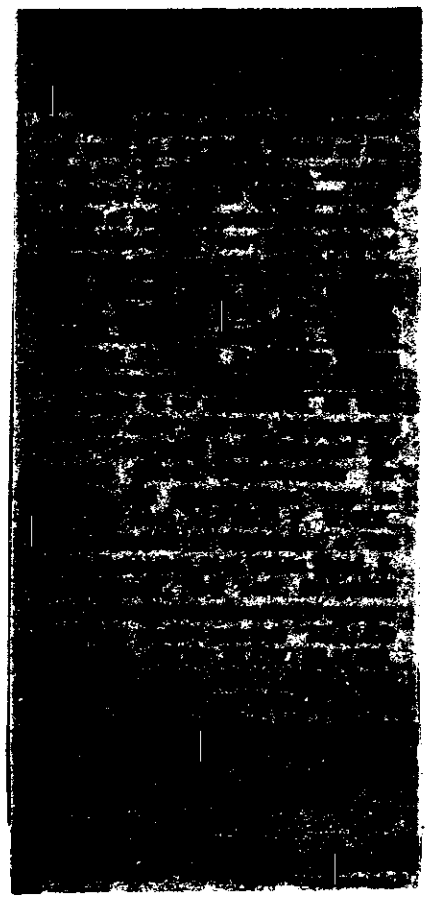
Gladys M. Deshuter

Sworn to before me this 9th day of June, 1978

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, 1979



Item No. 44 Motion by Councilman Burst, seconded by Councilman Dux

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of a ten thousand (10,000) gallon gasoline tank, with installation, to be used for diesel fuel in the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways, 3145 Union Road, Cheektowaga, New York; said Notice to be published in the EXAMINER, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m. on June 19th, 1978 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 BIDS WILL BE RECEIVED and considered by the Town Board of the Town of Cheektowaga on June 19th, 1978, at 7:00 p.m. at the Town Hall, corner of Broadway and Union Road for a 10,000 gallon fuel storage tank, with installation.

Information for bidders and specifications may be obtained from the Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga, New York.

The Superintendent of Highways 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.

SIGNED_____
Richard M. Moleski
Town Clerk

DATED: May 26, 1978
PUBLISHED: June 8, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 8 day of June, 1978, and ending on the _____ day of _____, 19__

JC

Signed Jas. L. Charters
Sworn to before me, on the 8 day of June 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED and considered by the Town Board of the Town of Cheektowaga on June 19th, 1978, at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road for a 10,000 gallon fuel storage tank, with installation.

Information for bidders and specifications may be obtained from the Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga, New York.

The Superintendent of Highways 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.

Signed: Richard Moleski, Town Clerk
DATED: May 26, 1978
PUBLISHED: June 8, 1978

Item No. 45 Motion by Councilman Burst, seconded by Councilman Dux

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of quantities of Diesel Fuel Oil, Motor Oils, Miscellaneous Oils, Lubricants, Fluids and Anti-Freeze for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways, 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m. on June 19, 1978 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 requires sealed bids for the purchase of Diesel Fuel Oil, Motor Oil, Compressor Oil, Gear Oil, Penetrating Oils, Hydraulic Oil, Kerosene Oil, Lubricants, Fluids, Anti-Freeze, etc. for the use by the Town of Cheektowaga Highway Department.

Specifications and information are available at the Town of Cheektowaga Highway office located at 3145 Union Road, S. Cheektowaga, New York 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of opening on June 19th, 1978 at 7:00 P.M. Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also marked "SEALED BID FOR DIESEL & VARIOUS OILS, ETC. FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

The Town of Cheektowaga reserves the right to reject any or all bids if it be in the public interest of the Town of Cheektowaga to do so. Non-collusion forms must be signed and submitted with bids.

SIGNED_____
Richard M. Moleski
Town Clerk

DATED: May 23, 1978
PUBLISHED: June 8, 1978

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Deckter, 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 June 8, 1978; last publication June 8, 1978; and that no more than six days intervened between publications.

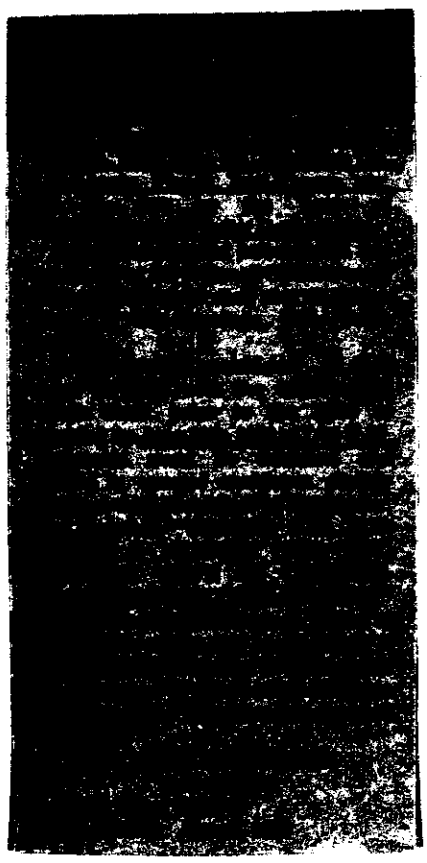
Gladys M. Deckter

Sworn to before me this 9th day of June, 1978

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, 1979



Item No. 46 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the fund transfers (see below) be and the same are hereby approved and made a part hereof.

* *

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

SR. CITIZENS
Department

JUNE 1, 1978
Date

GENERAL Fund

FROM			TO	
Account	Title	$	Account	Title
A.2705.000	ROTARY VAN-RECEIPTS	$2,250.00	$7620.200	SR. CITIZEN-VAN
.1990.480	CONTINGENCY	80.00	$7620.200	SR. CITIZEN-VAN

Signature

Explanation THIS IS TO TRANSFER MONEY FROM THE REVENUE WE RECEIVED FROM THE ROTARY CLUB FOR THE VAN WHICH THE TOWN RECEIVED AND PAID FOR,INTO THE ACCOUNT IT WAS PAID FROM.

Item No. 46 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 47 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to June 5th, 1978 be and the same are hereby approved and the Supervisor is authorized to pay same.

FUND	CHECK NO. FROM	CHECK NO. TO	AMOUNT
GENERAL FUND	5943	6153	$1,292,029.47
SPECIAL DISTRICT FUND	4323	4404	606,034.20
HIGHWAY FUND	3519	3582	363,186.12
PART TOWN FUND	898	913	31,518.48
TRUST AND AGENCY FUND	548	551	64,283.33
CAPITAL FUND	46	53	17,097.79
FEDERAL REVENUE SHARING FUND	63		150,000.00
H.U.D.-C.D.B.G. FUND	65	66	72,875.65
H.U.D.-N.P.P. FUND	5		542.00
			$2,597,567.04

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 48 Building Permits.
Approved; Received and Filed.

Item No. 49 Supervisor's Statement of Funds - April, 1978.
Item Received and Filed.

Item No. 50 Health Report for month of May, 1978.
Item Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 51 E.L. Pierce, President - Suburban Citizens' Affirmative Action Commission -- Request time to speak re: Affirmative Action & Fair Employment.
Presentation heard; correspondence received and filed.

Item No. 52 Fair Employment Coalition of Cheektowaga - Request time to speak re: Town's Affirmative Action Committee.
Presentation heard; correspondence received and filed.

Item No. 53 N.Y.S. Dept. of Transportation - Notice of Order re: Extension of "left turns only from center lane" on Route 240, Harlem Road.
Copies sent to Honorable Town Board Members, Chief John B. Gruber, Captain Lis, Cheektowaga Traffic Safety Commission; Item received and filed.

Item No. 54 Notice of Claim - Kenneth J. Glowacki and Carol Glowacki vs. Town of Cheektowaga.
Copies sent to Supervisor Kenneth J. Meyers, John V. Rogowski - Town Attorney, Town Insurance Company; Item received and filed.

Item No. 55 Notice of Claim - Alejandro Sanchez vs. Town of Cheektowaga & City of Buffalo.
Copies sent to Supervisor Kenneth J. Meyers, John V. Rogowski - Town Attorney, Town Insurance Company; Item received and filed.

Item No. 56 Notice of Claim - Charles Andrews vs. Town of Cheektowaga.
Copies sent to Honorable Town Board Members, John V. Rogowski - Town Attorney, Alfred Wnek - Highway Superintendent, Town Insurance Company; Item received and filed.

Item No. 57 F.L. LoTempio, Jr., Atty. & Counselor at Law - Correspondence re: Claim of Cynthia McDonald vs. Town of Cheektowaga.
Copies sent to Supervisor Kenneth J. Meyers, John V. Rogowski - Town Attorney, Town Insurance Company; Item received and filed.

Item No. 58 Board of Fire Commissioners, U-Crest Fire Dist. #4 - Correspondence re: Dangerous situation existing in the vicinity of Genesee Street near Awood Pl.
Copies sent to Honorable Town Board Members, Chief John B. Gruber, Dr. Louis Vendetti-Town Health Officer, John Tabaczynski-Sewer Maintenance Foreman; Item received and filed.

* *

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

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

* *

VI. SUSPENSION OF RULES

Item No. 59 Acquiring of easements relative to sewer work in Sanitary Sewer District No. 8 and the Northeast Interceptor Project.

Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, this Town Board has committed itself to the construction of sanitary sewers in Sanitary Sewer District No. 8, and

WHEREAS, it is necessary to acquire easements for said sanitary sewer work, now, therefore, BE IT

Item No. 59 Cont'd.

RESOLVED that Henry Szymanski, with offices located at 934 Fillmore Avenue, Buffalo, New York, be and hereby is appointed to obtain said easements at a cost not to exceed $50.00 per easement, and BE IT FURTHER

RESOLVED that Henry Szymanski be and hereby is authorized to obtain all necessary easements for the Northeast Interceptor Project, as per the attached letter, at a cost not to exceed $50.00 per easement.

*See next two pages for correspondence.

Town of Cheektowaga

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

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

June 1, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Easements -
Sanitary Sewer District No. 8

Gentlemen:

As you know, our application for federal aid of seventy-five percent (75%) for the construction of collector sewers in Sanitary Sewer District No. 8 was approved. In order to proceed with the project it is necessary that easements and property acquisitions be made.

To date we have received twenty-one (21) easement descriptions and maps from Nussbaumer & Clarke,Inc. They are preparing nine (9) more easement descriptions and maps and also three (3) descriptions and maps for property acquisitions for this project. It is necessary that your honorable body engage someone to begin these easement and property acquisitions. We will be ready to advertise for bids on July 20, 1978 should easements be available at that time.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

cc: John Rogowski,
Town Attorney

Town of Cheektowaga

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

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

June 1, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Easement -
Northeast Interceptor

Gentlemen:

A request was made to the New York State Department of Environmental Conservation for an extension of the scope of work of the Northeast Interceptor Project. Our application was for the construction of a lateral sewer along the west side of Union Road, north from the Northeast Interceptor and under the Consolidated Rail Corporation tracks. This sewer will allow the Town to provide service to a business establishment just across the track and eliminate their septic system. A change order will be forthcoming. It is necessary that your honorable body engage someone to obtain the necessary easement so that this sewer can be constructed.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

cc: John Rogowski,
Town Attorney

Item No. 59 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 60 Approval of change order relative to Chapel, Northcrest, Southcrest Drainage Project.

Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED, that Change Order No. 1 for the Chapel, Northcrest, Southcrest Drainage Project to Firstrhyme Construction Company, Inc. for an additional cost of $1,230.00 in addition to the contract sum be approved, AND

BE IT FURTHER RESOLVED, that the Supervisor, on behalf of this Town Board, is authorized to sign said change order, AND

BE IT FURTHER RESOLVED, that the cost of said change order be charged to the 1977 Community Development Block Grant Account.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 61 Approval of change order relative to Chapel, Northcrest, Southcrest Drainage Project.

Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, it has been determined that the Chapel, Northcrest, Southcrest Drainage Project needs to be extended to alleviate flooding conditions on Broad Street, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 2 for the Chapel, Northcrest, Southcrest Drainage Project to Firstrhyme Construction Company, Inc. in the amount of $15,500.00 in addition to the contract sum be approved and, BE IT FURTHER

RESOLVED, that the Supervisor is authorized to sign said Change Order No. 2 on behalf of this Town Board, and BE IT FURTHER

RESOLVED, that the cost of said change order be charged to the 1977 Community Development Block Grant Account.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 62 Transfer of Funds: 1977 Community Development Block Grant Fund.

Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED, that $16,730.00 in 1977 Community Development Block Grant funds be transferred from the Cedargrove Heights (Tiorunda) Neighborhood Improvements Program to the Chapel-Northcrest-Southcrest Drainage Project.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 63 Motion by Councilman Kaczmarek, seconded by Councilman Dux to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

SPECIAL MEETING NO. 14

CHEEKTOWAGA, NEW YORK
JUNE 14, 1978

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 June, 1978 at 8:00 P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John V. Rogowski, Town Attorney; Officer Richard Thurnherr, President-Cheektowaga Police Benevolent Association; Anthony DeMarie, Attorney-Cheektowaga Police Benevolent Association; William Rogowski, Mayor-Village of Sloan; Frank Marczak, Trustee-Village of Sloan; Edward Schultz, Trustee-Village of Sloan; Henry Moskal, Trustee-Village of Sloan; Donald R. Guerra, Attorney-Village of Sloan.

Item No. 2 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town Board has previously indicated its intent to absorb the Village of Sloan Police Officers into the Town Police Department and as more specifically set forth in a resolution dated April 17, 1978, and

WHEREAS, the Town Board is in receipt of a letter from the Cheektowaga Town Attorney dated June 14, 1978 relative to the same subject matter, and

WHEREAS, said letter sets forth various matters regarding said transfer including the outline of proposed procedures and questions relative to previous procedures of the Sloan Village Board, therefore, BE IT

RESOLVED that the Town Clerk is hereby directed to forward copies of said Town Attorney's letter to the Mayor, Board of Trustees, Village Attorney and Police Department of the Village of Sloan with the request that the queries contained in said letter be answered, and BE IT FURTHER

RESOLVED that upon receipt of the response to said queries the Town Board shall consider the final proceedings pertaining to the absorption of the Sloan Police Officers to the Town Police Department.

*See next few pages for copy of letter.

DEPARTMENT OF LAW
692-2200

TOWN ATTORNEY
JOHN V. ROSOWSKI
3223 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

DEPUTY TOWN ATTORNEY
ROBERT MILLER

DEPUTY TOWN ATTORNEY
JAMES J. KIMSEY

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

June 14, 1978

MEMORANDUM

Hon. Kenneth J. Meyers, Supervisor
Hon. Councilmen
John B. Gruber, Acting Chief of Police

Subject Matter: Proposed transfer (or merger) of Sloan Village Police Department to Cheektowaga Police Department

Gentlemen:

Since the early part of this year, the Village of Sloan and Town of Cheektowaga Board Members have been considering the above captioned subject matter. Various meetings and conferences have been held and certain preliminary actions and conditional arrangements on both sides have taken place, as individual boards as well as joint action by both boards.

The Cheektowaga Town Board has taken specific action by resolution dated April 17, 1978, a copy of which is enclosed herewith. Said resolution in effect sets forth the Board's intention to accept such transfer based on certain conditions and on certain legal queries being answered satisfactorily.

At a Special Meeting held on or about April 29, 1978, it appears that the Village Board adopted Local Law No. 2 calling for the abolition of the police department. Such Local Law was passed apparently pursuant to the authority of both the Municipal Home Rule Law and Section 8-800 of the Village Law of New York. The latter law provides for abolishing the police department by Local Law, subject to permissive referendum, etc. Further, Municipal Home Rule Law specifies that such referendum period is 45 days, so that conceivably, under the procedures followed by the Village, if valid, the aforementioned period expires on or about June 14, 1978. If no petition is filed within such period, the Village could then proceed to file the Local Law under Section 27 of the Municipal Home Rule Law and the law would become effective upon the date of such filing. However, the undersigned, as recently as June 13, 1978 was informed for the first time that the Local Law stated itself to be effective as of June 1, 1978. This information was obtained through our Legal Assistant who was requested to obtain photocopies of the Village's proceedings from the Village Clerk and the Notice relating to the Local Law did, in fact, state that it is to be effective June 1, 1978. Therefore, in view of the above circumstances, the following question arises.

