MEETING NO. 8

CHEEKTOWAGA, NEW YORK
APRIL 6, 1981

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 6th day of April, 1981 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: Councilman Frank E. Swiatek

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; George Burst, Central Garage Foreman; Theodore DeFedericis, Chief of Police; Salvatore LaGreca, Assistant Manpower Program Director I; Ronald Marten, Building and Plumbing Inspector; Mike Miecznikowski, Temporary Director of Recreation; Julia Reinstein, Town Historian; Richard Slisz, Erie County Legislator; Al Thrun, Cheektowaga Traffic Safety Commission; Dr. Louis Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent; Patricia Wojcik, Recreation Supervisor-Senior Citizens; Ronald Zoeller, Working Foreman-Sanitation Department.

I. BIDS

Item No. 2 Five (5) full size sedan, Police Vehicles - 1981 Models.
Bids referred to Town of Cheektowaga Equipment Committee.

II. PUBLIC HEARINGS

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of amending the "Zoning Ordinance" of the Town of Cheektowaga, New York, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of 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:

* *

1. RESOLVED that ARTICLE I - GENERAL PROVISIONS, Section 1-40 which pertains to the Interpretation of Permitted Uses shall be amended by the inclusion therein, after the words "in performance as", the word "not" so that the second paragraph of such Section shall read as follows:

> In the case of a use not listed separetely or in an inclusive use listing as a permitted use in any zoning district, no building permit or certificate of zoning compliance shall be issued for such use unless and until this ordinance has been amended including such use as a permitted use in an appropriate zoning district, or the Zoning Board of Appeals has made a ruling under Section 9-111 that the use in question is of such similarity in performance as <u>not</u> to be objectionable for the Zoning District.

2. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 A.6., which relates to the principal permitted uses in a R-Residence District "By special permit authorized by Town Board", shall be amended by the enactment of a new subdivision (c) thereunder as follows:

(c) Windmills or other energy generating devices.

Item No. 3 Cont'd.

3. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 B.5., which relates to a private swimming pool as an accessory use in a R-Residence District, shall be amended by the inclusion therein, after the words "Private swimming pool", the words "or Pool Deck", and by the inclusion therein of the words "is a minimum of 5 feet from the rear lot line" so that such subsection shall read in pertinent part as follows:

> 5. Private swimming pool or pool deck, provided that it is located in the rear of the front set-back line, is a minimum of 5 feet from the rear lot line and does not occupy any part of a required side yard.

* *

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. 4 Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that the date of the next regularly scheduled Town Board meeting be and hereby is changed to Tuesday, April 21, 1981.

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

Item No. 5 Resolution of the Town of Cheektowaga, New York, approving the establishment of proposed Water District No. 8, in said Town and construction of a water system therein and providing that such resolution shall be subject to permissive referendum.

*See next several pages for copy of resolution, certifications and affidavit of publication.

RECEIVED
APR 2 1981
TOWN CLERK
CHEEKTOWAGA, N. Y.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York.

April 6, 1981

* * *

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 the Town, on April 6, 1981, at 7:00 o'clock P.M.(E.S.T.).

There were present: Honorable Kenneth J. Meyers, Supervisor, and
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent:
Councilman Frank E. Swiatek

Also present: Richard M. Moleski, Town Clerk
James J. Kirisits, Town Attorney

* * *

Councilman Johnson offered the following resolution and moved its adoption:

RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED APRIL 6, 1981, APPROVING THE ESTABLISHMENT OF PROPOSED WATER DISTRICT NO. 8, 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 Nussbaumer & Clarke, Inc., duly licensed engineers of the State of New York, to prepare a general map, plan and report relating to the establishment of proposed Water District No. 8, in the Town (herein called "District"), as hereinafter described and for the construction of a water system therein, and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been filed in the office of the Town Clerk for public inspection; and

WHEREAS, pursuant to Order duly adopted on March 2, 1981, the Town Board determined to proceed with the establishment of the District and the construction of such a 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 March 16, 1981, at 7:00 o'clock P .M.(E.S.T.) as the time when, and the Town Hall, as the place where, the Town Board would meet to consider

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 the 16th day of March, 1981, commencing at 7:00 o'clock P.M.(E.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 construction therein of such sewer system; now, therefore, upon the evidence adduced at such public hearing, 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 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 said Order Calling the Public Hearing and the District shall be designated and known as Water

District No. 8, in the Town of Cheektowaga situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

b. Legal Description

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lots 79, 80, 81 and 82, Township 11, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

Beginning at the point of intersection of the centerline of Ellicott Creek and the southeasterly property line of the Greater Buffalo International 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 Lot 79 to the southerly right-of-way line of the New York State Governor Thomas E. Dewey Thruway;

Thence southeasterly along said southerly line of Thruway to the dividing line between the Towns of Cheektowaga and Lancaster;

Thence southerly along said dividing line, being also the centerline of Transit Road, being also the easterly line of said Lot 79 to the centerline of Ellicott Creek;

Thence generally westerly along said centerline of Ellicott Creek to the point of beginning.

The above describing the boundary lines of proposed Water District No. 8.

Section 3. The maximum amount proposed to be expended for the construction of said water system, consisting of 8, 12 or 16 inch water mains, and also including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus, as may be necessary for said water system, is $578,000, 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 said 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 a permissive referendum.

* * *

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

AYES: 5 NOES: 0

The resolution was declared adopted.

***

Councilman Johnson offered the following resolution and moved its adoption:

RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED APRIL 6, 1981, DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF THE RESOLUTION APPROVING THE ESTABLISHMENT OF WATER DISTRICT NO. 8, 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 April 6, 1981, approving the establishment of proposed Water District No. 8, 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 "CHEEKTOWAGA TIMES," 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 Water District No. 8, 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 April 6, 1981, 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 April 6, 1981, approving the establishment of proposed Water District No. 8, 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), in the County of Erie, New York, has heretofore duly caused the preparation of a general map, plan and report relating to the establishment of proposed Water District No. 8, in the Town ("District"), therein described and for the construction of a water system therein, and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk for public inspection; that an Order was adopted on March 2, 1981, 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 conerning the same; that certified copies of such Order were duly published and posted; and that such public hearing has been duly held on March 16, 1981, at the time and place specified;

SECOND: RESOLVING AND DETERMINING that the notice of public hearing was published and posted by law, and is otherwise sufficient; that all the property and property owners included within the District are benefited thereby; that all the property and property owners benefited are included within the limits of the District; and that it is in the public interest to establish the District;

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 Water District No. 8, 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 8, 12 or 16 inch water mains, and also including buildings, land or rights in land, original furnishings, equipment, machinery

and apparatus, as may be necessary for said water system, is $578,000, 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: AUTHORIZING AND DIRECTING the Town Clerk of the Town, within ten (10) days after the adoption of the resolution, to file certified copies of the resolution in the office of the State 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 and verified by and in behalf of the Town Board by the Supervisor of the Town;

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: APRIL 6, 1981

RICHARD M. MOLESKI,

Town Clerk

Section 3. This resolution shall take effect immediately.