Should Local Law No. 2 regarding the abolishing of the police department stated as of June 1, 1978 be considered effective, since it calls for an effective date prior to the 45-day permissive referendum period and filing within five (5) days thereafter, and thus after June 1, 1978?

Since the original purpose of calling the meeting for June 14th was to allow the Cheektowaga Town Board, if it so desired, to effect transfer of the Sloan Police to the Cheektowaga Police Department simultaneously with the proposed abolition of the Sloan Police Department, the fact that the June 1, 1978 date of Local Law No. 2 precedes the ending of the 45-day permissive referendum period, it now appears that such intended action by the Board can not be concluded at this time. Further inquiries with the Village Mayor and Attorney indicate that they shall take corrective measures to eliminate the aforementioned problem and they stated their intention to take such additional steps as are necessary to properly implement the proceedings for abolishing the police department simultaneously with the proposed transfer of the Sloan Police Department to the Cheektowaga Police Department.

It is not my intention to unwarrantly delve into the proceedings taken by another municipality but I remain aware of the fact that the proposed transfer may be subject to further court action or scrutiny and it is merely my intention to take all the proper precautionary steps in anticipation of such possible action. I realize the Board is faced with two major problems: (1) Should the Board accept the transfer or merger, and (2) In the event such transfer or merger is invalidated after the Board acts in good faith, it is seriously concerned about the effect upon the jobs and future careers of the Sloan Police Officers as well as possible criticism of accepting the Sloan Police Officers and paying them salary and benefits pending the outcome of a Court action, and if such action results in invalidating the transfer, expenditures of public monies for the salaries may be questioned.

Regarding the procedures to be taken by the Town Board upon satisfactory response to the above query regarding the Village of Sloan, it is my opinion that a legal transfer of the Village Department to the Town Department can be legally affected. For the purpose of avoiding delay in semantics and differentiating between the words transfer and merger, I will allude to the word absorb.

1. The Town could absorb the Village Department upon joint consent of both Boards pursuant to pertinent provisions of the General Municipal Law of the State of New York and more specifically provisions of Section 5771 of the Unconsolidated Laws of New York and the opinion of the State Comptroller (19 Op. State Compt. 145, 1963) which states:

"§5771. Establishment

1. Generally

The police department of a town in Erie County must be established for the entire area of the town, and would be required to police the area of a village within the town in the event the village abolishes its police department and in the event of such abolition, members of the village police department may be transferred to the town police department, but such transfers are not mandatory."

2. Implementation of the provisions of Section 70, Subparagraph 2 (copy attached), of the Civil Service Law.

3. As an alternative to 1 and 2 above, the Town and Village Boards can consolidate the police functions by establishing a Police Advisory Board pursuant to Section 83 to 83-g of the Civil Service Law (copy attached).

4. It is also suggested that the absorption of the Village Police Department by the Town be done simultaneously with, or closely thereto, the effective date of the abolition of the Sloan Police Department.

The Town Attorney's Office is ready at this time to proceed on behalf of the Town Board's intentions.

Very truly yours,

DEPARTMENT OF LAW

JOHN V. ROGOWSKI
Town Attorney

JVR:jr
Enclosures

Item No. 2 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Kaczmarek, Burst and Wegner
NAYES: Councilman Dux
ABSENT: 0

Item No. 3 Motion by Supervisor Meyers, seconded by Councilman Swiatek to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

MEETING NO. 15

CHEEKTOWAGA, NEW YORK
June 19, 1978

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 19th day of May, 1978 at 7:00 p.m., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John V. Rogowski, Town Attorney; Ray Matot, Superintendent of Buildings and Grounds; Ron Marten, Building and Plumbing Inspector; Alfred Wnek, Superintendent of Highways; Sal LaGreca, Assistant Manpower Program Director I; Chester Bryan, Town Engineer; Ed Leak, Recreation Director; Dr. Louis Vendetti, Town Health Officer.

I. BIDS

Item No. 2 Highway - Diesel Fuel Oil, Motor Oil, Lubricants, Anti-freeze, etc.
Referred to Alfred Wnek, Highway Superintendent

Item No. 3 Highway - 10,000 gallon fuel storage tank with installation
Referred to Alfred Wnek, Highway Superintendent

Item No. 4 Highway - snow plow blades, wing blades, receiver grates, frames & covers for manholes
Referred to Alfred Wnek, Highway Superintendent

Item No. 5 Engineering - construction of Alexander-Victoria syphon including chambers, manholes & related work
Referred to Chester Bryan, Town Engineer

II. PUBLIC HEARINGS

Item No. 6 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the Town of Cheektowaga, hereinafter more particularly set forth. 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.

ARTICLE X

Parking, Standing and Stopping

Section 101. All-night parking is amended as follows. Additions in text are indicated by underline, deletions by bold type.

The parking of vehicles is hereby prohibited on all highways within the Town of Cheektowaga exclusive of the Villages of Sloan & Depew, between 1 A.M. and 6 A.M. from December 1 November 15 to March 15 April 1 of each ensuing year, except that there shall be one-side parking overnight from 1:00 a.m. to 6:00 a.m. opposite the hydrant side the entire length of the following streets: St. James Road, Pendennis Place, Loxley Road, Winkler Road, Rowland Road, Normandy Avenue, David Avenue, Long Avenue, Andrews Avenue, Neibert Place, Schoedel Avenue, Herbert Avenue, Alpine Place

Item No. 6 cont'd

Avery Place between Genesee Street and Herbert Avenue and Olcott Place between Genesee Street and Herbert Avenue; Barbara Place, Atwood Place, Vera Avenue, Bell Street, Adlon Place, Randolph Avenue, Euclid Avenue, Hoerner Avenue, Haller Avenue, Gualbert Avenue, Alexander Avenue, Ridge Park Avenue, Reo Avenue, Wanda Avenue, Woodell Avenue, Hedwig Avenue, Ivanhoe Road, Marne Road, Preston Place and Carol Drive.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. The hearing was held and closed.

Item No. 7 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the Town of Cheektowaga, hereinafter more particularly set forth. 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.

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations

F. Miscellaneous parking signs:

(6) No Parking or Standing

CAYUGA CREEK ROAD	North side:	at John F. Kennedy High School between Nos. 282 and 352.
CAYUGA CREEK ROAD	South side:	at John F. Kennedy High School between Nos. 279 and 351

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

F. Miscellaneous parking signs:

(6) No parking or Standing

CAYUGA CREEK ROAD	Northwest side: North Side:	from the south curb line of William St. to its intersection with Harlem Rd.
CAYUGA CREEK ROAD	Southside side: South side:	from the south curb line of William St. to its intersection with Harlem Rd.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. The hearing was held and closed.

III. RESOLUTIONS

Item No. 8 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the next meeting of the Town Board is scheduled to take place on Monday, July 3, 1978, and

WHEREAS, Tuesday, July 4, 1978 is a legal holiday, namely Independence Day, with the celebration of a Holiday Weekend, NOW, THEREFORE, BE IT

Item No. 8 cont'd

RESOLVED that the next day of the regularly scheduled Town Board meeting is hereby changed to Thursday, June 29, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Burst, seconded by Councilman Kaczmarek

WHEREAS, this Town Board duly held a public hearing on the 5th day of June, 1978 to consider the advisability of adopting of a proposed amendment 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE XII

Removal and Storage of Vehicles

Article XII is amended as follows. Additions in text are indicated by underline; deletions by ~~strikeouts~~.

Section 120. Authority to impound vehicles.

A. When any vehicle is parked or abandoned on any highway within this town during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

B. When any vehicle is found unattended on any highway within this Town where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

C. When any vehicle is parked or abandoned on any highway within this town where stopping, standing or parking is prohibited, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

D. When any vehicle is disabled and rendered inoperable as a result of any collision or accident at or near the location of said accident upon a public highway or right-of-way, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

Section 121. Storage and charges.

After removal of any vehicle as provided in this Article, the authorized town tower may store such vehicle in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the authorized tower of the amount of all expenses actually and necessarily incurred in effecting such removal, such removal charges not to exceed ~~twenty-dollars-($20.)-together-with-any-charges-for-storage,-such-storage-charges-not-to-exceed-one-dollar-($1.)-per-day-or-fraction-thereof.~~ twenty dollars ($20.00) when such removal is made between the hours of 8:00 a.m. to 6:00 p.m. and the sum of twenty-five ($25.00) when such removal is made between the hours of 6:00 p.m. to 8:00 a.m.;

Item No. 9 cont'd

together with any charges for storage, such storage charges not to exceed one dollar ($1.00) during the first twenty-four hours of storage or fraction thereof, and the sum of three dollars ($3.00) per day for every day or fraction thereof after the first twenty-four hour period of storage.

In addition to the above towing and storage charges, the owner or person in charge of the vehicle shall be required to pay to the authorized tower, the following charges when applicable:

A. A sum not to exceed ten dollars ($10.00) for winching of said vehicle.

B. A sum not to exceed ten dollars ($10.00) when the authorized tower is required to, and does use either a dolly or flatbed for the purpose of towing away and removing said vehicle.

Section 122. Notice of Removal.

The authorized tow tower shall without delay report the removal and the disposition of any vehicles removed as provided in this Article to the Chief of Police, and it shall be the duty of said Chief of Police to ascertain to the extent possible the owner of the vehicle or person having charge of the same, and to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same.

Section 123. ~~Delegation of duties~~. Administration, enforcement, and deletation of duties.

Unless otherwise provided, the provisions of this ordinance shall be administered and enforced by the Chief of Police. The Chief of Police shall establish and enforce reasonable rules and guidelines requiring that authorized town towers store said vehicles in a fenced-in lot or enclosed building, maintain adequate security for safe-keeping said vehicles, use and maintain safe and adequate equipment for towing and storage and provide twenty-four hour, seven days per week service.

Any of the duties of the Chief of Police under this Article may be delegated by him to other members of the Police Department of the town.

Section 2. Time to take effect.

(a) This amendment 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 this amendment which is 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.

This amendment 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 this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the EXAMINER, a newspaper 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 the State 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 and copy of this amendment specifying the date of adopting thereof.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 22 day of June, 1978 and ending on the _____ day of _____, 19__

LC

Signed James L. Charters
Sworn to before me, on the 22
day of June, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 80

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 Roads, in said Town on the 19th day of June, 1978 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilman Frank E. Swistek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner
ABSENT: 0

Motion by Councilman Burst Seconded by Councilman Kaczmarek.

WHEREAS, this Town Board duly held a public hearing on the 5th day of June, 1978 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 19, 1967, said hearing duly held in accordance with the Town Board 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie, State of New York, and said amendment is hereby adopted and enacted:

Article 16

Section 120. Authority to impound vehicles.

A. When any vehicle is parked or abandoned on any highway within this town during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

B. When any vehicle is found unattended on any highway within this Town where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

C. When any vehicle is parked or abandoned on any highway within this town where stopping, standing or parking is prohibited, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

D. When any vehicle is disabled and rendered inoperable as a result of any collision or accident at or near the location of said accident upon a public highway or right-of-way, said vehicle may be removed by an authorized town tower as designated by the Chief of Police.

Section 121. Storage and charges.

After removal of any vehicle as provided in this Article, the authorized town tower may store such vehicle in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the authorized tower of the amount of all expenses actually and necessarily incurred in effecting such removal, such removal charges not to exceed twenty dollars ($20.), together with any charges for storage, such storage charges not to exceed one dollar ($1.) per day or fraction thereof. twenty dollars ($20.00) when such removal is made between the hours of 6:00 a.m. to 6:00 p.m. and the sum of twenty-five dollars ($25.00) when such removal is made between the hours of 6:00 p.m. to 6:00 a.m.; together with any charges for storage, such storage charges not to exceed one dollar ($1.00) during the first twenty-four hours of storage or fraction thereof, and the sum of three dollars ($3.00) per day for every day or fraction thereof after the first twenty-four hour period of storage.

In addition to the above towing and storage charges, the owner or person in charge of the vehicle shall be required to pay to the authorized tower, the following charges when applicable:

A. A sum not to exceed ten dollars ($10.00) for winching of said vehicle.

B. A sum not to exceed ten dollars ($10.00) when the authorized tower is required to, and does use either a dolly or flatbed for the purpose of towing away and removing said vehicle.

Section 122. Notice of removal.

The authorized town tower shall without delay report the removal and the disposition of any vehicles removed as provided in this Article to the Chief of Police, and it shall be the duty of said Chief of Police to ascertain to the extent possible the owner of the vehicle or person having charge of the same, and to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same.

Section 123 Delegation of duties. Administration, enforcement, and delegation of duties.

Unless otherwise provided, the provisions of this ordinance shall be administered and enforced by the Chief of Police. The Chief of Police shall establish and enforce reasonable rules and guidelines requiring that authorized town towers store said vehicles in a locked in lot or enclosed building, maintain adequate security for safekeeping said vehicles, use and maintain safe and adequate equipment for towing and storage and provide twenty-four hour, seven days per week service.

Any of the duties of the Chief of Police under this Article may be delegated by him to other members of the Police Department of the town.

Section 2. Time to take effect.

(a) This amendment 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 this amendment which is 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.

This amendment 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 this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the EXAMINER, a newspaper 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 the State 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 and copy of this amendment specifying the date of adoption thereof.

Upon roll call.....

Supervisor Meyers	Voting AYE
Councilman Swistek	Voting AYE
Councilman Johnson	Voting AYE
Councilman Dux	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Burst	Voting AYE
Councilman Wegner	Voting AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, 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 June 19, 1978, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at Nos. 9, 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 20th day of June, 1978.

Richard M. Moleski
Town Clerk

Item No. 10 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Pitt-Orchard, Inc. has made application and requested the rezoning of property located immediately south of, and adjacent to, 5035 Genesee Street from M-1 - Light Manufacturing District to CM - General Commercial District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 17, 1978 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 6 day of July, 1978, and ending on the _____ day of _____, 19__

Signed Jas L Charters
Sworn to before me, on the 6 day of July, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

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 17th day of July 1978, at 8:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Pitt-Orchard, Inc. to Rezone from M-1 Light Manufacturing District to Cm - General Commercial District on property located at 5035 Genesee Street and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-09 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner
RICHARD M. MOLESKI
Town Clerk

All that tract or parcel of property situate in the Town of Cheektowaga, County of Erie and State of New York and being part of Lot 75, Township 11 and Range 7 of the Holland Land Company's Survey and more particularly described as follows:

POINT OF BEGINNING IS the southwest corner of lands, now owned by Orchard Associates, which point is on a line 461.85 feet south of the intersection of said line with the center line of Genesee Street and which line is parallel to the east line of Lot 75 and 1168.83 feet west thereof measured along the center line of Genesee Street; thence southerly along said line parallel with the west line of Lot 75 322+ feet to the south line of lands owned by Pitt Orchard, Inc.; thence easterly along said southerly line of lands owned by Pitt Orchard, Inc. 220+ feet to a point; thence northerly on a line parallel to the first mentioned course 322+ feet to a point; thence westerly and at right angles thereto 220+ feet to the place or point of beginning.

Item No. 11 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Magic Home Builders, Inc. has made application and requested the rezoning of property located at 683 Maryvale Drive from R-Residential to RC - Restricted Business, said applicant being the owner of property aforementioned NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 17, 1978 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFDIAVIT - NEXT PAGE

* This application for rezoning at 683 Maryvale Drive was not filed by the owner, Del-Prince. Therefore, it will be refiled and called for at meeting of June 29, 1978.

Item No. 12 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Robert E. Mariacher & Others have made application and requested the rezoning of property located at 2300 block of Union Road - 33.5 +/ acres from M-1 - Light Manufacturing District to R - Residential District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 17, 1978 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 6 day of July, 19 78 and ending on the _____ day of _____, 19__

Signed Jas Charters JC
Sworn to before me, on the 6 day of July, 1978
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19[illegible]

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 17th day of July 1978, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Robert E. Mariacher & Others to Rezone from M-1 Light Manufacturing District to R - Residential District on property located at 2300 block of Union Road - 33.5+ acres and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Supervisor Kenneth J. Meyers
Councilman Frank E. Swistek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner
RICHARD M. MOLESKI
Town Clerk

GARDENVILLE HEIGHTS

ALL OF THAT PARCEL OR TRACT OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lots Nos. 59, 60, 87, 88, 89 & 90, Township 10, Range 7, of the Buffalo Creek Indian Reservation, bounded and described as follows:

BEGINNING at a point on the southerly line of lands conveyed to Mary Ast by Dead recorded in Liber 800 of Deeds at Page 348, said point being 400.00' from the easterly line of Union Road, as measured along said southerly line of Liber 800, Page 348; thence easterly along the southerly line of lands so conveyed to Mary Ast by Deed aforesaid 313.75 feet to the westerly line of Lot 89; thence northerly along the westerly lines of Lots 89 and 60, a distance of 872.30 feet to a point, thence easterly at an angle of 68° 32' 05'' and along the center line of Slate Bottom Creek 799.30 feet to an angle point; thence easterly at an interior angle of 163° 03' 30'' continuing along the center line of said creek 443.65 feet to its intersection with the monumented center line of the Penn Central RRTract No. 250; thence southerly at an interior angle of 89° 29' 00'' and along the center line of said Tract No. 250, a distance of 674.84 feet to the P.C. of a curve to the left having a radius of 474.07 feet, an arc distance of 249.20 feet to its intersection with the extension northerly of the monumented center line of Tract No. 250 as aforesaid; thence southerly along the said northerly extension and the monumented center line of said Tract No. 250 a distance of 930' more or less to the west line of Lot 89; thence northerly along said west line of Lot 89 420' more or less to a point; thence easterly a distance of 310' more or less to a point; thence northerly along a line parallel to the west line of Lot 89, 805' more or less to the POINT OF BEGINNING. Containing 33.5+ Acres.

Item No. 13 Motion by Councilman Dux, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga has purchased the "Dimension Telephone System" from New York Telephone Company, and

WHEREAS, it is necessary for all Town Hall and Police Department Offices to be equipped with new telephones supplied by New York Telephone Company, and

WHEREAS, new and individual telephone numbers will be assigned to each telephone line, and

WHEREAS, the Telephone study made by Raymond M. Matot, Superintendent of Buildings and Grounds, Town of Cheektowaga, and representatives of New York Telephone Company, be hereby adopted for the purpose of reducing cost and equipment and increasing efficiency of Town of Cheektowaga offices, and BE IT FURTHER

RESOLVED that Raymond M. Matot, Superintendent of Buildings and Grounds, Town of Cheektowaga, be hereby authorized to arrange for the publication of the new telephone numbers as per attached copy, in the 1978-79 New York Telephone Company Director, and to arrange for the training of all Town personnel in the uses of the "Dimension Telephone System".

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, it is in order that bids be advertised to cover the purchases of signs, sign posts and brackets for the year of July 1, 1978 to June 30, 1979, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk to directed to publish a Notice to Bidders for the purchase of signs, sign posts and brackets for the year of July 1, 1978 to June 30, 1979, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 17th day of July, 1978 at 7:00 P.M., Eastern Daylight Savings 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 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 July 17, 1978 at 7:00 P.M., Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of Traffic Control Signs, Posts and Brackets for the year of July 1, 1978 to June 30, 1979.

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.

RICHARD M. MOLESKI
Town Clerk

DATED: June 19, 1978

Item No. 14 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - BELOW

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

Gladys M. Szukata, 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 June 22, 1978; last publication June 22, 1978; and that no more than six days intervened between publications.

Gladys M. Szukata

Sworn to before me this 23rd day of June, 19 78

Naidine C. Williams

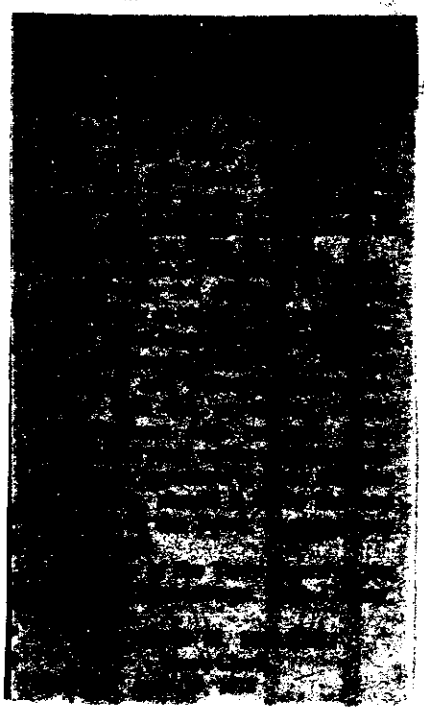
Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1979

Item No. 14 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - BELOW



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 July 6, 1978; last publication July 6, 1978; and that no more than six days intervened between publications.

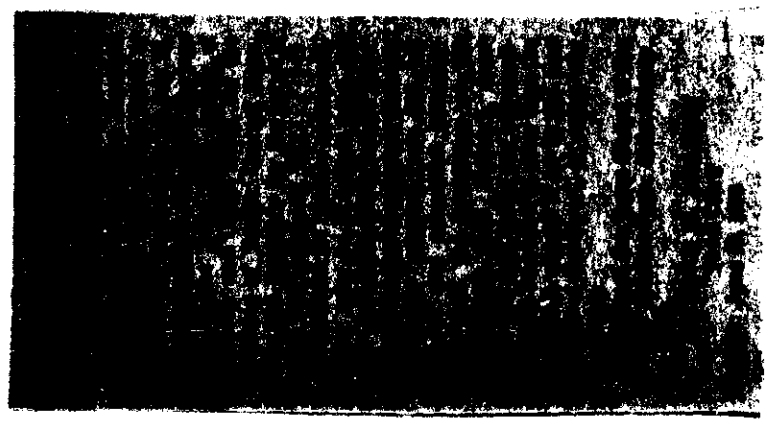
Gladys M. Leckstein

Sworn to before me this 7th day of July, 1978

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, 1979



Item No. 15 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, bids were duly received on June 5, 1978 as the result of advertisement, therefore, for the furnishing to the Town of Cheektowaga of all corrugated metal pipe requirements for the year of 1978, 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 June 15, 1978, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of all corrugated metal pipe to the Town for the year of 1978 as per said unit prices and as recommended by the Town Engineer be and the same hereby is awarded to Chemung Supply Corp., P.O. Box 527, Elmira, New York 14902 for the following prices:

6" dia.	$1.74/ft.	43 X 27	$12.08/ft.
8" dia.	$2.29/ft.	43 X 27 Paved	$14.86/ft.
10" dia.	$2.84/ft.	50 X 31	$14.07/ft.
12" dia.	$3.42/ft.	50 X 31 Paved	$17.33/ft.
15" dia.	$4.39/ft.	58 X 36	$20.68/ft.
18" dia.	$5.24/ft.	58 X 36 Paved	$27.44/ft.
21" dia.	$6.09/ft.	65 X 36	$23.24/ft.
24" dia.	$8.14/ft.	65 X 36 Paved	$27.47/ft.
30" dia.	$10.16/ft.	72 X 44	$25.79/ft.
36" dia.	$12.14/ft.	72 X 44 Paved	$30.49/ft.
48" dia.	$19.68/ft.		
60" dia.	$29.94/ft.		
72" dia.	$35.87/ft.		
84" dia.	$41.81/ft.		

* See next page for letter

#15

Town of Cheektowaga

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

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

June 16, 1978

TO THE SUPERVISOR AND THE
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Corrugated Metal Pipe
Bid Award

Gentlemen:

At the regular Town Board Meeting of June 5, 1978, bids were received and publicly opened for the purchase of corrugated metal pipe in various sizes and quantities for the year of 1978. Four (4) bids were received as follows:

BIDDER	TOTAL BID PRICE
Chemung Supply Corp.	$24,824.80
Republic Steel Corp.	25,849.40
Lane Metal Products Co., Inc.	27,323.70
Armco Steel Corp.	27,576.20

These bids cover unit prices for twenty four (24) different sizes of pipe. The bids, as received, were based on quantities of various sizes anticipated for this year. The bidders are not guaranteed by the Town that quantities listed are firm.

It is, therefore, recommended that the bid be awarded to Chemung Supply Corp. for the submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 15 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Engineering - Award of bid for 3 portable radios & 3 charges for Parks Department.

This item was withdrawn.

Item No. 17 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, Notice to Bidders was duly published for the receipt of bids for recaulking the external joints of the vertical panels of the Cheektowaga Recreation Center, 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 bid for recaulking the external joints of the Cheektowaga Recreation Center be and hereby is awarded to Arthur C. Lachut, Inc., 77 St. Louis Avenue, Buffalo, New York 14211 for their bid in the amount of $3,940.00, said bid being the lowest bid meeting the requirements of the specifications.

* See next page for letter.

Town of Cheektowaga

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

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

June 15, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Recaulking the Vertical Panels of the Cheektowaga Recreation Center

Gentlemen:

At the regular Town Board Meeting of June 5, 1978, bids were received and publicly opened for recaulking the vertical panels of the Cheektowaga Recreation Center. Three (3) bids were received and are as follows:

Arthur Lachut Inc.	$3,940.00
Ajax Smith Inc.	4,340.00
Raymond Kelly Inc.	5,050.00

The low bidder, Arthur Lachut Inc., listed five projects in the area and the contractors for whom he performed similar work. One such contractor, G.C. Balling, who was the general contractor for the recreation center, reported that his work is satisfactory and he is very conscientious. It is, therefore, recommended that the bid be awarded to Arthur Lachut Inc. for submitting a bid in the amount of $3,940.00, said bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

Steven T. Marcynski

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 17 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Dux, seconded by Councilman Kaczmarek

WHEREAS, Notice to Bidders was duly published for the receipt of bids for furnishing insulation and liner panels for the Sanitation Garage, 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 bid for furnishing insulation and liner panels for the Sanitation Garage be and hereby is awarded to Downer Construction, Inc., 4804 Transit Road, Depew, New York 14043 for their bid in the amount of $6,272.00 for unfaced 3" insulation and liner panels, said bid meeting the requirements of the specifications.

* See next page for letter.

Town of Cheektowaga

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

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

June 15, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Furnishing of Insulation and Liner Panels for the Sanitation Department

Gentlemen:

At the Regular Town Board Meeting of June 5, 1978, bids were received and publicly opened for furnishing of insulation and liner panels for the walls of the Sanitation Garage. Four (4) bid proposals were picked up but one (1) bid was submitted. We specified furnishing only with no installation which may have discouraged other bidders. The one bid was from Downer Construction Inc. and is as follows.

Item I	3" Faced Insulation	8200 sq. ft.	$5628.00
Alt. I A	3" Unfaced Insulation	8200 sq. ft.	$1050.00
Item II	Liner Panel - Full Height of Wall		$5222.00
Alt. II A	Liner Panel - Lower 10' Only		$3425.00

Alternate Bid Proposals were included in the bid to determine the most economical and efficient method to insulate the building. It is recommended that the full wall be covered with liner and that with a full wall, faced insulation is not required.

Attached for your consideration is a resolution awarding the bid to Downer Construction Inc. for furnishing 8200 square feet of 3" fiberglass insulation and 8200 square feet of metal liner panels for a total bid price of $6,272.00.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 18 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 19 Rehm Road easement to Village of Depew
This item was withdrawn.

Item No. 20 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, emergency sanitary sewer repairs were required at 101 Thruway Court, 32 Greenway Boulevard and 87 Pinehurst Avenue, in Sewer District #5, and at the corner of Clinton Street and Willowlawn Avenue, in Sewer District #3, which repairs were ordered by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the vouchers of Pagels Contracting Company, Inc., 33 Homewood Road, Cheektowaga, New York 14227 in the amounts of $902.33 (Thruway Court), $555.79 (32 Greenway Boulevard), $798.61 (87 Pinehurst Avenue) and $357.37 (Clinton and Willowlawn Avenue) to do the work and furnish the materials for the sewer repairs be approved and ordered paid.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, emergency repairs are necessary on the 30 inch force main at the main pump station at the Wastewater Treatment Plant #5, where neglect to make such repairs may cause the entire force main to rupture which may cause degradation of the receiving stream in dry weather and affect our Non Compliance Permit with the New York State Department of Environmental Conservation, and

WHEREAS, our consulting engineers, Nussbaumer & Clarke, Inc., submitted a report recommending immediate repair of the force main, and

WHEREAS, the steel fabricating firm of Rhodes Welding Works, Inc. has submitted a not to exceed quotation of $10,350 to perform this work as recommended by the consulting engineers, NOW, THEREFORE, BE IT

RESOLVED that said force main repair be authorized and that the vouchers of Rhodes Welding Works, Inc., 2412 Bailey Avenue, Buffalo, New York 14215 in a sum not to exceed $10,350.00 be paid on completion of the repair.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, at a regular Town Board meeting held on June 5, 1978, Michael Burzynski, of , was appointed Special Events Coordinator for the Recreation Department at an hourly rate of $3.00, effective June 5, 1978, and

WHEREAS, said resolution should have read for this appointment to be made retroactive to May 15, 1978, NOW, THEREFORE, BE IT

RESOLVED that said resolution is hereby amended to read "said appointment of Michael Burzynski shall be retroactive to May 15, 1978".

Item No. 22 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23a Motion by Supervisor Meyers, seconded by Councilman Burst

RESOLVED that the following be hired as a summer laborer in the Sewage Treatment Plant at a rate of $2.65 per hour:

Dan Whitehead

Transfer from laborer in the Highway Department to laborer in the Sewage Treatment Plant at a rate of $2.50 per hour:

Mike Woods

Hired as Basket Checkers for the Recreation Department at the rate of $2.00 per hour:

Marian Lerner
Kevin Zurenda
Laura Piotek
Patricia Kelly
Michele Aurelio
Brian Shaw
Mary Ann Grzybowski
David Kosmider

Deborah Burzynski

Transfer from Basket Checker to Hometown Beautificiation at the rate of $2.35 per hour:

James Czajka

Laborer - Hometown Beautification Program at the rate of $2.35 per hour:

Robert Karaszewski
Charlene Burgio
Gary Garbacz
Lynn Ann Kohlbrenner

Part-time Clerk in the Assessor's Department at the rate of $2.50 per hour:

Karen Brudz

Counselor - Summer Day Camp for Developmentally Disabled at the rate of $2.65 per hour:

Debby Petersdorf
Rachel Olszewski

Transfer the following from summer laborers in the Sanitation Department to summer laborers in the Sewage Treatment Plants at the rate of $2.65 per hour:

Fred Stevens
Scott Kantorski

Park Attendants - $2.65 per hour:

Jean DeLuca
Gail Baumgardner
Gary Halter
Margaret Smith
Maryann Young
Joseph Poturalski
Denise Vicario

Item No. 23a cont'd

Park Attendants - $2.65 per hour cont'd:

Jean D. Grace
Cheryl Borsuk

Laborer - Building Maintenance Department at the rate of $2.65 per hour:

Robert Zygmut
Edward J. Ziurnowski
Daniel Surdyk

Laborer - Sanitation Department at the rate of $2.65 per hour:

John L. Dombrowski

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23b Motion by Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED that the following be hired as summer help for the Youth Conservation Corp. - State Funded Project:

Work Force Coordinators - $1,350/9 weeks

Raymond Toporczyk Roger J. Newhouse

Work Force Supervisors - $1,080/9 weeks

Michael D. Bernal Andy R. Rosten

Robert Velez

Laborers - $2.65/hr.:

J.R. Mamott J.A. Gehett

S.A. Makowski E.J. Urban

P.A. Ciesulka

Assistant Work Force Leaders - $720/8 weeks:

Leonard Moskal

Paul Biedny

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, certain employment positions are presently included within

Item No. 24 cont'd

the Local 1026 Bargaining Unit of Council 66, American Federation of State, County, and Municipal Employees, a duly certified employee organization pursuant to Civil Service Law 3201 et seg., which do not properly belong within such unit, and