* * *

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

AYES: 5

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 April 6, 19 81, 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 6th day of April, 1981

Richard M. Moleski

(Seal) Town Clerk

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 he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, New York; that on the 8th day of APRIL, 1981, he caused to be conspicuously posted and fastened up a certified copy of Notice with an abstract of a resolution duly adopted by the Town Board of said Town on April 6, 1981, 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 proposed Water District No. 8, in said Town of Cheektowaga:

1. Telephone pole No. 11 - 1 NYT, 4 - 1 NYSE&G, 810 Rein Road, located in front of Voiture Local #51 Building, Cheektowaga, New York.
2. Telephone pole No. 23 - 5 NYT, 3534-20 NYSE&G, located at the corner of Scott Place and Aero Drive, Cheektowaga, New York.
3. NYSE&G pole No. W-24 - 266, NYT - 7, Pfohl Road and Rein Road, Cheektowaga, New York.
4. NYSE&G pole No. 40 - 266, NYT - 13, 592 Aero Drive, Cheektowaga, New York.
5. NYSE&G pole No. 261 - 5, NYT - 10, 829 Rein Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 8th day of APRIL, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

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

Patricia Calanzaro, 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 9, 1981; last publication April 9, 1981; and that no more than six days intervened between publications.

Patricia Calanzaro

Sworn to before me this 10th

day of April, 1981

Naedine 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, 1983

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on April 6, 1981, 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 April 6, 1981, approving the establishment of proposed Water District No. 8 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), in the County of Erie, New York, has heretofore duly caused the preparation of a general map, plan and report relating to the establishment of proposed Water District No. 8, in the Town ("District"), therein described and for the construction of a water system therein, and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk for public inspection; that an Order was adopted on March 2, 1981, 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 certified copies of such Order were duly published and posted; and that such public hearing has been duly held on March 16, 1981, at the time and place specified;

SECOND: RESOLVING AND DETERMINING that the notice of public hearing was published and posted by law, and is otherwise sufficient; that all the property and property owners included within the District are benefited thereby; that all the property and property owners benefited are included within the limits of the District; and that it is in the public interest to establish the District;

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 Water District No. 8, 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 8, 12 or 16 inch water mains, and also including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus, as may be necessary for said water system, is $578,000, 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: AUTHORIZING AND DIRECTING the Town Clerk of the Town, within ten (10) days after the adoption of the resolution, to file certified copies of the resolution in the office of the State 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 and verified by and in behalf of the Town Board by the Supervisor of the Town;

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 6, 1981
PUBLISHED: April 9, 1981

Item No. 6 Resolution and Order after public hearing in the matter of the Increase and Improvement of Facilities of Consolidated Refuse and Garbage District, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law.

*See next several pages for copy of resolution and order, certification and affidavit of publication.

Improvement of Facilities of Consolidated Refuse and Garbage District in the Town of Cheektowaga, in the County of Erie, New York

April 6, 1981

123

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 the 6th day of April, 1981.

PRESENT:

Hon. Kenneth J. Meyers, Supervisor
Thomas M. Johnson, Jr. Councilman
~~Frank E. Swiatek,~~ ~~Councilman~~
Frank J. Dux, Councilman
~~James R. Burst,~~ ~~Councilman~~
Donald J. Wegner, Councilman
William P. Rogowski, Councilman

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TOWN CLERK
CHEEKTOWAGA, N. Y.

- -X

In the Matter : RESOLUTION AND ORDER AFTER
of the : PUBLIC HEARING

Increase and Improvement of Facilities of Consolidated Refuse and Garbage District, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law : April 6, 1981

- -X

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 established in the Town, the Consolidated Refuse and Garbage District (herein called "District"), pursuant to the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York (herein called "Town Law"), and there are maintained on file for public inspection in the office of the Town Clerk of the Town a metes and bounds description and map of the District, including extensions thereof, if any;

WHEREAS, pursuant to the direction of the Town Board of the Town, on behalf of the District, the Sanitation Department of the Town has prepared, completed and filed with the Town Board, a preliminary report and estimate of cost dated February 1, 1981, for the increase and improvement of facilities of the District pursuant to Section 202-b of the Town Law, constituting the acquisition by purchase of four (4)

packers and other equipment, to provide garbage and refuse collection service in the District, all as more particularly described and set forth in such report and estimate (herein collectively called "Proposed Improvements");

WHEREAS, the Sanitation Department completed a report and estimate of cost and filed same with the Town Board, and the Town Board thereafter adopted an order describing in general terms the proposed increase and improvement of the facilities, specifying the estimated cost thereof, and stating that the Town Board would meet to hear all persons interested in said increase and improvement of facilities on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.), at the Town Hall, in the Town; and

WHEREAS, such public hearing was duly held by the Town Board on this 16th day of March, 1981, at 7:00 o'clock P.M. (E.S.T.) at the Town Hall, in the Town and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities; now therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of $300,000, and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Sanitation Department shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of the facilities and prepare a proposed contract for the execution of the work, which plans and

specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of serial bonds of the Town. The cost of the Proposed Improvements, including (1) debt service consisting of the principal of and interest on such serial bonds and any bond anticipation notes issued in anticipation of such serial bonds, and (2) operation and maintenance of the Proposed Improvements, shall be annually assessed, levied and collected from the several lots and parcels of land within the District which Town Board shall deem especially benefited by said Proposed Improvements 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 it is hereby

FURTHER ORDERED, that the Town Clerk record a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

DATED: April 6, 1981

SEAL

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Kenneth J. Meyer
Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

Councilman

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

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

I RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution and Order After Public Hearing with the original thereof filed in my office on the 6th day of April, 1981, and 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 6th day of April, 1981.

SEAL

Richard M. Moleski
Town Clerk

1981 APR -7 PM 3:31
FILED
ERIE COUNTY
CLERK'S OFFICE

Councilman Dux offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED April 6, 1981, APPROPRIATING $300,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF CONSOLIDATED REFUSE AND GARBAGE DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF $300,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, following preparation of a report and estimate of cost for the increase and improvement of facilities of Consolidated Refuse and Garbage District, (herein called "District"), in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, consisting of the acquisition by purchase of four (4) packers and other equipment, to provide garbage and refuse collection service in the District, and after a public hearing duly called and held, the Town Board of the Town determined, that it is in public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved; now therefore, be it

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

Section 1. The Town hereby appropriates the amount of $300,000 for the increase and improvement of facilities of the District, all in accordance with the report and estimate prepared by the Sanitation Department, on file in the office of the Town Clerk and hereby approved. The estimated maximum

cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $300,000 and the plan of financing includes the issuance of $300,000 serial bonds of the Town and the assessment, levy and collection of assessments on the several lots and parcels of land within the District to pay the principal of and interest on said bonds 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 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of $300,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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 Section 11.00 a.29 of the Law, is five (5) 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 of the sale of such bonds, pursuant to the provisions of Section 107.00 d. 3(a) of the Law.