WHEREAS, the present agreement between the Town of Cheektowaga and Local 1026, Council 66 of the American Federation of State, County and Municipal Employees excludes the following managerial, supervisory or confidential employees from said unit, to wit: 1) elected officials, 2) Supervisor's secretary, 3) Councilman's secretary, 4) Town Attorney, 5) Town Engineer, 6) Health Officers, 7) Executive Director of the Youth Board, 8) Assessors, 9) Working Foremen, 10) Assistant Working Foreman, 11) Building and Plumbing Inspector, 12) Members of the Boards and Commissions appointed by the Town Board, and

WHEREAS, the position of First Deputy Town Clerk is a managerial/confidential position made by personal appointment of the Town Clerk, an elected official and chargeable with the managerial responsibilities of the Town Clerk in his absence and with administrative duties over Town personnel in the Town Clerk's Office, and

WHEREAS, the position of 2nd Deputy Town Clerk is a supervisory/confidential position made by personel appointment of the Town Clerk and chargeable with supervisory duties over personnel with the Town Clerk's Office, and

WHEREAS, the position of Deputy Receiver of Taxes and Assessments is a managerial/supervisory position made by personal appointment of the Receiver of Taxes, an elected official and charged with managerial duties requiring independent judgement and supervisory duties over office personnel, and

WHEREAS, the position of Youth Board Program Coordinator is a managerial position requiring the exercise of sound professional judgement over the operation of youth board programs and supervision of department personnel, and

WHEREAS, the position of Senior Sewage Treatment Plant Operator is a Supervisory position requiring supervision over sewage treatment plant personnel which requires the use of independent judgement, and

WHEREAS, the present agreement between the Town and Union will expire on or about December 31, 1978, a period less than seven (7) months from the resolution herein, NOW, THEREFORE, BE IT

RESOLVED that henceforth the Town of Cheektowaga recognizes Local 1026, Council 66 of the American Federation of State, County and Municipal Employees as the exclusive bargaining agent for establishing wages, hours and other conditions of employment for all Employees of the Town of Cheektowaga, with the exception of the following:

1) Elected officials
2) Members of the Police Department
3) Supervisor's Secretary
4) Councilmen's Secretary
5) Town Attorney
6) Town Engineer
7) Health Officers
8) Executive Director of the Youth Board
9) Town Assessors
10) Working Foreman
11) Assistant Working Foreman
12) Building and Plumbing Inspector
13) members of the Boards and Commissions appointed by the Town Board
14) First Deputy Town Clerk
15) Second Deputy Town Clerk
16) Deputy Receiver of Taxes and Assessments
17) Youth Board Program Coordinator
18) Senior Sewage Treatment Plant Operator
19) Seasonal, temporary and part-time employees

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, this Town Board has committed itself to the construction of a Sanitary Sewer Project, namely, Sanitary Sewer District No. 5 - Buffalo Sewer Authority Connection, and

WHEREAS, it is necessary to acquire an easement for said Sanitary Sewer Project, NOW, THEREFORE, BE IT

RESOLVED that Henry Szymanski, with offices located at 934 Fillmore Avenue, Buffalo, New York, be and hereby is appointed to obtain said easement at a cost not to exceed $100.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga is presently engaged in a sewer project known as Sanitary Sewer District No. 8 which requires appraisals of certain parcels of property within the Town for the purpose of acquiring said property in connection with the sewer project, NOW, THEREFORE, BE IT

RESOLVED that Robert Laport, with offices in the Statler Hilton, Buffalo, New York, be and hereby is retained to appraise said parcels of property owned by Fred M. Calandra and Salvatore C. Calandra and Hatch Mobil Home Park, Inc. for the purpose of acquiring said property for the Sanitary Sewer District No. 8 project, and BE IT FURTHER

RESOLVED that Robert Laport be paid the reasonable fees for said service, said fee not to exceed the sum of $500.00 for both appraisals.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 27 Retain firm for appraisal - Hitchcock property
This item was withdrawn.

Item No. 28a Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, continuous complaints have been received by the Town Board regarding the unsafe condition of an abandoned basement located at 2765 Harlem Road, in the Town of Cheektowaga and according to the Assessor's Office records is owned by Albert Minotti, residing at , Cheektowaga, New York, and

WHEREAS, this condition requires that some positive steps be taken to rectify same by boarding over the abandoned basement and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Section 1, Subdivision 2d of the Town of Cheektowaga Building Code that the boarding up and securing of this structure be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28b Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 68 Daniel Avenue, in the Town of Cheektowaga, New York and according to the Assessor's Office records is owned by Andrew McGraw, residing at , Cheektowaga, New York, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up of the high weeds and debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28c Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, continuous complaints have been received by the Town Board regarding the condition of an unsafe frame building and garage located on property at 1044 Losson Road, in the Town of Cheektowaga, and according to the Assessor's Office records is owned by Ms. Esther Kaminski, residing at Cheektowaga, New York, 14211, and

WHEREAS, these conditions require that some positive steps be taken to rectify this unsafe condition by the demolition of the unsafe frame building and garage to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Section 1, Subdivision 2 d. of the Town of Cheektowaga Building that the demolition and clean-up be commenced by the Town and that any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, the following General Fund checks are still outstanding after a considerable length of time, NOW, THEREFORE, BE IT

RESOLVED that the following checks be voided and BE IT FURTHER

RESOLVED that the money be reclaimed into the General Fund.

CHECK NO.	DATED	AMOUNT
156	1975	$ 77.98
5905	4-19-76	28.00
6271	5-4-76	15.00
		$120.98

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the fund transfers per the attached sheet are hereby approved and made a part hereof.

* Below

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

Engineering
Department

May 31, 1978
Date

General Fund

FROM			TO	
Account	Title	$	Account	Title
1440.112	Salary of Principal Engineer Assistant	2500.00	A1440.419	Miscellaneous and other expense

C L Bryce
Signature

Explanation Renovation of the Town Hall expanded the Engineering Department work space. We require three (3) new desks and chairs to match the existing desks and provisions to store our drawings and vellums. We have three (3) new assistants without desks.

Item No. 30 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to June 19th, 1978 be and the same are hereby approved and the Supervisor is authorized to pay same.

FUND	CHECK NO. FROM TO	AMOUNT
General Fund	6154-6289	$ 375,080
Special District Fund	4405-4462	245,489.80
Highway Fund	3583-3626	104,875.42
Part Town Fund	914-924	4,253.40
Trust & Agency Fund	552	14,826.38
Capital Fund	54-62	498,198.18
H.U.D. - CDBG Fund	67-73	173,206.42
St. Felix EDA Fund	119	5,246.22
Federal Revenue Sharing	64-65	7,200.00
		$1,428,375.88

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 32 Building Permits
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 33 N.Y.S. Department of Audit and Control - letter regarding Sanitary Sewer District #8
Received and Filed.

Item No. 34 County of Erie - letter regarding summer youth employment program
Received and Filed.

Item No. 35 NOTICE OF CLAIM - Andrew E. Chaples vs Town of Cheektowaga
Received and Filed.

Item No. 36 SUMMONS & COMPLAINT - Life Line Ambulance Service vs Town of Cheektowaga et al
Received and Filed.

Item No. 37 Petition from Homeowners from Delphi, Grand Prix, etc. regarding drainage problems

Received and Filed.

Item No. 38 Letter from Suburban Citizens Affirmative Action Commission re: Affirmative Action Program proposal outline

Received and Filed.

Item No. 39 Traffic Safety Commission - request faces in signal at Cleveland and Century be changed in size.

Received and Filed.

Item No. 40 Traffic Safety Commission - recommendation of "No Standing Signs" on both sides of Cayuga Creek Road from William St. to Harlem Road

Received and Filed.

Item No. 41 Traffic Safety Commission - letter requesting raising of parking fines.

Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Burst, seconded by Councilman Swiatek to suspend the rules to include the following items.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 42 Manpower - transfer of employee from Title VI, Special Project #301 to Cheektowaga Public Service Employment

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, Title II, and

WHEREAS, David Brimmer of , Cheektowaga, New York 14227, is transferring from Title VI, Special Project #301, Cheektowaga Sewer Maintenance Department, to a Cheektowaga P.S.E. (Public Service Employment) slot, NOW, THEREFORE, BE IT

RESOLVED that David Brimmer is hired as a Laborer in the Sewer Maintenance Department with an hourly rate of $4.8583, starting date established by the department head.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 43 Motion by Councilman Burst, seconded by Councilman Kaczmarek to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 16

CHEEKTOWAGA, NEW YORK
JUNE 29, 1978

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 29th day of June, 1978 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John V. Rogowski, Town Attorney; Chester L. Bryan, Town Engineer; Ken Kopacz, Executive Director of the Youth Board; Ron Zoeller, Sanitation Foreman; Ed Leak, Recreation Director; Jim Matecki, Parks Foreman; Sal LaGreca, Assistant Manpower Program Director I; Dr. Louis Vendetti, Town Health Officer; Julia Reinstein, Town Historian.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Wegner, seconded by Councilman Johnson

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 July, 1978 at 7:00 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 TIMES on the 6th day of July, 1978; the said 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 July, 1978 at 7:00 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 VIII

Stop and Yield Intersections

Section 80 is amended by adding thereto the following:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
LUCID DRIVE	North-South	BERYL DRIVE	Eastbound	S.W. Corner
CHERRY LANE	North-South	GARDENVALE DR.	Eastbound	S.W. Corner
CLOVERDALE ROAD	East-West	WILLOW COURT	Northbound	S.E. Corner
GARDENVALE DRIVE	East-West	CLOVERDALE RD.	Westbound	N.E. Corner

Item No. 2 Cont'd.

Street	Direction	Entrance Street	Traffic Stops	Sign Location
CLOVERDALE ROAD	East-West	MAYFAIR COURT	Northbound	S.E. Corner

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

DATED: June 29, 1978

RICHARD M. MOLESKI
TOWN CLERK

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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 July 6, 1978; last publication July 6, 1978; and that no more than six days intervened between publications.

Gladys M. Leckstein

Sworn to before me this 7th day of July, 1978

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, 1979



Item No. 3 Motion by Councilman Wegner, seconded Councilman Johnson

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 17th day of July, 1978 at 7:00 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 amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on July 6, 1978; the said 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 17th day of July, 1978 at 7:00 p.m. Eastern Daylight Saving 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 X

Parking, Standing and Stopping

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking

FAIROAKS LANE	East side:	from south curb line of SANDY LANE to north curb line of FAIRELM LANE
FAIRELM LANE	South side: East side:	from east curb line of CONSTANCE LANE to north curb line of SANDY LANE
VERN LANE	North side: West side:	from west curb line of FAIRELM LANE to north curb line of WILLIAM STREET
CONSTANCE LANE	North side: West side:	from east curb line of VERN LANE to south curb line of VERN LANE
LITTLE LANE	East side:	from south curb line of CONSTANCE LANE to terminus
DENNIS LANE	North side: West side:	from the west curb line of CONSTANCE LANE to north curb line of JOANNE LANE
DOWMER PLACE	South side:	from west curb line of VERN LANE to east curb line of LUDWIG STREET
RAYMOND STREET	West side:	from the north curb line of WILLIAM STREET to terminus
DECKS PLACE	South side:	from east curb line of LUDWIG STREET to the west curb line of RAYMOND STREET
ROSEMEAD LANE	West side:	from south curb line of VERN LANE to north curb line of FAIRELM LANE
BINK STREET	North side:	from east curb line of FAIRELM LANE to west curb line of UNION ROAD
MARIE AVENUE	North side:	from east curb line of FAIRELM LANE to terminus

Item No. 3 Cont'd.

WELLS AVENUE	South side:	from east curb line of FAIRELM LANE to west curb line of UNION ROAD
BIRKDALE ROAD	East side:	from north curb line of HUTH ROAD to south curb line of MAPLEVIEW ROAD
BIRKDALE ROAD	West side:	from south curb line of MAPLEVIEW ROAD to north curb line of HILLSIDE AVENUE
OEHMAN BOULEVARD	West side:	from south curb line of HUTH ROAD to north curb line of SETON ROAD
CLOVER PLACE	North side:	from west curb line of UNION ROAD to entrance of U-Crest Fire Station No. 4
CLOVER PLACE	South side:	from west curb line of UNION ROAD to entrance of U-Crest Fire Station No. 4
SANTIN DRIVE	West side: North side:	from north curb line of GEORGE URBAN BOULEVARD to east curb line of NADINE DRIVE
CHRISTIAN DRIVE	North side:	from west curb line of DICK ROAD to east curb line of MARLENE DRIVE
NADINE DRIVE	South side: West side:	from west curb line of SANTIN DRIVE to south curb line of SANTIN DRIVE
MARLENE DRIVE	East side: North side:	from north curb line of NORTH CREEK DRIVE to east curb line of BERNICE DRIVE
PAULA LANE	East side:	from south curb line of MARLENE DRIVE to north curb line of NORTH CREEK DRIVE
CREEKVIEW DRIVE	East side:	from north curb line of NORTH CREEK DRIVE to south curb line of CHRISTIAN DRIVE
WILLOW WOOD DRIVE	North side:	from west curb line of CREEKVIEW DRIVE to east curb line of MARLENE DRIVE
LENI LANE	East side:	from south curb line of JOSEPH DRIVE to north curb line of NORTH CREEK DRIVE
ANGELA LANE	East side:	from south curb line of JOSEPH DRIVE to north curb line of NORTH CREEK DRIVE
LUCILLE DRIVE	North side:	from west curb line of UNION ROAD to east curb line of PAUL COURT
ROBERT COURT	West side:	from north curb line of LUCILLE DRIVE to south curb line of ST. LUCIAN COURT
WELLINGTON DRIVE	West side:	from south curb line of GEORGE URBAN BOULEVARD to terminus (dead end)
CLAUDETTE COURT	South side: East side:	from west curb line of DICK ROAD to north curb line of SANTIN DRIVE

Item No. 3 Cont'd.

EAST AVENUE	East side:	from north curb line of CLAUDETTE COURT to south curb line of HARRIS COURT
HARRIS COURT	South side: West side: North side:	from west curb line of DICK ROAD to west curb line of DICK ROAD
COLDEN COURT	West side:	from south curb line of MARYVALE DRIVE to north curb line of GENESEE STREET
PINE RIDGE ROAD	East side:	from the south curb line of PARKVIEW DRIVE to SCAJAQUADA CREEK

B. No parking anytime

BERYL DRIVE	North side:	from west curb line of LUCID DRIVE to a point 40 feet west of the west curb line of LUCID DRIVE a distance of 40 feet
LUCID DRIVE	West side:	from the north curb line of BERYL DRIVE to a point 70 feet north of the north curb line of BERYL DRIVE
OEHMAN BOULEVARD	East side:	from a point 452 feet south of the south curb line of MAPLEVIEW ROAD to a point 652 feet south of the south curb line of MAPLEVIEW ROAD a distance of 200 feet
AERO DRIVE	North side:	from a point 360 feet east of ELLICOTT ROAD to the east curb line of Ford Sales driveway
AERO DRIVE	South side:	from a point 360 feet east of ELLICOTT ROAD to the east curb line of Ford Sales driveway
ROSEWOOD TERRACE	East side:	from the south curb line of SOUTHERN PARKWAY to the entrance of St. Joseph's Intercommunity Hospital
ROSEWOOD TERRACE	West side:	from the south curb line of SOUTHERN PARKWAY to the entrance of St. Joseph's Intercommunity Hospital

F. Miscellaneous parking signs.

WILLIAM STREET	North side:	from west curb line of LINDEN STREET to east curb line of GRATTON STREET
WILLIAM STREET	South side:	from east curb line of GLIDDEN STREET to west curb line of CRISFIELD AVENUE

No parking: 7:00 a.m. to 9:00 a.m.
and
4:00 p.m. to 6:00 p.m.

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

Dated: June 29, 1978

RICHARD M. MOLESKI, TOWN CLERK

* *

Item No. 3 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Zachter, 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 July 6, 1978; last publication July 6, 1978; and that no more than six days intervened between publications.