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

Section 4. Each of the serial 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 Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and 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 Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

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

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

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

Section 7. This resolution shall take effect immediately.

* * *

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

AYES: 5

NOES: 0

The resolution was declared adopted.

***

Councilman Dux offered the following resolution and moved its adoption:

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

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

Section 2. This resolution shall take effect immediately.

* * *

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

AYES: 5

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 CVunty 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 _____, 19 81, 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 6th day of April, 1981

Richard M. Moleski
Town Clerk

(Seal)

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

Patricia Catanzaro, 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 9 1981; last publication April 9 1981; and that no more than six days intervened between publications.

Patricia Catanzaro

Sworn to before me this 10th

day of April, 1981

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, 1983

NOTICE

The resolution published herewith has been adopted on the 6th day of April, 1981, 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 M. MOLESKI
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED April 6, 1981, APPROPRIATING $300,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF CONSOLIDATED REFUSE AND GARBAGE DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF $300,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, following preparation of a report and estimate of cost for the increase and improvement of facilities of Consolidated Refuse and Garbage District, (herein called "District"), in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, consisting of the acquisition by purchase of four (4) packers and other equipment, to provide garbage and refuse collection service in the District, and after a public hearing duly called and held, the Town Board of the Town determined, that it is in public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved; now therefore, be it

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

Section 1. The Town hereby appropriates the amount of $300,000 for the increase and improvement of facilities of the District, all in accordance with the report and estimate prepared by the Sanitation Department, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $300,000 and the plan of financing includes the issuance of $300,000 serial bonds of the Town and the assessment, levy and collection of assessments on the several lots and parcels of land within the District to pay the principal of and interest on said bonds 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 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of $300,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "law"), to finance said appropriation.

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 Section 11.00 a.29 of the Law, is five (5) 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 of the sale of such bonds, pursuant to the provisions of Section 107.00 d. 3(a) of the Law.

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

Section 4. Each of the serial 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 Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and 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 Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

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 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.

PUBLISHED: April 9, 1981

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

WHEREAS, this Town Board duly held a public hearing on the 21st day July, 1980 at 7:00 P.M., Eastern Daylight Saving Time 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

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersection is designated as a stop intersection and a stop sign shall be erected on the following entrance street.

Street	Direction	Entrance Street	Traffic Stops	Sign Location
BARBADOS DRIVE	East-west	PHILIP DRIVE	Southbound	N.W. Corner

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time 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

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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

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

AFFIDAVIT-NEXT PAGE

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

Patricia Catenzaro, 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 9, 1981; last publication April 9, 1981; and that no more than six days intervened between publications.

Patricia Catenzaro

Sworn to before me this 10th day of April, 1981

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, 1983

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 6th day of April, 1981 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT:

Councilman Frank E. Swiatek

Motion by Councilman Johnson, Seconded by Councilman Wegner

WHEREAS, this Town Board duly held a public hearing on the 21st day of July, 1980 at 7:00 P.M., Eastern Daylight Saving Time 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

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersection is designated as a stop intersection and a stop sign shall be erected on the following entrance street.

Street, BARBADOS DRIVE; Direction, East-west; Entrance Street, PHILIP DRIVE; Traffic Stops, Southbound; Sign Location, N.W. Corner

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time 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.

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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

Upon roll call...

Supervisor	
Meyers	Voting AYE
Councilmen:	
Swiatek	Voting ABSENT
Johnson	Voting AYE
Dux	Voting AYE
Wegner	Voting AYE
Rogowski	Voting AYE

AYES: 5

NAYES: 0

ABSENT: Councilman Swiatek

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 6, 1981, 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. 7, 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 therof insofar as said minutes related 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 6th day of April, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: April 9, 1981

Item No. 8 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that certain provisions of the TRAFFIC ORDINANCE of the Town of Cheektowaga, New York be amended;

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of Section 1660 of the Vehicle and Traffic Law and Section 130 of the Town Law of the State of New York, a public hearing be held on the 21st day of April, 1981 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the TRAFFIC ORDINANCE of the Town of Cheektowaga, New York shall be amended and changed as provided in the following Notice of Hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall publish the following Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of said hearing.

* *

NOTICE OF HEARING

ON PROPOSAL TO AMEND TRAFFIC ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 6th day of April, 1981, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 21st day of April, 1981 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Traffic Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. RESOLVED that Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Truck Exclusions," be amended by the enactment of a new Section 130 providing as follows:

> Section 130. All trucks excluded. All trucks are hereby excluded from the following designated highways within the Town of Cheektowaga, County of Erie, State of New York:
>
> 1. Chapel Avenue
> 2. Eggert Road between Sugar Road and Delavan Avenue

2. RESOLVED that the sections presently numbered "Section 130. Trucks over 5 tons excluded." and "Section 131. Delivery and pickup of merchandise." be renumbered Section 131 and Section 132 respectively.

3. RESOLVED that the presently numbered Section 130, which is to be renumbered Section 131, be amended by deleting Chapel Avenue and Eggert Road therefrom.

4. RESOLVED that subdivision B of Section 150, which excludes trucks in excess of five tons from Eggert Road between Sugar Road and Delavan Avenue, be repealed.

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

Dated: April 6, 1981

RICHARD M. MOLESKI, TOWN CLERK

* *

Item No. 8 Cont'd.

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

AFFIDAVIT-NEXT PAGE

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

Patricia Catanzaro, 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 9, 1981; last publication April 9, 1981; and that no more than six days intervened between publications.

Patricia Catanzaro

Sworn to before me this 10th

day of April, 1981

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, 1983

NOTICE OF HEARING ON PROPOSAL TO AMEND TRAFFIC ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 6th day of April, 1981, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 21st day of April, 1981 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Traffic Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. RESOLVED that Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Truck Exclusions," be amended by the enactment of a new Section 130 providing as follows:

Section 130. All trucks excluded. All trucks are hereby excluded from the following designated highways within the Town of Cheektowaga, County of Erie, State of New York:

1. Chapel Avenue
2. Eggert Road between Sugar Road and Delavan Avenue

2. RESOLVED that the sections presently numbered "Section 130. Trucks over 5 tons excluded," and "Section 131. Delivery and pickup of merchandise." be renumbered Section 131 and Section 132 respectively.

3. RESOLVED that the presently numbered Section 130, which is to be renumbered Section 131, be amended by deleting Chapel Avenue and Eggert Road therefrom.