Gladys M. Zachter

Sworn to before me this 7th

day of July, 1978

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, 1979

...VIEW DRIVE to east curb
...ARLENE DRIVE
...LANE - East side: from south
...ne of JOSEPH DRIVE to north
...ne of NORTH CREEK DRIVE
...ELA LANE -East side: from
...erly line of JOSEPH DRIVE to
...erly line of NORTH CREEK
...E
...LLINGTON DRIVE- West side:
...outh curb line of GEORGE
...BOULEVARD to terminus
...end)
...UDETTE COURT - South side:
...side: from west curb line of
...ROAD to south curb line of
...DRIVE
...AVENUE - East side: from

Item No. 4 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 19th day of June, 1978 to consider the advisability of adoption of a proposed amendment 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations

F. Miscellaneous parking signs.

(6) No parking or standing

CAYUGA CREEK ROAD	North side:	at John F. Kennedy High School between Nos. 282 and 352.
CAYUGA CREEK ROAD	South side:	at John F. Kennedy High School between Nos. 279 and 351.

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations

F. Miscellaneous parking signs.

(6) No parking or standing.

CAYUGA CREEK ROAD	Northwest side: North side:	from the south curb line of William Street to its intersection with Harlem Road
CYAUGA CREEK ROAD	Southeast side: South side:	from the south curb line of William Street to its intersection with Harlem Road

Section 2. Time to take effect.

(a) This amendment 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 this amendment which is 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.

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

Item No. 4 Cont'd.

Section 4. Publication and Posting.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper 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 the State 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 this amendment specifying the date of adoption thereof.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Zechter, 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 July 6, 1978; last publication July 6, 1978; and that no more than six days intervened between publications.

Gladys M. Zechter

Sworn to before me this 7th day of July, 1978

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, 1979

Voting AYE

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Voting AYE

*Item No. 5 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, this Town Board duly held a Public Hearing on the 19th day of June, 1978 to consider the advisability of adoption of a proposed amendment 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 101. All-night parking: is amended as follows: Additions in text are indicated by underline; deletions by ~~strikeouts~~.

The parking of vehicles is hereby prohibited on all highways within the Town of Cheektowaga exclusive of the Villages of Sloan and Depew, between 1 A.M. and 6 A.M. from ~~December 1~~ November 15 to ~~March 15~~ April 1 of each ensuing year, except that there shall be one-side parking overnight from 1:00 A.M. to 6:00 A.M. opposite the hydrant side the entire length of the following streets: St. James Road, Pendennis Place, Loxley Road, Winkler Road, Rowland Road, Normandy Avenue, David Avenue, Long Avenue, Andrews Avenue, Neibert Place, Schoedel Avenue, Herbert Avenue, Alpine Place, Avery Place between Genesee Street and Herbert Avenue and Olcott Place between Genesee Street and Herbert Avenue; Barbara Place, Atwood Place, Vera Avenue, Bell Street, Adlon Place, Randloph Avenue, Euclid Avenue, Hoerner Avenue, Haller Avenue, Gualbert Avenue, Alexander Avenue, Ridge Park Avenue, Reo Avenue, Wanda Avenue, Woodell Avenue, Hedwig Avenue, Ivanhoe Road, Marne Road, Preston Place, and Carol Drive.

Section 2. Time to take effect.

(a) This amendment 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 this amendment which is 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.

This amendment 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 this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper 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 the State 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 this amendment specifying the date of adoption thereof.

Upon Roll Call....
AYES: Councilmen Johnson, Dux and Wegner
NAYES: Supervisor Meyers, Councilmen Swiatek, Kaczmarek and Burst
ABSENT: 0

*Resolution Denied!

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

WHEREAS, many families in town are owners of more than one automobile, and

WHEREAS, it is necessary to restrict street parking during winter months in an effort for said streets to be plowed when necessary, and

WHEREAS, such restriction is necessary so emergency vehicles have accessibility and so citizens are able to reach their place of employment, and

WHEREAS, it becomes very difficult for many residents to find proper parking spaces during this time, and

WHEREAS, children and adults alike do not usually require the use of sidewalks from late evening to early morning during the winter months, NOW THEREFORE BE IT

RESOLVED, that this Cheektowaga Town Board requests the New York State Department of Transportation to conduct a study as to the feasibility of amending the Vehicle and Traffic Law of New York State, Section 1202A-1B, so that during the winter ban on all-night parking it be legal for automobiles to be parked in driveways even though said auto crosses sidewalk, as long as no portion of that automobile extends over the curb line placing any part of it into the street, and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of the New York State Department of Transportation, and to State Legislators, Assemblyman Dennis T. Gorski, and State Senator Dale M. Volker.

Upon Roll Call....
AYES: Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: Supervisor Meyers
ABSENT: 0

Item No. 7 Motion by Councilman Wegner, seconded by Councilman Dux

BE IT RESOLVED that the Erie County Legislature is hereby memorialized to request the Erie County Highway Department to conduct a signal study at the intersection of Cleveland Drive and Century Road to determine whether it would be appropriate to modify the existing signal to a 4-way stop, and change the signal lens from a diameter of eight (8) inches to twelve (12) inches.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, Sanitary Sewer District No. 8 in the Town of Cheektowaga was recently created by the Town of Cheektowaga and approved by the Comptroller's Office of the State of New York, and

WHEREAS, the Town has been requested to extend and/or create a water district to include the area of Sanitary Sewer District No. 8 which presently does not have a public water supply, therefore, BE IT

RESOLVED that the Town Attorney's Office be and hereby is requested to initiate necessary proceedings for the creation of, or extension of, a water district within Sanitary Sewer District No. 8.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town is initiating proceedings to create a water district or an extension of a water district to cover the area in Sanitary Sewer District No. 8 which does not presently have a public water supply, and

WHEREAS, a map, plan and report and a legal description of the area of the proposed water district will be necessary, therefore, BE IT

RESOLVED that the firm of Nussbaumer & Clarke, Inc., Consulting Engineers, be and hereby is retained to provide a map, plan and report and a legal description of the real property to be included in the water district or extension of a water district to cover the area in Sanitary Sewer District No. 8 in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that their reasonable fee for said work be paid by the Town, based on current minimum fee standards applicable to the consulting engineers profession.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town is initiating proceedings to extend Cleveland Hill Fire District No. 6 to cover the area in Tiorunda Fire Protection District No. 2, and

WHEREAS, it is necessary to extend Water District No. 6 to afford a supply of water for use by the fire district, whose boundaries are being extended contemporaneously to be co-terminus with the boundaries of the extended water district, in fighting fires by means of the existing hydrants and any additional hydrants which may be required in the future, and

WHEREAS, a map, plan and report and a legal description of the proposed water district extension will be necessary, now, therefore, BE IT

RESOLVED that the firm of Nussbaumer & Clarke, Inc., Consulting Engineers, be and hereby is retained to provide a map, plan and report and a legal description of the real property to be included in the proposed Water District No. 6 extension to cover the area in Tiorunda Fire Protection District No. 2 in the Town of Cheektowaga, and, BE IT FURTHER

RESOLVED that their reasonable fee for said work be paid by the Town, based on current minimum fee standards applicable to the consulting engineers profession.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is presently engaged in a sewer project known as Sanitary Sewer District No. 8 which requires appraisals of certain parcels of property within the Town for the purpose of acquiring said property in connection with the sewer project, now, therefore, BE IT

RESOLVED that Robert Laport, with offices in the Statler Hilton, Buffalo, New York, be and hereby is retained to appraise a parcel of property owned by Fred M. Calandra and Salvatore C. Calandra for the purpose of acquiring said property for the Sanitary Sewer District No. 8 project, and BE IT FURTHER

RESOLVED that Robert Laport be paid the reasonable fees for said

Item No. 11 Cont'd.

service, said fee not to exceed the sum of $250.00 for said appraisal.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on June 5, 1978 for four (4) Mobile Radio Transmitter Receiver Combinations for use by the Cheektowaga Police Department, as a result of advertisement therefor, and such bids were referred to the Acting Chief of Police for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, now, therefore, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidder meeting specifications as follows:

Motorola Communications
388 Evans Street
Williamsville, New York 14221 $3,787.80

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13a Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, at a regular Town Board meeting held on June 19, 1978, a public hearing was set to consider the application of Magic Home Builders, Inc. for rezoning of property located at 683 Maryvale Drive from R-Residential District to RC-Restricted Business District, and

WHEREAS, said applicant is not owner of record as per the Assessment Rolls of the Town of Cheektowaga, now, therefore, BE IT

RESOLVED that said resolution be and hereby is rescinded.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13b Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Del-Prince Brothers have made application and requested the rezoning of property located at 683 Maryvale Drive from R-Residential District to RC-Restricted Business District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 17, 1978 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0

Item No. 13b Cont'd.

Upon Roll Call....
ABSENT: 0

AFFIDAVIT-BELOW

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS
being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 6 **day of** July, 19 78 **and ending on the** _____ **day of** _____, 19__

SC

Signed Jas L. Charters
Sworn to before me, on the 6
day of July 19 78
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 80

Item No. 13b Cont'd.

Upon Roll Call....
ABSENT: 0

AFFIDAVIT-BELOW

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 17th day of July 1978, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Del Prince Bros. to Rezone from R - Residential District to RC - Restricted Business District on property located at 683 Maryvale Drive and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-60 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Supervisor Kenneth J. Meyers
Councilman Frank E. Swistak
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dax
Councilman George Kaszmarek
Councilman James R. Burst
Councilman Donald J. Wegner
RICHARD M. MOLESKI
Town Clerk

All that place or parcel of property situate, lying and being in Lot No. 16, Township No. 11, Range No. 7, Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

Commencing at a point on the westerly boundary of existing Beach Road at the intersection of said boundary with the division line between the property now or formerly of Sidney Nadolny and Emily Nadolny on the south, and the property now or formerly of Garratt H. Cronk & Martha B. Cronk on the north, said point being 278.5+ feet distant northeasterly measured radially to a curve having a radius of 1100 feet from station K8+05.3+ of the hereinafter described center line for the construction of the Kensington Expressway Extension, Part II; thence westerly along said division line 193.6+ feet to a point on the aforementioned division line, being 159.7+ feet distant northeasterly measured radially to a curve having a radius of 1100 feet from station K 6+77.6+ of the said center line, thence N 31° 33' 43'' W 14.2+ feet along the division line between the property now or formerly of Garratt H. Cronk & Martha B. Cronk on the east and the People of the State of New York on the west to the point of beginning, said point of beginning also being 165.4+ feet distant northeasterly measured radially to a curve having a radius of 1100 feet from station K 6+66.3+ of the said center line, thence N 26° 26' 58'' W 100.5+ feet to a point on the new street line of Maryvale Drive; thence along said street line on a curve to the right with a radius of 1140.2 feet, a central angle of 7° 09' 04'', and an arc length of 142.3+ feet, the radial at the beginning of which bears S 11° 22' 05'' E; thence N 85° 46' 59'' E 110.3+ feet, thence S 0° 28' 48'' E 15.2+ feet, being 51.5+ feet distant southerly, measured at right angles, from station L 43+20 of the hereinafter described survey base line for the construction of the Maryvale Interchange of the Ontario Thruway, thence S 89° 31' 12'' W, 75+ feet to a point 51.5+ feet distant southerly measured at right angles, from station L 42+45+ of said base line; thence S 52° 16' 49'' W 166+ feet to the point of beginning; being 10,410 square feet or 0.239 acres more or less.

The above mentioned center line is a portion of the center line for the construction of the Kensington Expressway Extension, Part II, as shown on a map and plan on file in the office of the New York State Department of Transportation and described as follows:

Beginning at station P.C. K 0+00, thence easterly 806.06 feet measured along a curve to the right, having a radius of 1100 feet to station P.T. K 8+06.06; thence S 41° 28' 17'' W, 18.00 feet to station P.T. K 8+06.06; thence S 48° 31' 43'' E, 473.72 feet to station P.C. K 12+79.78.

The above mentioned survey base line is a portion of the survey base line for the construction of the Maryvale Interchange of the Ontario Thruway, as shown on a map on file in the office of the New York State Department of Transportation and described as follows:

Beginning at station L 25+14.41, thence N 89° 57' 16'' E, 175.89 feet to station L 26+90.3, thence N 89° 31' 12'' E, 1,664.36 feet to station L 43+54.66.

All bearings referred to true north at the meridian at 78° 35' west longitude.

Item No. 14 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, there is need to obtain consulting engineer services that are not included in the scope of any current project, AND

WHEREAS, such services are essential in helping coordinate the development of drainage systems, sanitary sewer systems, open areas and developments, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer is hereby authorized to secure the services of McFarland-Johson Engineers, Inc., Consulting Engineers, as needed at the rates of $37.00 per hour for services of a project engineer, and $24.00 per hour for services of a design engineer and $15.00 per hour for services of a technician and draftsperson, said rates to apply in the calendar year of 1978, AND, BE IT FURTHER

RESOLVED, that payments for said services are to be charged to the General Fund - Drainage Account and any sanitary sewer systems are to be charged to the benefiting district.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, changes in the Northeast Interceptor Sanitary Sewer Project for the contract of Amadori Construction Company, Inc. were necessary to structurally redesign five (5) manholes to improve the sewage flows at major bend manholes for the 36" and 42" diameter pipes, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #3 for construction work in the amount of $30,682.89 in addition to the contract be approved. A description of the changes as addition to the contract cost is described in a letter dated June 27, 1978 from the Town Engineer and considered part of said resolution AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order for the Amadori Construction Company, Inc. contract on behalf of the Town of Cheektowaga.

*See next page for letter.

Town of Cheektowaga

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

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

June 27, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Town of Cheektowaga
Northeast Interceptor Sewer

Gentlemen:

Attached for your consideration for approval is a resolution on Change Order #3 for the general construction contract of Amadori Construction Company, Inc. on the Northeast Interceptor Sewer Project.

CHANGE ORDER #3 - Add $30,682.89

Noted below is the reason and description of the Change Order:

"Standard Manholes" as designed would have created structural and flow problems for the major bend manholes at five (5) locations. Therefore, each standard manhole listed below has been structurally redesigned to better accommodate the flows in the large pipe diameters (36"ø and 42"ø). Locations and elevations will remain as specified on contract drawings: STA.'s 0+20, 10+90, 41+68, 43+33 and 64+60.

The five (5) revised and improved manholes increased the contract price of $48,482.89, with a credit of $17,800.00 for the five (5) standard manholes, results in a total increase to the contract of $30,682.89.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 15 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, changes in the Rosary Boulevard Drainage Project for the contract of Marin Concrete Company, Inc. were necessary to change a house lateral that interfered with the installation of the storm drain, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #2 for construction work in the amount of $3,025.00 in addition to the contract be approved. A description of the changes as addition to the contract cost is described in a letter dated June 27, 1978 from the Town Engineer and considered part of said resolution, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order for the Marin Concrete Company, Inc. contract on behalf of the Town of Cheektowaga, AND, BE IT FURTHER

RESOLVED, that payment for said Change Order #2 will be charged to the Federal Revenue Sharing Account.

*See next page for copy of letter.

Town of Cheektowaga

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

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

June 27, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Rosary Boulevard Drain

Gentlemen:

Attached for your consideration for approval is a resolution on Change Order #2 for the contract of Marin Concrete Company, Inc. on the Rosary Boulevard Drainage Project.

CHANGE ORDER #2 - Add $3,025.00

The following is the reason and description of this Change Order:

During the construction of the 81" X 59" storm sewer a 6" diameter sanitary sewer lateral serving house #76 Rosary Boulevard was encountered at about the centerline of the drain under construction.

The only practical disposition was the construction of 130 L.F. of 8" diameter sanitary sewer and one manhole to extend an existing sanitary sewer from the corner of Beale Avenue and Rosary Boulevard, and connect the house lateral to this sewer.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 16 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Dux, seconded by Councilman Kaczmarek

WHEREAS, changes in the Town Hall Alterations and Additions Project (EDA No. 01-51-23609) for the General Construction Contract of George Herman & Associates are needed to improve the project, NOW, THEREFORE, BE IT

RESOLVED, that Change Order G7 for construction work in the amount of $857.00 in addition to the contract be approved. A description of the changes as addition to the contract cost are described in a letter dated June 26, 1978 from the Town Engineer and considered part of said resolution, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order for the George Herman & Associates contract on behalf of the Town of Cheektowaga.

*See next page for copy of letter.

Town of Cheektowaga

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

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

June 26, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Town Hall Project

Gentlemen:

Attached for your consideration for approval is a resolution on Change Order G7 for the general construction contract of George Herman & Associates on the EDA Town Hall Alteration job.

Change Order G7 - Add $857.00

Addition of a janitors closet at the ground level under stair #1 includes partitions, door, floor tile and paint.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 17 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Dux, seconded by Councilman Burst

WHEREAS, Change Order No. P4 to the Town Hall Alterations Project, under Federal Project No. 01-51-23609, was necessary to furnish and install a service sink in the basement including labor and all necessary supply vents and drainage facilities, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. P4 for Town Hall Alterations and Additions, to Kipphut and Neumann Company, Inc. for construction work in the amount of $2,198.00 in addition to the contract sum be approved, and the Supervisor is hereby authorized to sign the same on behalf of the Town of Cheektowaga.

*See next page for letter of explanation - Change Order P4.

Town of Cheektowaga

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

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

June 26, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Town Hall Project

Gentlemen:

Attached for your consideration for approval is a resolution on Change Order No. P4 for the Plumbing Contract of Kipphut and Neumann Company, Inc. on the EDA Town Hall Alteration job.

CHANGE ORDER NO. P4 - Add $2,198.00

A service sink was required on the ground floor in the new janitors closet. The cost noted was for all labor and material to install the sink. A deduction of $218.00 was made as the plumber used an existing service sink from the first or second floor.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 18 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, bids were received and opened for the construction of the Alexander/Victoria Sanitary Siphon replacement, 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 replacement of the Alexander/ Victoria Sanitary Siphon be and hereby is awarded to Amadori Construction Company, Inc., 65 Jackson Street, Lackawanna, New York for their bid in the amount of $116, 344.00, said being the lowest bid meeting the requirements of the specifications, and, BE IT FURTHER

RESOLVED, that the Supervisor on behalf of this Town Board is authorized to sign the agreement with Amadori Construction Company, Inc. for said siphon replacement.

*See next page for tabulation.

Town of Cheektowaga

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

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

June 26, 1978

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

At the regular Town Board Meeting of June 19, 1978, bids were received and opened for the replacement of the Alexander/ Victoria Siphon. Six (6) bids were received as follows:

Amadori Construction Company, Inc.	$116,344.00
Albert Elia Building Company, Inc.	123,174.00
Marin Concrete Company, Inc.	138,600.00
C.M.H. Company, Inc.	141,144.00
Firstrhyme Construction, Inc.	142,190.00
Amherst Construction, Inc.	167,777.00

The Bid Proposals were reviewed by Nussbaumer & Clarke, Inc. with a bid recommendation made to the Town and dated June 22, 1978. It is recommended that the bid be awarded to Amadori Construction Company, Inc., 65 Jackson Street, Lackawanna, New York for their bid of $116,344.00. This bid was the lowest submission meeting all the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dmr

Item No. 19 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 20 Engineering Department - Award of bid for three (3) portable radios and three (3) chargers for Parks Department.
Item Withdrawn.

Item No. 21 Motion by Councilman Johnson, seconded by Councilman Kaczmarek

WHEREAS, Brentwood Drive off of French Road in the southeastern section of Cheektowaga is presently separated into two sections by Dartwood Park, AND

WHEREAS, the Fire Chief of Southline Fire District #10 and the Town Acting Police Chief desire a new street name of that portion north of the park instead of North Brentwood Drive for dispatch clarity, AND

WHEREAS, a representative of the United Postal Service reviewed and approved the suggested new name as not conflicting with the adjacent communities, AND

WHEREAS, there are only five (5) residents using a Brentwood address north of the park, AND

WHEREAS, it would be expedient to re-name this portion prior to acceptance of Losson Meadows Subdivision which extends this street into the new subdivision, NOW, THEREFORE, BE IT

RESOLVED, that the portion of Brentwood Drive north of Dartwood Park from Knollwood Drive to Castlewood Drive be named Amy Lane, AND, BE IT FURTHER

RESOLVED, that certified copies of this resolution be given to the five (5) residents of the new Amy Lane, the Fire Chief of Southline Fire District, Postmaster Miller, the Police Chief and the Highway Superintendent.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, Dick Road, in the Town of Cheektowaga, is an improved County highway, AND

WHEREAS, vehicular traffic on said highway constitutes a danger to pedestrians and an impediment to vehicles entering and exiting adjoining side streets, AND

WHEREAS, residents of the Town of Cheektowaga have variously petitioned for signalization in the following full intersections:

1. North Creek - Dick Road, and
2. Harris Court - Dick Road - Lydia Lane, and
3. Claudette Court - Dick Road - Homeworth, AND

WHEREAS, recent commercial development and the completion of various area-wide road improvements have acted to increase the use of Dick Road as a major traffic conduit and generated a greater confluence of vehicles at all intersections, AND

WHEREAS, the highly populated character of the surrounding area, the

Item No. 22 Cont'd.

location of schools, plazas and churches, east and west of Dick Road, create a clear and present need for protected pedestrian crosswalks, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby memorializes the Erie County Department of Highways, Traffic Engineering Section, to conduct an intensive survey inclusive of pedestrian counts in the Dick Road area from the intersection of Walden Avenue and Dick Road to Genesee Street and to determine the location and nature of any warranted traffic control devices, AND, BE IT FURTHER

RESOLVED that certified copies of this resolution be sent to Kenneth Reitmeier, Deputy Commissioner, Erie County Department of Highways and to Erie County Legislators, Richard Slisz and Walter Floss and Lillian Ansel, Village Clerk of the Village of Depew, New York.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23 Approval of water line extension.
Item Withdrawn.

Item No. 24 Motion by Councilman Kaczmarek, seconded by Councilman Burst

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on June 19, 1978 for snow plow blades, wing blades, etc. for use by 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 completed, now, therefore, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*See next few pages for copy of tabulation.

ALFRED F. WNEK
SUPERINTENDENT
OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

June 27, 1978

Honorable Kenneth J. Meyers, Supervisor
Honorable Town Board
Town Hall, Cheektowaga, New York

Gentlemen:

Bids were opened and read at the town board meeting of June 19th, 1978 for snow plow blades, wing blades, etc. After reviewing the bids submitted, I recommend awarding the bids to the lowest responsible bidder as per attached recap sheet.

I trust this meets with your approval.

Very truly yours,

TOWN OF CHEEKTOWAGA

Alfred F. Wnek

Alfred F. Wnek
Superintendent of Highways

AFW/mss
Enclosure
Copies: John Rogowski - Town Attorney
Richard Moleski - Town Clerk

RECEIVED
JUN 28 1978
Richard M. Moleski, Town Clerk

"When better roads are built — Cheektowaga will build them"

[redacted] MAY 1961

	CHEMUNG SUPPLY CORP. [redacted]			NUTTALL EQUIPMENT CO., INC.			WALTER M. ROBERTS ENT. [redacted]		
	Per Dozen	Per ½ Dz.	Per Unit	Per Dozen	Per ½ Dz.	Per Unit	Per Dz.	Per ½ Dz.	Per Unit
Frink #501-40 (5/8x8x132) 17 holes	898.44	449.22	74.87	973.39	503.33	86.66	75.33 ea. 903.96	80.33 ea. 481.98	85.33
Frink #501-30 (5/8x8x116) 15 holes	815.76	407.88	67.98	883.82	457.02	78.69	68.95 ea. 827.40	73.95 ea. 443.70	78.95
#20176-B Ross MR295 (8"W-9½"L-1"thick) 5/8 dia. - 12 holes)	656.28	328.14	54.69	711.27	367.79	63.33	56.66 ea. 679.92	61.66 ea. 369.96	66.66
Ross 20176B 1½ ft. x ½)	656.28	328.14	54.69	711.27	367.79	63.33	56.66 ea. 679.92	61.66 ea. 369.96	66.66
Ross 3048 (8½ ft. x ½)	449.04	224.52	37.42	486.49	251.56	43.31	40.65 ea. 487.80	45.65 ea. 273.90	50.65
WING BLADES All holes to be 1 inch from top and 3 inch centers									
Viking #80028 (⅛x6x118) 15 holes	499.68	249.84	41.64	541.52	280.02	48.21	44.57 ea. 534.84	49.57 ea. 297.42	54.57
Ross 13280B (6"W-8½"L-½" thick) 5/8 dia. - 11 holes)	430.08	215.04	35.84	465.99	240.96	41.49	39.19 ea. 470.28	44.19 ea. 265.14	49.19
#80032 Viking Model 140 (⅛x6½x134) 17 holes	592.08	296.04	49.34	641.49	331.71	57.11	51.69 ea. 620.28	56.69 ea. 340.14	61.69
#2121-11 Frink Model 11AR - 1st 3 holes 6" centers - balance 8" (⅛x6x116 - 15 holes)	496.92	248.46	41.41	538.57	278.49	47.95	44.36 ea. 532.32	49.36 ea. 296.16	54.36
Frink 11FHR (1/2x6x104) 13 holes	449.28	224.64	37.44	486.91	251.78	43.35	40.68 ea. 488.16	45.68 ea. 274.08	50.68
SHOES -L7206B (for wings)	451.08	225.54	37.59	463.32	239.58	41.25	39.00 ea. 468.00	44.00 ea. 264.00	49.00
Wing - Ross #1341-C	262.08	131.04	21.84	269.15	139.17	23.96	25.17 ea. 302.04	30.17 ea. 181.02	35.17

	CHEMUNG SUPPLY CORP.			NUTTALL EQUIPMENT CO., INC.			WALTER M. ROBERTS ENT. INC.		
	Per Dozen	per ½ dz.	Per unit	Per dozen	Per ½ dz.	Per unit	Per dozen	Per ½ dz.	Per unit
One Way Plow - SW3232-1-A	295.68	147.84	24.64	303.83	157.11	27.05	26.64 ea. 319.68	31.64 ea. 389.84	36.64
Viking 80200 - Nose Piece	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	28.79 ea 345.48.	31.25 ea. 187.50	32.00
Frink WF3027-1A Mold Board Shoe	191.64	95.82	15.97	196.70	101.71	17.51	16.95 ea. 203.40	17.15 ea. 103.50	17.75
#30271-A Viking 70200 Mold Board Shoe	191.64	95.82	15.97	196.70	101.71	17.51	16.95 ea. 203.40	17.15 ea. 103.50	17.25
Frink 2084x3 Wing Shoe	262.08	131.04	21.84	269.15	139.17	23.96	22.17 ea. 266.04.	23.17 ea. 139.02	24.65
Frink 541-R Nose Piece	154.44	77.22	12.87	158.51	81.97	14.11	13.29 ea. 159.48	13.95 ea. 83.70	14.65
#21048 V-Plow Frink 21048M Nose Piece Shoe	226.08	113.04	18.84	232.36	120.15	20.69	19.55 ea. 234.60.	20.55 ea. 123.30	21.55
SA17887B Nose Piece	413.64	206.82	34.47	424.85	219.69	37.83	35.26 ea. 423.12	38.26 ea. 229.56	41.26
GRADER BLADES 5/8"x6"x6'	287.64	143.82	23.97	313.23	161.97	27.89	28.31 ea. 339.72	33.31 ea. 199.86	38.31
5/8"x6"x7'	335.64	167.82	27.97	365.32	188.91	32.52	31.02 ea. 372.24	36.02 ea. 216.12	41.02

RUBBER SNOW PLOW BLADES & CUTTING EDGES	CHEMUNG SUPPLY CORP. Per Dozen	CHEMUNG SUPPLY CORP. Per ½ dz.	CHEMUNG SUPPLY CORP. Per Unit	NUTTALL EQUIPT. CO., INC. Per Dozen	NUTTALL EQUIPT. CO., INC. Per ½ Dz.	NUTTALL EQUIPT. CO., INC. Per Unit	[redacted]ALTER M. ROBERTS, ENT. INC. Per Dozen	[redacted]ALTER M. ROBERTS, ENT. INC. Per ½ Dz.	[redacted]ALTER M. ROBERTS, ENT. INC. Per Unit
ONE WAY PLOW									
Frink 501-40 (1½"x10"x132") 17 slotted holes	2259.48	1129.74	188.29	1584.00	831.60	145.20	136.50 ea. 1638.00	141.50 ea. 849.00	161.50
Frink 501-30 (1½"x10"x116") 15 slotted holes	2045.64	1022.82	170.47	1392.00	730.80	127.60	124.00 ea. 1448.00	129.00 ea. 774.00	129.00
Ross 20176B (9½'x1½"x10") 5/8"Dia.	1906.32	953.16	158.86	1368.00	718.20	125.40	118.40 ea. 1420.80	123.40 ea. 740.40	133.40
WING BLADES									
Viking 80028 (1½"x8"x118) 15 slotted holes	1715.64	857.82	142.97	1132.80	601.80	106.20	109.40 ea. 1312.80	114.40 ea. 686.40	124.40
Frink Model 11FHR (1½"x8"x104") 13 slotted holes	1535.64	767.82	127.97	998.40	530.40	93.60	109.40 ea. 1312.80	224.40 ea. 686.40	124.40
Viking Model 140 (1½"x8"x134") 17 slotted holes	1969.44	984.72	164.12	1286.40	683.40	120.60	124.30 ea. 1491.60	129.30 ea. 775.80	134.30
Frink Model 11AR (1½"x8"x116") 15 slotted holes	1715.64	857.82	142.97	1113.60	596.60	104.40	109.40 ea. 1312.80	686.40 114.40 ea.	124.40
Ross Plow 13280B (8½'x1½"x8") 5/8" dia.	1429.44	714.72	119.12	979.20	520.20	91.80	1134.00 94.50 ea.	597.00 99.50 ea.	104.50

	[redacted]	CHEMUNG SUPPLY CORP. ([redacted]			NUTTALL EQUIPMENT CORP.			[redacted] BERTS EQUIPMENT		
		Per Dozen	Per ½ Dz.	Per Unit	Per Dozen	Per ½ dz.	Per Unit	Per Dozen	Per ½ Dz.	Per Unit
King 70400 Nose Piece		170.64	85.32	14.22	175.22	90.60	15.60	173.76 14.48	94.20 15.70	16.15
Frink FO 4040-1 Wing Shoe		262.08	131.04	21.84	269.15	139.17	23.96	254.04 21.17	135.78 22.63	24.63
Frink FO 4064-1 Mold Board Shoe		191.64	95.82	15.97	196.70	101.71	17.51	194.88 16.24	103.50 17.25	17.73
Front Plow Blade Frink FO 9172 1/2" x 8" x 132" - 13 holes (steel)		726.72	363.36	60.56	787.64	407.29	70.12	733.20 61.10	397.20 66.20	71.20
5/8" x 8" x 132" - 13 holes (steel)		880.56	440.28	73.38	954.30	493.46	84.96	887.64 73.97	473.32 78.97	83.95
½" x 10" x 132" - 13 holes (rubber)		2191.92	1095.96	182.66	1584.00	831.60	145.20	1560.00 130.00	810.00 135.00	145.00
Wing Blades Frink #11ARA 1/2" x 6" x 120" - 12 holes (steel)		490.68	245.34	40.89	531.84	275.01	47.35	497.76 41.48	267.36 44.56	48.56
5/8" x 6" x 120" - 12 holes (steel)		604.44	302.22	50.37	655.11	338.75	58.33	607.92 50.66	321.96 53.66	54.33
1½" x 10" x 120" - 12 holes (rubber)		1995.48	997.74	166.29	1440.00	756.00	132.00	1500.00 125.00	780.00 130.00	140.00
FRONT PLOW BLADE Carbide edged - 132"	**	no bid			5702.40	2851.20	493.68	** 5281.32 ** 440.11	2670.66 445.11	450.11
Carbide tipped shoe for above #3232	**	no bid			1290.00	645.00	107.50	** 1626.96 ** 135.58	838.62 139.77	144.77

** Prices are effective for 60 day on a quantity of 13 or more

BID FORM: The bidder will be held to the prices as quoted for the entire year - July 3, 1978 thru July 2, 1979 (only bidder JAMESTOWN IRON WORKS

EXTENSION RINGS FOR MANHOLES (Machined to Prevent Rocking)		PER DOZEN	PER ½ DOZEN	PER UNIT
22" dia. x 1"	GRAY IRON	588.48	303.84	53.30
22" dia. x 2"	GRAY IRON	603.84	311.76	54.70
22" dia. x 3"	GRAY IRON	621.36	320.82	56.28
22½" dia. x 2	GRAY IRON	625.92	323.16	56.70
23" dia. x 1"	GRAY IRON	625.92	323.16	56.70
23" dia. x 1½"	GRAY IRON	625.92	323.16	56.70
23" dia. x 2"	GRAY IRON	636.96	328.86	57.70
23" dia. x 3"	GRAY IRON	648.00	334.56	58.70
24" dia. x 1"	GRAY IRON	636.96	328.86	57.70
24" dia. x 1½"	GRAY IRON	648.00	334.56	58.70
24" dia. x 2"	GRAY IRON	648.00	334.56	58.70
24" dia. x 3"	GRAY IRON	659.04	340.56	59.70
25" dia. x 1"	GRAY IRON	636.96	328.86	57.70
25" dia. x 1½"	GRAY IRON	648.00	334.56	58.70
25" dia. x 2"	GRAY IRON	648.00	334.56	58.70
25" dia. x 3"	GRAY IRON	659.04	340.26	59.70
SEWER CASTINGS WITH COVERS				
22"	GRAY IRON	1131.60	578.52	102.35
23"	GRAY IRON	1200.00	600.00	110.35
24"	GRAY IRON	1200.00	600.00	110.35
25"	GRAY IRON	1200.00	600.00	110.35
MANHOLE COVERS WITHOUT CASTINGS				
22"	GRAY IRON	697.60	351.00	70.35
23"	GRAY IRON	697.60	351.00	70.35
24"	GRAY IRON	697.60	351.00	70.35
25"	GRAY IRON	697.60	351.00	70.35

BID TERMS: The bidder will be held to prices as quoted for the (one) entire year - July 3, 1978 thru July 2, 1979 JAMESTOWN IRON WORKS, INC.