4. RESOLVED that subdivision B of Section 150, which excludes trucks in excess of five tons from Eggert Road between Sugar Road and Delavan Avenue, be repealed.

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 6, 1981
PUBLISHED: April 9, 1981

Item No. 9 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Town Law of the State of New York contains authority for the enactment of an ordinance providing for the collection and/or resource recovery or disposition of garbage and refuse,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 21st day of April, 1981 at 7:00 o'clock p.m., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether a GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE shall be adopted and enacted in and for the Town of Cheektowaga, and

BE IT FURTHER RESOLVED that the Town Clerk shall publish the following NOTICE OF HEARING in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days nor more than twenty (20) days prior to the date of the hearing.

* *

NOTICE OF HEARING

ON PROPOSAL TO ENACT

GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, duly passed on the 6th day of April, 1981, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 21st day of April, 1981 at 7:00 P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether a GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE shall be adopted and enacted, which Ordinance will provide for the collection and preparation of garbage containers for collection. A copy of the proposed GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE is on file in the Town Clerk's Office, where the same may be examined during regular business hours.

FURTHER NOTICE IS HEREBY GIVEN THAT, at the aforementioned hearing, consideration will be given to repealing ORDINANCE NO. 30, enacted on April 3, 1961 which pertains to the subject of refuse and garbage collection.

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: April 6, 1981

* *

GARBAGE, RUBBISH AND REFUSE COLLECTION

Section 1. TITLE.

This ordinance shall be known and may be cited as the "Refuse, Rubbish and Refuse Collection Ordinance of the Town of Cheektowaga, New York."

This ordinance shall apply to and affect only such part of the Town of Cheektowaga as is outside of the Villages of Sloan and Depew.

Item No. 9 Cont'd.

Section 2. PURPOSE.

This ordinance is adopted in order to promote and protect the public health, safety, comfort, convenience, prosperity and other aspects of the general welfare of the residents of the Town of Cheektowaga; and, in addition thereto, to protect property, preserve property values, and eliminate fire, safety and health hazards by regulating the collection, storage and disposal of garbage, rubbish and refuse within the Town of Cheektowaga.

Section 3. DEFINITIONS.

The following words, as used in this ordinance, shall have the meanings hereby ascribed thereto unless the context clearly indicates a different meaning:

GARBAGE - All table refuse; animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food; offal from meat, fish and fowl; fruits, vegetables and parts thereof; and other articles and materials ordinarily used for food which have become unfit for such use or which are for any reason discarded, except commercial and industrial garbage.

GARBAGE RECEPTACLE - A permanent container made of metal or vinyl, which is airtight, watertight and provided with a tight-fitting cover; or disposable plastic or heavy paper garbage bag which when closed by lacing is airtight, watertight and of sufficient strength to prevent breakage.

PERSON - An individual, society, group, firm, partnership, corporation or association of persons, and the singular number shall include the plural number.

REFUSE - All discarded articles or materials, including combustible refuse (paper, straw, excelsior, rags, rubber, shoes and such other refuse as may result from ordinary housekeeping pursuits, leaves, tree trimmings, hedge clippings and similar materials) and noncombustible refuse, except sewage, liquid waste, ashes and commercial and industrial refuse.

RUBBISH - Includes garbage and refuse.

Section 4. COLLECTION AND DISPOSAL.

All garbage and refuse, as hereinbefore defined, accumulated in the Town of Cheektowaga shall be collected, conveyed and disposed of by the Town; provided, however, that this ordinance shall not prohibit the actual producers of garbage and refuse, or the owners of premises upon which garbage and refuse has accumulated, from personally providing for the collecting, conveying and disposing of such garbage and refuse if such producers or owners comply with all regulations for collection, conveyance and disposal prescribed in this ordinance or rules and regulations adopted by the Town Board concerning same.

Section 5. SUPERVISION: PROMULGATION OF RULES AND REGULATIONS.

The collection and disposal of garbage and refuse shall be under the supervision of the Department of Sanitation of the Town of Cheektowaga, which shall have authority to make rules and regulations concerning the days of collection, the type and location of containers and such other matters pertaining to the collection and disposal as it may deem advisable, provided that such rules and regulations are not contrary to the provisions of this ordinance.

Section 6. PREPARATION OF GARBAGE AND REFUSE FOR COLLECTION.

A. Separation of garbage and refuse. Garbage and refuse shall be placed and maintained separetely.

B. Preparation of garbage and refuse.

(1) All garbage, before being placed in garbage receptacles for collection, shall be thoroughly drained from all free liquids and shall be wrapped in dry paper or similar dry substance. Loose garbage shall not at any time be placed in receptacles, as hereinafter described, but shall first be placed in paper or plastic bags.

(2) All refuse shall be thoroughly drained of liquid before being deposited for collection.

(3) Refuse consisting of empty boxes, crates, cartons, shrubbery cuttings, tree trimmings, hedge clippings, wood and other unwieldly objects shall be broken up or cut and tied into compact bundles no longer than five (5) feet in length and no heavier than fifty (50) pounds in weight, so as to be easily handled by one person.

Protruding nails, glass and other sharp metal objects that might inflict bodily harm to sanitation personnel, contracted personnel, or residents of the Town shall be removed from all such refuse prior to bundling as aforesaid.

(4) All furniture, household appliances, flood-damaged articles and other large items, not capable of being placed in receptacles as hereinafter described, may be placed at the curbline or pavement line only after arrangements for special pick up have been made with the Sanitation Department. The Sanitation Department may decline to collect any such material when such collection is not in accord with Department handling and disposal abilities.

(5) No dirt, stone, brick, concrete or other substances that may accumulate as a result of building construction, demolition, remodeling or repair operations shall be set out for collection by the Sanitation Department, but shall be otherwise disposed of by the owner or contractor.

(6) Neither hot ashes or chemically toxic wastes shall be set out for collection, but shall be otherwise disposed of by the owner or producer of same.

Section 7. RECEPTACLES.

A. Receptacles required. Every owner, lessee or occupant of any building, premises or place of business within the Town shall provide or cause to be provided, suitable and sufficient receptacles for receiving and containing garbage or refuse that may accumulate or be used upon said premises. All containers or receptacles used for storing garbage or refuse shall be of such material and so constructed as to withstand the use for which they are intended without breaking or collapsing. Although not prohibited herein, vinyl containers are not recommended for use in cold weather conditions, which frequently cause such containers to shatter. The Sanitation Department will not be responsible for shattered vinyl containers.

B. Garbage receptacles. Garbage shall be stored in covered, watertight metal or vinyl containers with handles and tight lids designed for that purpose, or in disposable plastic or heavy paper garbage bags of sufficient strength to prevent breakage, securely tied or fastened. No container or bag shall exceed twenty (20) gallons in capacity or fifty (50) pounds in weight when filled.

C. Refuse receptacles. Refuse receptacles shall conform to the same standards as garbage receptacles.

D. Maintenance of receptacles.

(1) All garbage and refuse receptacles shall be maintained in good condition. Any receptacle that does not conform to the provisions of this ordinance or that may have ragged or sharp edges or any other defect liable to hamper or injure sanitation personnel shall be promptly replaced or repaired. Failure to comply may result in the refusal to collect or the disposal of the defective receptacle as refuse.

(2) All garbage and refuse receptacles shall be kept as sanitary as possible in view of the use to which they are put and shall be

Item No. 9 Cont'd.

thoroughly cleaned by the owner, lessee or occupant of the premises after garbage is removed by the collector.

Section 8. PLACEMENT OF RECEPTACLES FOR COLLECTION.

A. All receptacles with domestic garbage or household refuse shall be transferred to the curbline or pavement line in front of premises by the householder who shall remove all such receptacles therefrom to a place invisible from the street on the day of collection.

B. No garbage or refuse shall be set out for collection before 6:00 P.M. of the day preceding collection.

Section 9. PROHIBITED DEPOSITS OR ACCUMULATIONS.

A. No person shall throw, deposit or burn, or cause to be thrown, deposited or burned, any garbage or refuse in or upon any public highway, street or other public place, including gutters or drainage ditches, or upon any private property, whether owned by such person or not, except in proper receptacles for collection.

B. Any unauthorized accumulation of garbage or refuse on any premises is hereby declared to be a nuisance and is prohibited.

C. It shall be unlawful for any person other than the occupants of the premises on which garbage or refuse receptacles are stored, or other than sanitation personnel or other authorized collector, to remove any of the contents of garbage or refuse receptacles.

Section 10. VIOLATIONS AND PENALTIES.

Any person who shall be convicted of violating or failing to comply with the provisions of this ordinance shall be punishable by a fine of not more than two hundred fifty dollars ($250.00) or imprisonment not exceeding fifteen (15) days, or to both such fine and imprisonment. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of a violation may be punished as above provided for each separate offense.

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

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

AFFIDAVIT-NEXT PAGE

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

Patricia Catanzaro, 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 9, 1981; last publication April 9, 1981; and that no more than six days intervened between publications.

Patricia Catanzaro

Sworn to before me this 10th

day of April, 19 81

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 83

NOTICE OF HEARING ON PROPOSAL TO ENACT GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, duly passed on the 6th day of April, 1981, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 21st day of April, 1981 at 7:00 P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether a GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE shall be adopted and enacted, which Ordinance will provide for the collection and preparation of garbage prior to collection, as well as the type, size and placement of garbage containers for collection. A copy of the proposed GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE is on file in the Town Clerk's Office, where the same may be examined during regular business hours.

FURTHER NOTICE IS HEREBY GIVEN THAT, at the aforementioned hearing, consideration will be given to repealing ORDINANCE NO. 30, enacted on April 3, 1961 which pertains to the subject of refuse and garbage collection.

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 6, 1981
PUBLISHED: April 9, 1981

Item No. 10 Call for public hearing for rezoning - rear portion of 3082 Union Rd. Item Withdrawn.

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

WHEREAS, the Town of Cheektowaga is presently participating in a State and Federal Construction Grants Program to abate pollution of the Buffalo River due to excess flows from Sanitary Sewer District No. 3, AND

WHEREAS, a Sewer System Evaluation Survey (SSES) for District No. 3 was completed and the SSES Report is near approval by the NYSDEC and USEPA, AND

WHEREAS, said SSES Report recommends major improvements to the District No. 3 sewerage system which will reduce infiltration and inflow thereby reducing pollution of the Buffalo River and reducing sewer rentals paid by the Town to Erie County Sewer District No. 4, AND

WHEREAS, it is in the best interests of the Town to pursue a separate Step II Federal Grant for final design of sewer rehabilitation and an excess flow treatment facility in District No. 3, AND

WHEREAS, Federal Regulations require completion of certain tasks including a public hearing to qualify for a Step II Grant, AND

WHEREAS, such public hearing must be advertised 45 days in advance, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish an advertisement for a public hearing to be conducted on Tuesday, May 26, 1981, at John F. Kennedy High School, said notice to be published in the BUFFALO EVENING NEWS, COURIER EXPRESS and the CHEEKTOWAGA TIMES.

* *

NOTICE OF PUBLIC HEARING

PROPOSED SEWER REHABILITATION AND

EXCESS FLOW FACILITIES IN

CHEEKTOWAGA SANITARY SEWER DISTRICT NO. 3

Pursuant to the requirements of the United States Environmental Protection Agency as published in the September 27, 1978 Federal Register, Volume 43, Number 188, Part III, Cheektowaga Sanitary Sewer District No. 3 will hold a public hearing on the proposed rehabilitation of sanitary sewers and construction of excess flow facilities at the John F. Kennedy High School, 305 Cayuga Creek Road, Cheektowaga, New York at 7:30 P.M. Local Time, on Tuesday, May 26, 1981.

The sewer rehabilitation shall include excavation and replacement of broken sewers, realignment of sewers, testing and sealing of sewer joints, manhole repair and sealing, and building service repair. The excess flow facilities will include screens, pumps, piping, a detention basin, and chlorination facilities. All proposed construction to be presented at the hearing is discussed in the report: Sewer System Evaluation Survey, Cheektowaga Sanitary Sewer District No. 3.

The hearing is open to the public. Interested parties are invited and encouraged to present their views on the project. The Engineering Report and the Environmental Information Document (N.Y.S.E.Q.R.) will be available for inspection at the office of Nussbaumer and Clarke, Inc., 310 Delaware Avenue, Buffalo, New York, beginning April 27, Monday through Friday, 9 A.M. to 4 P.M., and the offices of the Cheektowaga Town Engineer at the Town Hall, Union and Broadway, Cheektowaga, New York.

Written statements are encouraged. However, verbal presentations will be welcome. All will be given an opportunity to be heard at this hearing. Please mail statements to Chester L. Bryan, P.E., Town Engineer, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Item No. 11 Cont'd.

RICHARD M. MOLESKI
TOWN CLERK

* *

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

AFFIDAVITS-NEXT THREE PAGES

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

Patricia Catanzaro, 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 9, 1981; last publication April 9, 1981; and that no more than six days intervened between publications.

Patricia Catanzaro

Sworn to before me this 10th

day of April, 1981

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, 1983

NOTICE OF PUBLIC HEARING
PROPOSED SEWER REHABILITATION AND EXCESS FLOW FACILITIES IN CHEEKTOWAGA SANITARY SEWER DISTRICT #3

Pursuant to the requirements of the United States Environmental Protection Agency as published in the September 27, 1978 Federal Register, Volume 43, Number 188, Part III, Cheektowaga Sanitary Sewer District #3 will hold a public hearing on the proposed rehabilitation of sanitary sewers and construction of excess flow facilities at the John F. Kennedy High School, 305 Cayuga Creek Road, Cheektowaga, New York at 7:30 P.M. Local Time, on Tuesday, May 26, 1981.