MANHOLE FRAMES		PER DOZEN	PER ½ DOZEN	PER UNIT
22"	GRAY IRON	628.32	317.16	62.35
23"	GRAY IRON	692.40	357.84	66.35
24"	GRAY IRON	692.40	357.84	66.35
25"	GRAY IRON	692.40	357.84	66.35
SANITARY SEWER COVER				
M-122-1-ST	GRAY IRON	No quote	no quote	no quote
RECEIVER BOXES Standard City of Buffalo Type	GRAY IRON	no quote	no quote	no quote
CURB BOX Standard City of Buffalo Type	GRAY IRON	no quote	no quote	no quote
		GRATES ONLY	GRATES ONLY	GRATES ONLY
RECEIVER GRATES, FRAMES & CURBOXES - WITHOUT FRAME				
12x12 - Heavy Duty	GRAY IRON	456.00	232.80	40.00
12x18 - Heavy Duty	GRAY IRON	524.40	267.72	46.00
13x18 - Heavy Duty	GRAY IRON	524.40	267.72	46.00
HALF RECEIVER - WITHOUT FRAME				
15x29 - Heavy Duty	GRAY IRON	637.00	324.00	60.80
18x18 - Heavy Duty	GRAY IRON	537.60	271.44	54.35
FULL RECEIVER - WITHOUT FRAME				
22x29 - Heavy Duty	GRAY IRON	672.00	344.40	66.15
26x26 - Heavy Duty	GRAY IRON	672.00	344.00	66.15
24" Round - Heavy Duty	GRAY IRON	720.00	365.00	70.35
FRAMES FOR DARK SECTION - TOP SECTION				
18x18	GRAY IRON	No quote	no quote	no quote
24x24	GRAY IRON	no quote	no quote	no quote

SIGNED _____
Company

DATE _____

_____
Officer or Agent

Item No. 24 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Kaczmarek, seconded by Councilman Burst

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on June 19, 1978 for Diesel Fuel Oil, Motor Oils, etc. for use by 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 completed, now, therefore, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*See next few pages for copy of tabulation.

SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

June 27, 1978

Honorable Kenneth J. Meyers, Supervisor
Honorable Town Board Members
Town Hall, Cheektowaga, New York

Gentlemen:

Bids were opened at the Town Board meeting of June 19th, 1978 for Diesel Fuel Oil, Motor Oils, etc.

I recommend awarding the contract to the lowest responsible bidders as per attached tabulation.

I trust this will meet with your approval.

Very truly yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
Superintendent of Highways

AFW/mss
Enclosure
Copies: Richard Moleski - Town Clerk
John Rogowski - Town Attorney

RECEIVED
JUN 28 1978
Richard M. Moleski, Town Clerk

"When better roads are built — Cheektowaga will build them"

[redacted]	NIAGARA LUBRICANT CO., INC.	[redacted] NEWMAN FUEL CORP.	KURK FUEL OIL [redacted]
#2 DIESEL FUEL	No Bld	* $.4350 per gal. *To fulluctuate with NOCO posted #2 diesel price which today is $.3925	$.470 per gal. * See
KEROSENE OIL	.76 per gallon 41.80 per 55 gal. drum	No Bld	.504 per gallon
HYDRAULIC OIL #300 R/O Hyd.	1.10 per gallon 60.50 per 55 gal. drum	No Bld	1.95 per gallon 107.25 per 55 gal. drum
PENETRATING OIL (In aeresol cans)	25.92 per case	No Bld	No Bld
MOTOR OILS			
SAE 30 Non Detergent	73.15 per 55 gal. drum	No Bld	No Bld
XHD #30	74.25 per 55 gal. drum	No Bld	No Bld
Super D#30 Service #CACBCCCD	78.65 per 55 gal. drum	No Bld	No Bld
Special 10W-40	80.85 per 55 gal. drum	No Bld	No Bld
GEAR & TRANSMISSION OILS	* 8 lbs. equal 1 gallon		
Transmission Type A *	.225 per Lb. 27.00 per 120 Lb. drum	No Bld	No Bld
Multi-Purpose Gear Oil SAE 90	.3075 per Lb. 36.90 per 120 Lb. drum	No Bld	No Bld
Multi-Purpose Gear Oil SAE 140	.3075 per Lb. 36.90 per 120 Lb. drum	No Bld	No Bld
FWD #50 *	68.40 per 120 Lb. drum 22.80 per 5 gal. pail	No Bld	No Bld
Lubriplate 630-2	31.85 per 35 Lb. pail 108.00 per 120 Lb. drum	No Bld	No Bld

* When Whse. cost of seller, incl. trans. cost, changes during of contract, the ... by the buyer shall ... "constant price ...

	[redacted] NIAGARA LUBRICANT CO., INC.	[redacted] R. B. NEWMAN FUEL CORP.	KURK FUEL OIL CO
Lubriplate #70	26.95 per 35 lb. pail 80.40 per 120 lb. drum	No Bid	No Bid
EXTRA HEAVY DUTY BRAKE FLUID	14.00 per gallon 160.00 per 5 gal. pail	No Bid	No Bid
PERMANENT ANTI-FREEZE	128.70 per 55 gal. drum	No Bid	No Bid
CHEVRON DELO 400 Motor Oil SAE 15W-40 or equal	107.25 per 55 gal. drum	No Bid	No Bid
DELIVERIES IN 55 GALLON DRUMS AND IN CASES			
DRUM DEPOSIT	12.00		15.00

Item No. 25 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 26 Highway Department - Award of bid for one (1) 10,000 gallon fuel tank.

Item Withdrawn.

Item No. 27 Extended sick leave for employee in Highway Department.
Item Withdrawn.

Item No. 28 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, John P. Huntz, a Police Officer in the Cheektowaga Police Department, has applied for Military Leave of Absence from July 6, 1978 to July 22, 1978, and his Order to report for military duty has been forwarded to the Town Clerk, AND

WHEREAS, Section 242 of the Military Law of the State of New York allows a military leave for the purpose of reporting for military duty pursuant to an Order up to a period of six months, AND

WHEREAS, said Section 242 of the Military Law also provides for the payment of the salary of such public employee for a period of thirty (30) days while on said military leave duty, NOW THEREFORE BE IT

RESOLVED that John P. Huntz, a Police Officer in the Cheektowaga Police Department be and hereby is granted a military leave of absence from July 6, 1978 to July 22, 1978, and BE IT

FURTHER RESOLVED that said John P. Huntz be paid his salary or other compensation while on such military leave.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, be granted a leave of absence from July 6th through July 22nd, 1978 to attend active duty training with the United States Army Reserves.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

WHEREAS, the Cheektowaga Youth Bureau has received a grant from the New York State Department of Environmental Conservation to conduct a Youth Conservation Corps Project, AND

WHEREAS, the program is not only an employment but an educational opportunity, NOW THEREFORE BE IT

RESOLVED that the Town of Cheektowaga Youth Bureau contract with the Maryvale School District for the utilization of their woodworking shop facility, machinery and utilities in order to properly train the Y.C.C. participants under

Item No. 30

proper supervision at a cost not to exceed $300.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

RESOLVED, that the following youth who have been hired as part of the Hometown Beautification Program for 1978 be transferred to the Y.C.C. Project site at the rate of $2.65 per hour:

Michael Bobeck	14225
James Czajka	14225
Gregory Day	14225
Mark J. Dolan	14225
Gary Garbacz	14206
Rebecca Kerling	14227
Elicia Klager	14215
Tom Mackowski	14225
Richard Marinaccio	14227
Michael T. Maroney	14227
Lawrence Miller	14211
Kurt Preisigke	14225
Andrew J. Reinacher	14227
Beth Ellen Richter	14215
Marylou Ritchell	14225
Daniel Scherer	14225
James E. Szemraj	14225
Gary Sovinsky	14227
Allen Tresch	14225
David Toporczyk	14225

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

RESOLVED that the following individuals be and hereby are hired for the Town's summer employment season in the Departments listed below at the following rates:

RECREATION DEPARTMENT - PARK ATTENDANTS at $2.65 per hour:

Gary Szymkowiak
Don Cottle
Randall Sevilla
Anne Stawasz
Doug Junik
Donna Marinaccio
Kathern Nurohr
Kathy Kowalski

Item No. 32 Cont'd.

RECREATION DEPARTMENT - BASKET CHECKERS at $2.00 per hour

Sally Lippert
Roberta Gaiek
Gary Kwiatkowski
Kevin Ditondo
Joanne Cieply

YOUTH CONSERVATION CORP - LABORERS at $2.65 per hour:

L. A. Krajewski
R. Francis
Mark Popiela
Mike Lonczak

SEWAGE TREATMENT PLANTS - LABORER at $2.65 per hour:

Mark Zack

HOMETOWN BEAUTIFICATION PROGRAM - rate of $2.35 per hour:

Joe Kowalski
Michael Meyer
Frank Maurin
John Cieply
Gerard Wiesner
Mark Lampka
Joseph Dombeck

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, Joyce Reformat residing at , Cheektowaga, New York 14225, was hired under the Comprehensive Employment and Training Act of 1973, Title II, as a Caseworker #1 at Catholic Charities of Buffalo, AND

WHEREAS, Catholic Charities has had an increment, NOW THEREFORE BE IT

RESOLVED that Joyce Reformat's salary be raised to $9,518.00/year, effective July 1, 1978.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 34 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, Michael Digati of , Cheektowaga, New York 14215 was hired under the Comprehensive Employment and Training Act of 1973, Title VI, as a Laborer in the Depew School System, NOW THEREFORE BE IT

RESOLVED that Michael Digati is transferred to the position of Laborer in the Building Maintenance Department, at his present rate of pay, starting date established by the department head.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

Item No. 34 Cont'd.

Upon Roll Call....
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, there is a need for a pettycash fund at the new Senior Citizens' nutrition site as a result of a bus fare reimbursement program offered by the Erie County Office of the Aging, AND

WHEREAS, the fund will be replenished by funds from the Erie County Office of the Aging, NOW, THEREFORE, BE IT

RESOLVED that a pettycash fund of twenty-five ($25.00) is hereby established at Our Lady of Czestochowa nutrition site.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to June 29th, 1978 be and the same are hereby approved and the Supervisor is ordered to pay same:

FUND	CHECK NO. FROM TO	AMOUNT
GENERAL FUND	6290-6472, 6474-6508	$ 333,528.23
GENERAL FUND-INVESTMENT	none	100,000.00
SPECIAL DISTRICT FUND	4461, 4463-4503	77,912.52
SPECIAL DIST. FUND-INVESTMENT	none	1,900,000.00
PART TOWN FUND	925-936	5,470.00
HIGHWAY FUND	3627-3659	84,778.64
CAPITAL FUND	63-70	50,623.91
TRUST AND AGENCY FUND	553-554	1,361.00
FEDERAL REVENUE SHARING	66	870.00
SPECIAL ASSESSMENT FUND	3	967.42
H.U.D.-C.D.B.G. FUND	74-77	38,758.32
H.U.D.-N.P.P. REHABILITATION	6-8	261.23
ST. FELIX E.D.A. FUND	120	19,125.00
		$2,613,656.67

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 37 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers be made in order to balance the budget account for the Town's contract with Corp. IV which was originally budgeted using the contribution method of payment:

Item No. 37 Cont'd.

FROM	AMOUNT	TO
A.3820.000-State--Youth Aid Estimated Revenue (A.510)	$17,800.00	A.7310.496-Youth--Corp. IV Contract
A.7310.495-Corp. IV--Contribution	10,000.00	A.7310.496-Corp. IV--Contract
A.1990.480-Contingent	7,800.00	A.7310.496-Corp. IV--Contract

BE IT FURTHER RESOLVED that the following fund transfers be made in order to establish an account in the Town's budget for the Youth Conservation Corp:

FROM	AMOUNT	TO
A.3820.000-State--Youth Aid Revenue (A.980)	$11,250.00	A.7310.165-Youth Conservation Corp--Personnel
A.7310.467-Youth--Service Projects	3,000.00	A.7310.475-Youth Conservation Corp--Other Expenses

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 38 Building Permits.
Item Received and Filed.

Item No. 39 Management Improvement Committee - Communication re: Departmental Consolidation.
Item Received and Filed.

Item No. 40 Supervisor's Statement of Funds - May, 1978.
Item Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 41 Notice of Claim - Joseph A. DiLuca Jr. vs. Town of Cheektowaga. Copies sent to Supervisor Kenneth J. Meyers, Town Attorney-John V. Rogowski, Town Insurance Company; Item Received and Filed.

Item No. 42 Notice of Claim - Andrew E. Chaples vs. Town of Cheektowaga. Copies sent to Supervisor Kenneth J. Meyers, Town Attorney-John V. Rogowski, Highway Superintendent-Alfred Wnek, Town Insurance Company; Item Received and Filed.

Item No. 43 Notice of Claim - John F. Naumowicz and Deanna Naumowicz vs. Village of Sloan Police Dept., Town of Chktg. Police Dept., etal. Copies sent to Supervisor Kenneth J. Meyers, Town Attorney-John V. Rogowski, Acting Chief of Police-John B. Gruber, Town Insurance Company; Item Received and Filed.

Item No. 44 Notice of Claim - Gerald Grant, as Administrator of estate of Sean Grant, deceased vs. Town of Cheektowaga.

Item No. 44 Cont'd.

Copies sent to Supervisor Kenneth J. Meyers, Town Attorney-John V. Rogowski, Town Engineer-Chester L. Bryan, Town Insurance Company; Item Received and Filed.

Item No. 45 N.Y.S. Dept. of Transportation - Application of Carravelle Airways to operate bus line between Niagara Falls, N.Y. and Greater Buffalo International Airport.

Copies sent to Honorable Members of the Town Board, Town Attorney-John V. Rogowski, Acting Chief of Police-John B. Gruber; Item Received and Filed.

Item No. 46 Niagara Mohawk Power Corp. - Letter to be read re: Position on Town of Cheektowaga Neighborhood Improvement Areas.

Copies sent to Honorable Members of the Town Board; Item Received and Filed.