The sewer rehabilitation shall include excavation and replacement of broken sewers, realignment of sewers, testing and sealing of sewer joints, manhole repair and sealing, and building service repair. The excess flow facilities will include screens, pumps, piping, a detention basin, and chlorination facilities. All proposed construction to be presented at the hearing is discussed in the report: Sewer System Evaluation Survey, Cheektowaga Sanitary Sewer District #3.

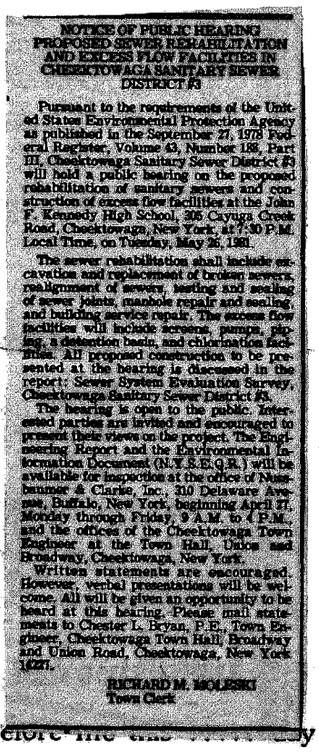
The hearing is open to the public. Interested parties are invited and encouraged to present their views on the project. The Engineering Report and the Environmental Information Document (N.Y.S.E.Q.R.) will be available for inspection at the office of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York, beginning April 27, Monday through Friday, 9 A.M. to 4 P.M., and the offices of the Cheektowaga Town Engineer at the Town Hall, Union and Broadway, Cheektowaga, New York.

Written statements are encouraged. However, verbal presentations will be welcome. All will be given an opportunity to be heard at this hearing. Please mail statements to Chester L. Bryan, P.E., Town Engineer, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: April 9, 1981

STATE OF NEW YORK
Erie County, City of Buffalo, } ss.



NOTICE OF PUBLIC HEARING
PROPOSED SEWER REHABILITATION AND EXCESS FLOW FACILITIES IN CHEEKTOWAGA SANITARY SEWER DISTRICT #3

Pursuant to the requirements of the United States Environmental Protection Agency as published in the September 27, 1978 Federal Register, Volume 43, Number 188, Part III, Cheektowaga Sanitary Sewer District #3 will hold a public hearing on the proposed rehabilitation of sanitary sewers and construction of excess flow facilities at the John F. Kennedy High School, 306 Cayuga Creek Road, Cheektowaga, New York, at 7:30 P.M. Local Time, on Tuesday, May 26, 1981.

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Written statements are encouraged. However, verbal presentations will be welcome. All will be given an opportunity to be heard at this hearing. Please mail statements to Chester L. Bryan, P.E., Town Engineer, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

RICHARD M. MOLESKI
Town Clerk

Alice Anderson

of the City of Buffalo, being duly sworn, deposes and says, that he is chief clerk in the office of BUFFALO COURIER-EXPRESS a daily newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ..... weeks the first insertion being on the 9 day of April 19 81 and the last insertion being on the ... day of ....., 19 , and not more than .... days intervened between any two publications thereof.

Alice Anderson

Sworn before me this 9th day of April 19 81.

MARY LOU TROY
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 1982

Mary Lou Troy
Notary Public, Erie County, N.Y.

State of New York
ERIE COUNTY
CITY OF BUFFALO } ss.

NOTICE OF PUBLIC HEARING
PROPOSED
SEWER REHABILITATION AND
EXCESS FLOW FACILITIES IN
CHEEKTOWAGA
SANITARY SEWER DISTRICT #3

Pursuant to the requirements of the United States Environmental Protection Agency as published in the September 27, 1978 Federal Register, Volume 43, Number 188, Part III, Cheektowaga Sanitary Sewer District #3 will hold a public hearing on the proposed rehabilitation of sanitary sewers and construction of excess flow facilities at the John F. Kennedy High School, 305 Cayuga Creek Road, Cheektowaga, New York at 7:30 P.M. Local Time, on Tuesday, May 26, 1981.

The sewer rehabilitation shall include excavation and replacement of broken sewers, realignment of sewers, testing and sealing of sewer joints, manhole repair and sealing, and building service repair. The excess flow facilities will include screens, pumps, piping, a detention basin, and chlorination facilities. All proposed construction to be presented at the hearing is discussed in the report: Sewer System Evaluation, Cheektowaga Sanitary Sewer District #3.

The hearing is open to the public. Interested parties are invited and encouraged to present their views on the project. The Engineering Report and the Environmental Information Document (N.Y.S.E.Q.R.) will be available for inspection at the office of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York, beginning April 27, Monday through Friday, 9 A.M. to 4 P.M., and the offices of the Cheektowaga Town Engineer at the Town Hall, Union and Broadway, Cheektowaga, New York.

Written statements are encouraged. However, verbal presentations will be welcome. All will be given an opportunity to be heard at this hearing. Please mail statements to Chester L. Bryan, P.E., Town Engineer, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, 14227.

RICHARD M. MOLESKI
Town Clerk

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 [redacted] the first insertion being on the 9th day of April 19 81 a[redacted]

D. Eileen Perry

Sworn to before me this 10th day of April 19 81

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

Notary Public, Erie County, N. Y.

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

WHEREAS, Public Officers Law, Article 6, known as the Freedom of Information Law, and the rules and regulations of the State Committee on Public Access to Records (COPAR) require the Town of Cheektowaga to adopt rules and regulations setting forth procedures for public inspection and copying of records; and

WHEREAS, this Town Board is desirous of complying with these requirements;

NOW, THEREFORE, BE IT RESOLVED, that rules and regulations are hereby adopted as follows:

1. As used in this resolution
   (a) the term "agency" means
      (1) the Town of Cheektowaga and its departments, divisions, offices, bureaus, and boards or commissions created or appointed by the Town Board, and
      (2) any special or improvement district of the Town, other than a library district, a fire district, a district corporation or district having a separately elected governing body.
   (b) the term "record" shall have the same meaning as set forth in subdivision 4 of section 86 of the Public Officers Law.

2. The following person is hereby designated as Records Access Officer for the Town: The Town Clerk, Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227.

3. The Records Access Officer shall be responsible for assuring that the Town personnel
   (a) comply with the requirements and provisions of the Freedom of Information Law, the rules and regulations of COPAR and with this resolution in providing access to Town records;
   (b) maintain an up-to-date subject matter list of records; update it twice a year and make it available for public inspection and copying;
   (c) explain in writing reasons for denial of access and advise requestor of right to appeal, setting forth name, title, business address and telephone of persons to whom appeal may be taken;
   (d) upon request, calculate in advance the total cost of copies;
   (e) permit requestor to make his or her own copy, without damaging the record and without relinquishing custody of same.

4. (a) Records of the Town are located at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227.
   (b) All requests for public access to records shall be accepted and records produced during regular business hours (Monday through Friday, 9:00 a.m. to 4:30 p.m., except holidays).

5. A request to inspect or for a copy of a record shall reasonably describe the same, and shall be in writing.

6. The Bookkeeper to the Town Supervisor shall respond to requests for a record of the name, title, salary and public office address of every officer and employee of the Town.

7. The Town Board is hereby designated to hear and determine appeals from a denial of access to Town records, in accordance with the Freedom of Information Law, rules and regulations of COPAR and this resolution.

Item No. 12 Cont'd.

8. Unless another fee is prescribed by state law, the fee for:
   (a) photocopying a record not exceeding nine (9) by fourteen (14) inches shall be twenty-five ($.25) cents per page;
   (b) other records, shall be the actual cost of reproduction excluding fixed costs such as salary of employee, and
   (c) a typed or handwritten transcript shall consist of the actual clerical time involved in making the transcript.

9. A copy of this resolution shall be posted by the Town Clerk on the signboard maintained pursuant to subdivision 6 of section 30 of the Town Law, and a copy thereof shall also be mailed or delivered to the news media for public information purposes.

10. This resolution shall take effect immediately.

* *

P U B L I C N O T I C E

The Freedom of Information Law gives you the right of access to certain public records.

The Town of Cheektowaga has adopted regulations governing when, where and how you can see public records.

The regulations can be seen at all places where records are kept.

According to these regulations, records can be seen and copied at:

Office of the Town Clerk
Town of Cheektowaga
Broadway and Union Road
Cheektowaga, New York 14227

The following officials will help you to exercise your right to access:

1. Agency officials who have in the past been authorized to make records available.

2. Records Access Officer

   Town Clerk
   Town of Cheektowaga
   Town Hall
   Broadway and Union Road
   Cheektowaga, New York 14227

3. Fiscal Officer

   Supervisor of the Town of Cheektowaga
   Town Hall
   Broadway and Union Road
   Cheektowaga, New York 14227

If you are denied access to a record, you may appeal to the following person(s) or body:

Town Board of the Town of Cheektowaga
Town Hall
Broadway and Union Road
Cheektowaga, New York 14227

* *

*See next page for copy of "Application for Public Access to Records" form.

APPLICATION FOR PUBLIC ACCESS TO RECORDS

TO RECORDS ACCESS OFFICER

TOWN CLERK OF THE TOWN OF CHEEKTOWAGA
NAME OF AGENCY

TOWN HALL, BROADWAY AND UNION ROAD, CHEEKTOWAGA, N. Y. 14227
ADDRESS

I HEREBY APPLY TO INSPECT THE FOLLOWING RECORD:

_____

_____

_____

_____ _____

SIGNATURE *DATE*

_____

REPRESENTING

_____

MAILING ADDRESS

FOR AGENCY USE ONLY

APPROVED ☐

DENIED (for the reason(s) checked below)

- ☐ Confidential Disclosure ☐ Part of Investigatory Files
- ☐ Unwarranted Invasion of Personal Privacy
- ☐ Record of Which This Agency is Legal Custodian Cannot Be Found
- ☐ Record is not Maintained by This Agency
- ☐ Exempted by Statute Other Than the Freedom of Information Act
- ☐ Other (specify) _____

_____ _____ _____

SIGNATURE TITLE DATE

NOTICE: *YOU HAVE A RIGHT TO APPEAL A DENIAL OF THIS APPLICATION TO THE HEAD OF THIS AGENCY -*

OWN BOARD OF TOWN OF CHEEKTOWAGA TOWN HALL, BROADWAY AND UNION ROAD, CHEEKTOWAGA,
AME *BUSINESS ADDRESS* NEW YORK 14227

O MUST FULLY EXPLAIN HIS REASONS FOR SUCH DENIAL IN WRITING SEVEN DAYS OF RECEIPT OF AN APPEAL.

EREBY APPEAL:

_____ _____

GNATURE *DATE*

Item No. 12 Cont'd.

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

AFFIDAVIT-NEXT PAGE

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

Patricia Catanzaro, 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 9 1981; last publication April 9 1981; and that no more than six days intervened between publications.

Patricia Catanzaro

Sworn to before me this 10th

day of April, 19 81

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, 1983

PUBLIC NOTICE

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   14227
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   Supervisor of the
   Town of Cheektowaga
   Town Hall
   Broadway and Union Road
   Cheektowaga, New York
   14227

If you are denied access to a record, you may appeal to the following person(s) or body:

Town Board of the
Town of Cheektowaga
Town Hall
Broadway and Union Road
Cheektowaga, New York
14227

PUBLISHED: April 9, 1981

Item No. 13 Motion by Councilman Wegner, seconded Unanimously

WHEREAS, it should be noted that due to political gerrymandering, the Town of Cheektowaga, the largest town in Erie County, has been split into six legislative districts, and

WHEREAS, only one County legislator now representing Cheektowaga resides within the Town and represents a district wholly situated within the Town, and

WHEREAS, unlike Cheektowaga, the towns of Amherst and Tonawanda have each had the benefit of being represented by three County legislators, and the Town of Hamburg by two County legislators that reside within these municipalities, and

WHEREAS, according to 1980 Unofficial Census Counts, if the twenty County legislative districts were to be retained or if the number of seats were to be reduced to nineteen, Cheektowaga would be entitled to two legislative districts whose majority are situated within the Town, and

WHEREAS, the seventeen County legislative district concept means less representation for the Town of Cheektowaga since under this plan the Town would be entitled to only 1.6 seats, and

WHEREAS, Cheektowaga deserves no less than full representation under the 1981 Erie County reapportionment plan, and

WHEREAS, the citizens of Cheektowaga are rightfully entitled to the opportunity to express their views on reapportionment and to be heard in an open public forum, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board does hereby go on record urging the Chairman and Majority Leader of the Erie County Legislature to open up the reapportionment process so as to permit full participation by Cheektowaga residents,and BE IT FURTHER

RESOLVED that the Cheektowaga Town Board does hereby express its opposition to the plan to eliminate three County legislative districts because it will provide less representation to the Town, and BE IT FURTHER

RESOLVED that this Honorable Body go on record in support of a reapportionment plan which will provide for two County legislative districts whose majority are situated within the Town, and BE IT FURTHER

RESOLVED that suitable copies of this resolution shall be forwarded to County Executive Rutkowski, Chairman Stanley Zagora and Majority Leader Ronald Bennett.