Item No. 47 Andrew Kulyk, General Manager, Cheektowaga Community Symphony Orchestra - Letter to be read re: Cheektowaga Symphony's eighteenth concert season.

Copies sent to Honorable Members of the Town Board; Item Received and Filed.

Item No. 48 Cleveland Hill Fire Department #6, Inc. - Letter of thanks for Town flags.

Copies sent to Honorable Members of the Town Board; Item Received and Filed.

* *

Motion by Councilman Burst, seconded by Councilman Kaczmarek to Waive the Rules.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

* *

IV. SUSPENSION OF RULES

Item No. 49 Town Board petitioning the Commissioner of Transportation for a public hearing for state aid re: Repair/replacement of the Ludwig Street Bridge.

Motion by Councilman Kaczmarek, seconded by Councilman Burst

WHEREAS, there is situate within the Town of Cheektowaga, County of Erie, State of New York, a railroad dry bridge known as the Ludwig Street Bridge situated on Ludwig Avenue between Broadway and William Streets in said Town, and

WHEREAS, said bridge is in such a poor state of repair that it threatens the well being of pedestrian and vehicular traffic that uses said bridge, and

WHEREAS, it is the opinion of the Town Board that the Town Board and the Supervisor should petition the Commissioner of Transportation pursuant to Section 91 of the Railroad Law of the State of New York, for a public hearing in order that this Town may receive state aid pursuant to Section 94 of the Railroad Law for the replacement and/or repair of the aforesaid bridge and its approaches, now, therefore, BE IT

Item No. 49 Cont'd.

RESOLVED by the Town Board of the Town of Cheektowaga, County of Erie and State of New York that the Town Board and the Supervisor of the Town of Cheektowaga are hereby authorized and directed to petition the Commissioner of Transportation pursuant to Section 91 of the Railroad Law of the State of New York, on behalf of this Board, alleging that the public interest requires a change in the existing Ludwig Street dry bridge by the replacement and/or repair of said bridge and approaches and praying that the same may be ordered.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 50 Authorization for Sole Assessor and Real Property Appraiser to travel to Albany re: Notice of Tentative Railroad Ceiling.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Assessor's Office has received a Notice of Tentative Railroad Ceiling regarding certain real property located in the Village of Sloan and the Town of Cheektowaga and owned by the Norfolk & Western Railroad. The notice indicates that a hearing will be held on or about July 21, 1978 in Albany to hear and determine any complaint concerning such ceilings, and

WHEREAS, the Assessor's Office has been in contact with the New York State Board of Equalization regarding said notice and it is the intention of the Assessor's Office to review and discuss the appraisal of the Norfolk & Western Railroad premises with representatives in Albany and to prepare for said hearing, therefore, BE IT

RESOLVED that Andrew Schwenk, Sole Assessor in the Town of Cheektowaga, and Casimer A. Kozminski, Real Property Appraiser, be and hereby are authorized to travel to Albany within the next fifteen (15) days to meet with the representatives of the New York State Board of Equalization and Assessment regarding the Notice of Tentative Railroad Ceiling, and BE IT FURTHER

RESOLVED that their reasonable expenses for such trip will be reimbursed by the Town and said expenses are estimated not to exceed the sum of $200.00, as the total expenses for both persons.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 51 Military leave of absence for employee in the Police Department.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Thomas G. Dryja, a Police Officer in the Cheektowaga Police Department, has applied for Military Leave of Absence for July 5, 6, and 7, 1978, and his Order to report for military duty has been forwarded to the Town Clerk, and

WHEREAS, Section 242 of the Military Law of the State of New York allows a military leave for the purpose of reporting for military duty pursuant to an Order up to a period of six months, and

WHEREAS, said Section 242 of the Military Law also provides for the payment of the salary of such public employee for a period of thirty (30) days while on said military leave duty, NOW THEREFORE BE IT

RESOLVED, that Thomas G. Dryja, a Police Officer in the Cheektowaga Police Department be and hereby is granted a military leave of absence for July 5, 6, and 7, 1978, and BE IT

Item No. 51 Cont'd.

FURTHER RESOLVED that said Thomas G. Dryja be paid his salary or other compensation while on such military leave.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 52 Hiring of employee in Engineering Dept. under Title VI - Consortium Special Projects.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, and

WHEREAS, the Town of Cheektowaga has entered into a consortium agreement with the County of Erie and the Town of Tonawanda, and

WHEREAS, the Federal Government and Department of Labor has granted through the Consortium Special Projects, Title VI funds, NOW THEREFORE BE IT

RESOLVED that the following person be and hereby is hired under the position listed below, for a period of the contract duration, at a salary rate as specified, starting date established by the department head:

Draftsman in the Engineering Department, Project #302, at a rate of $4.97/hour

Hoffman, Paul , Chktg., NY 14206

(Replacement for John Tokars)

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 53 Motion by Councilman Swiatek, seconded by Councilman Kaczmarek to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

* * * *
B I D S
* * * *

NO.	ITEM	PAGE
	Meeting No. 17 July 17, 1978	
2	Engineering - Traffic control signs, posts and brackets.	1
	Meeting No. 18 August 7, 1978	
2	Highway Dept. - 10,000 gallon fiberglass fuel tank with alternate bid for steel tank coated with fiberglass.	1
3	Engineering - Labor, site work, paving and general construction work to Town Hall.	1

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P U B L I C H E A R I N G S
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3	Amendment to Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (Lucid Dr., Cherry Ln., Cloverdale Rd. and Gardenvale Dr).	4
4	Amendment to Traffic Ordinance - Article X: "Parking, Standing, Stopping" - No Parking this side or one-side Parking - (Fairoaks Lane, Fairelm Lane, Vern Lane, Constance Lane, etc.).	1-4

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R E S O L U T I O N S

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5	Call for public hearing for rezoning at 3394 Union Road.	4
6	Decision on Rezoning at 3405 Harlem from C-Retail Business to CM-General Commercial Dist.	5-6
7	Referendum on Highway Garage Extension: a. Authorization for bonds for construction cost for new highway Garage extension; b. Set date for referendum on Highway Garage extension.	 7 7
8	Highway Dept. - Notice to Bidders for 10,000 gallon gas tank.	8
9	Engineering - Notice to Bidders for construction of a Sanitary Sewer Connection from Pump Station #5.	9-10
10a	Engineering - Change Order No. 1 for Kokomo Project.	11
10b	Engineering - Change Order No. 2 for Kokomo Project.	11
11	Urbandale Plaza Development Plan.	11
12	Urbandale Plaza Holding Tank System.	11-12
13	Executive Hotel Holding Tank System.	12
14	Holiday Inn Holding Tank System.	12-13
15	Sanitary Sewer District No. 7 priorities.	13
16	Authorization for Supervisor to sign agreement regarding Scajaquada Creek Flood Control Project.	13
17	Authorization for Supervisor to sign "WALDEN AVENUE FACADE IMPROVEMENT AGREEMENTS".	13-15
18	Authorization for Supervisor to sign Sale Contract regarding Purchase of property on Beryl Drive and Genesee St.	15
19	Memorialize N.Y.S. Legislature to reconsider scope of binding arbitration.	15
20	Memorialize E.C. Legislature to re-negotiate Rich Stadium Lease.	15-16
21	Authorization for Supervisor to sign Lease Management Agreement.	16
22	Approval and Authorization for E.C. Water Authority to extend water mains in Helenbrook Subdivision.	16
23	Approval of street lighting plan for Cathedral Heights Subdivision.	17-18
24	Summer Help - Various Departments.	18
25	Appointment of Police Detective.	18
26	Manpower - Hiring under Title II.	18-19
27	Appointments in Manpower Office: a. Renee Stevens as Clerk-Typist; b. Kathleen Butsch as Clerk-Typist.	 19 19
28	Retain services of second appraiser for Hitchcock property.	19
29	Manpower - Extend sick leave for P. Borucki (Chktg. Central).	19
30	Police Dept. - Military leave of absence for employee.	20
31	Hiring of administrative intern for Youth Bureau.	20
32	Authorization for Working Foremen in Parks to sign voucher payments during term of Jim Matecki's absence.	20
33	Transfer of Funds.	20-22
34	Warrant List.	22

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5	Decision on Rezoning - 782 Aero Drive.	1-2
6	Decision on amendment to Traffic Ordinance - Article VIII: "Stop and Yield Intersections" (Lucid, Cherry, Cloverdale & Gardenvale).	2-3
7	Decision on amendment to Traffic Ordinance - Article X: "Parking, Standing, Stopping "(various streets).	4-7
8	Call for public hearing to amend Traffic Ordinance - Article VIII: "Stop & Yield"; Article X: "Parking, Standing, Stopping" (various).	8-10
9	Remedial sewer project - Sanitary Sewer District No. 7 (refer to item No. 21).	11
10	Retention of H. Szymanski to acquire additional easements re: Northeast Interceptor Sewer Project.	11-12
11	Resolution naming Regional Planning Board to coordinate planning activities for Solid Waste Management.	12
12	Appointment of Clerk in the Assessor's Office.	12-13
13	Permanent appointment of Executive Director of the Youth Bureau.	13
14	Appointment of two (2) Police Officers to positions of Detective.	13
15	Military leave of absence for Police Officer.	13-14
16	Authorization for Police Officer to attend F.A.A.-Aviation Security Course in Oklahoma City, OK.	14
17	Engineering - Authorization for Town Engineer to attend Public Works Congress and Equipment Show in Boston, Mass.	14
18a	Create two (2) positions of Motor Equipment Operator, Class "A".	14-15
18b	Engineering - Promotion of two (2) employees in Sewer Maintenance Dept. to Motor Equipment Operators, Class "A".	15
19	Engineering - Retention of engineering firm to undertake drainage study in Sewer District No. 7.	15
20	Engineering - Secure services of Merriman Conservation Consultants re: Erosion control problems.	15-16
21	Engineering - Approval of demonstration program relative to correcting sanitary inflow problems (refer to item No. 9).	16
22	Engineering - Authorization for homeowners at 542 B & D Blvd. to connect to public sewer in San. Sewer Dist. No. 7.	16
23	Engineering - Award of bid for traffic control signs, blanks, posts and decals.	16-18
24a	Town Clerk's Office - Rescind resolution of 6/5/78 re: Call for public hearing for rezoning at 2804 Union Road.	18
24b	Town Clerk's Office - Call for public hearing for rezoning at 2804 Union Road.	18
25	Town Clerk's Office - Call for public hearing for rezoning at 3507 Union Road.	19
26	Town Clerk's Office - Amend resolution of 5/15/78 re: Disposition of Town records.	20-21
27	Highway Dept. - Advertise for bids for one (1) used 1974 Drott Crawler Model 35 BEC Hydraulic Excavator.	21
28	Highway Dept. - Approval of Woodside Subdivision.	22-23
29	Highway Dept. - Authorization to perform work on Atlantic Street in conjunction with the Village of Sloan.	23
30	Resolution replacing terminations in Youth Bureau Program.	23
31	Manpower - Hiring under C.E.T.A., Title II.	23
32	Manpower - Hiring under C.E.T.A., Title VI.	23-24

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34	Manpower - Hiring under C.E.T.A., Title VI, Special Project #390.	24-25
35	Manpower - Leave of absence for C.E.T.A. employee .	25
36	Clean up of property - S. Roycroft Blvd. (Lot #343 & Lot #344).	25
37	Clean up of property - Northeast corner of Beach Rd. & Genesee St.	25
38	Clean up of property - 152 Peinkofer Drive.	25-26
39	Clean up of property - William St. between Starlite Ave. and Tamark Court.	26
40	Clean up of property - Northeast corner of Borden Road and Bory Dr.	26
41	Clean up of property - Lot #51, Map Cover 527: Vern Lane.	26-27
42	Clean up of property - East side of Concord Dr. (Sublots 11, 12, 13 & 14).	27
43	Clean up of property - Freda Avenue (Sublots 35 & 36).	27
44	Clean up of property - N. Pleasant Pkwy. (Sublots 15, 16, 17, 18, 19 & 20).	27-28
45	Clean up of property - 43 Rosedale Drive.	28
46	Rectify conditions of unsafe structure - 2409 Harlem Road.	28
47	Approval of change order relative to Chktg. Cultural & Recreational Facility (deletion to contract).	28-30
48	Resolution re: Relocation/removal of electric facilities relative to Scajaquada Creek Flood Control Project.	30
49	Authorization for N.Y.S. Electric & Gas Corp. to change two (2) street lighting facilities in Town.	30-31
50	Transfer of funds.	31-32
51	Warrant List.	32

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36	Health report for June, 1978.	22
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52	Building Permits.	32
53	Chester L. Bryan, Town Engineer - Letter re: Sidewalk request--Pinehurst Avenue.	32
54	Dr. Louis Vendetti - Health report for month of July, 1978.	32

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38	N.Y.S. Dept. of Audit & Control - Acknowledge receipt of proposed Ellicott Road Water District.	22
39	Erie County Dept. of Public Works - Beach Road Bridge project and Walden Avenue project.	22
40	Erie County Office of Comptroller - Audit of Cheektowaga Public Library.	23
41	Erie County Highway Dept. - Certificate and Notice of Closing Highway.	23
42	NOTICE OF CLAIM - N.Y.S. Thruway Authority vs. Town of Chktg.	23
43	Pine Hill Fire Dist. #5 - Request "NO TURN ON RED" sign at S.E. corner of Pine Ridge and Genesee St.	23
44	Pine Hill Fire Dist. #5 - Request hydrant at Chktg. Recreation Center.	23
45	Eugene L. Pierce, Affirmative Action Comm. - Letter requesting certain employment documents.	23
46	Custom Topsoil Inc. - Request extension of permit for removal of topsoil.	23
47	Residents of Brentwood Drive - Petition regarding change of street name.	23
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	Meeting No. 18 August 7, 1978	
55	N.Y.S. Dept. of Audit & Control - re: Proposed Ellicott Road Water District.	33
56	N.Y.S. Dept. of Environmental Conservation - Notice of Complete Application re: State Pollutant Discharge Elimination System.	33
57	N.Y.S. Dept. of Transportation - Designation of Restricted Highway: Portion of Broadway over Union Road.	33
58	Erie County Dept. of Public Works - Designation of Restricted Highway & Certificate and Notice of Closing Highway: Walden Ave., from Union Rd. to Dick Rd.	33
59	Erie County Dept. of Public Works - Certificate & Notice of Closing Highway: Beach Rd., from Genesee St. to Maryvale Dr.	33
60a	Erie County Legislature - Resolution passed 7/12/78 requesting Erie County Dept. of Public Works to conduct signalization study in the Dick Rd. area.	33
60b	Erie County Dept. of Public Works - Signalization study in the Dick Road area.	33
61	Erie County Dept. of Public Works - Results of signal study at various intersections in Town.	33
62	Summons & Complaint - Helen E. Jurgielewicz, as Mother & Natural Guardian of Michael E. Jurgielewicz, Deceased vs. Town of Chktg. and Chktg. Police Dept.	33
63	Herbert L. Schlossin, W. Seneca Bldg. Inspector - Requests construction of fence between Kelly Dr. Park and private property adjoining.	33

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65	Homeowners of Gaby, Yvette, Francine, St. Joan & Gabrielle - Request time to speak re: Petition submitted relating to conditions of four (4) apartment bldgs. on Gaby Lane.	33
66	Albert R. Wittmeyer, - Claim against Town for car damage sustained by defective storm sewer.	33
67	Timothy Hoffman, - Claim against Town for car damage sustained by defective storm sewer.	33
68	Mildred Staebell, - Claim against Town for injury sustained as a result of raised sidewalk.	33
69	Sr. Citizens Club, Thursday, Alexander School - Express appreciation for retention of Arts & Crafts Leader.	33

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SUSPENSION OF RULES

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NO.	ITEM	PAGE
	Meeting No. 17 July 17, 1978	
50	Authorization for Town Attorney & Real Property Appraiser to attend meeting.	23-24
51	Engineering - Notice to Bidders for site work, paving and general construction for completion of Town Hall Renovation project.	24-25
52	Hire architectural firm for air conditioning system at Maryvale Community Center.	26

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3	Authorization for Town Attorney's Office to take any and all steps regarding present condition of Losson Road Park Comfort Station.	2