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

Item No. 14 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, a 1980 Plymouth automobile owned by the Town of Cheektowaga, and used and operated by the Town of Cheektowaga Police Department, was damaged in an automobile collision on December 21, 1980 through the culpable conduct of Frank J. Burns, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office, in conjunction with the Town Police Department, take whatever legal proceedings as may be necessary for the recovery of any and all damages sustained to the aforementioned Town vehicle.

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

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

WHEREAS, the Erie County Water Authority is planning on constructing a new water main along the north side of Clinton Street east of Harlem Road, and

WHEREAS, such water main construction will provide an opportunity for improvement of fire protection at this location, and

WHEREAS, the Board of Fire Commissioners of Doyle Fire District No. 2 have requested that a new hydrant be constructed on the north side of Clinton Street east of Harlem Road, NOW, THEREFORE, BE IT

RESOLVED, that the request of the Board of Fire Commissioners of Doyle Fire District No. 2 is approved and that the Erie County Water Authority is hereby requested to install a new hydrant on this north side of Clinton Street at the east entrance of the plaza, and, BE IT FURTHER

RESOLVED, that upon completion of said hydrant installation the presently used hydrant on the south side of Clinton Street shall be removed from the Doyle No. 2 service, and, BE IT FURTHER

RESOLVED, that the Town Clerk is directed to send a copy of this request to the Erie County Water Authority for appropriate action.

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

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

WHEREAS, the Cedargrove Heights area of the Town of Cheektowaga was designated as a neighborhood strategy area for improvements utilizing Community Development Block Grant Funds, AND

WHEREAS, this Town Board wants to proceed with the Stage II, Phase II improvements for said Cedargrove Heights area, NOW, THEREFORE, BE IT

RESOLVED, that the consulting firm of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202 is authorized to prepare plans and specifications and to map the entire Cedargrove Heights area, and BE IT FURTHER

RESOLVED, that the retainer fee to be charged and the scope of services to be provided shall be in accordance with the proposal submitted in their letter of April 2, 1981 to the Town Engineer, and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to sign said agreement on behalf of the Town of Cheektowaga.

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

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

WHEREAS, the consulting firm of McFarland-Johnson Engineers, Inc. have approved the following Change Order on the Chapel-Smith Drainage Project, Phase I, AND

WHEREAS, the scope of work in the Change Order is described in a letter from the Town Engineer dated March 27, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 3 on the Chapel-Smith Drainage Project, Phase I, in the sum of $10,159.00 as an addition to the contract of N.A.I. Construction Corporation be approved, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order No. 3 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—686-3448

March 27, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 3
Chapel-Smith Drainage
Project, Phase I

Gentlemen:

The consulting engineering firm of McFarland-Johnson Engineers, Inc. have recommended the processing of Change Order No. 3 for the Chapel-Smith Drainage Project, Phase I. Change Order No. 3 will bring the contract into conformance with the work actually accomplished to date balancing the increases and decreases of the contract quantities actually used for the drainage relief and road reconstruction. The cost breakdown for each item is documented in the Change Order on file in the Engineering Office.

Attached is a resolution for your consideration.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

William R. Pugh

BY: William R. Pugh
Sr. Engineer Assistant

CLB:WRP:dmr

9

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Item No. 17 Cont'd.

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

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

WHEREAS, the consulting firm of McFarland-Johnson Engineers, Inc. have approved the following Change Order for the Chapel Avenue Reconstruction Project, Phase II, AND

WHEREAS, the scope of work in the Change Order is described in a letter from the Town Engineer dated March 27, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 on the Chapel Avenue Reconstruction Project, Phase II, in the sum of $10,366.56 as an addition to the contract of Webber Trucking and Excavating Company be approved, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order No. 1 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—686-3448

March 27, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 1
Chapel Avenue Reconstruction
Phase II

Gentlemen:

The consulting engineering firm of McFarland-Johnson Engineers, Inc, have recommended the processing of Change Order No. 1 for the Chapel Avenue Reconstruction, Phase II. Change Order No. 1 will bring the contract into conformance with the work actually accomplished to date balancing the increases and decreases of the contract quantities actually used for the road reconstruction. The cost breakdown for each item is documented in the Change Order on file in the Engineering Office.

Change Order No. 1 also includes the additional work involved with the reconstruction of two (2) chambers. The plan as bid called for alteration of the existing chambers and installation of new frames. During the course of alteration it was determined that these chambers would have to be redesigned so as not to reduce the capacity of the existing storm drainage system. The itemized cost breakdown for work directly associated with the reconstruction of these two (2) chambers is also documented in the Change Order.

Attached is a resolution for your consideration.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

William R. Pugh

BY: William R. Pugh
Sr. Engineer Assistant

CLB:WRP:dmr

Item No. 18 Cont'd.

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

Item No. 19 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, Notice to Bidders was duly published for the receipt of bids for one (1) slope mower for the Town of Cheektowaga, AND

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

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

RESOLVED, that the contract for the furnishing of one (1) slope mower be awarded to Elliott & Hutchins, Inc., (Kut Kwik) 2311 Bullis Road, Elma, New York 14059 for submission of a bid price of $11,816.00 for one (1) slope mower, said bid being the lowest price meeting the requirements of the specifications.

*See next page for tabulation and report.

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3447

April 1, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Award of Bid for (1) Slope Mower

Gentlemen:

At the regular Town Board Meeting of March 16, 1981 bids were received and opened for the furnishing of one (1) slope mower to maintain the various creek banks and ditches throughout the Town.

Two (2) bids were received as follows:

Excel Hustler	$ 9,895.00
Kut Kwik	$11,816.00

These bids were reviewed by the Engineering Department. Although the bid for the Excel Hustler was the lowest, it did not meet several requirements of our specifications. The safety of the operator should also be considered, seeing that he would have to mow grass on steep slopes and rugged terrain where a tractor cannot go. Some drainage ditches have as much as a 40^{o} slope or more. The Excel Hustler has been known to tip over because of a slow-tilt cab reaction when turning.

The Kut Kwik was demonstrated on August 27, 1980 and found to have readily handled the steep slopes along the Scajaquada Creek Project. The operator purposely tried to tip the machine over and, the design of the Kut Kwik would not allow him to do so.

The Engineering Department, therefore, would recommend that the bid be awarded to Kut Kwik in the amount of $11,816.00 for one (1) slope mower on the basis of the above mentioned information.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

By Allan B. Blachowski
Allan B. Blachowski,
Engineering Aide

ABB:mjh

Item No. 19 Cont'd.

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

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, bids were duly received on March 2, 1981 as the result of advertisement, therefore, for the furnishing of maintenance chemicals for various Town of Cheektowaga requirements for the year of 1981, AND

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

WHEREAS, said Town Engineer has 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:

Supplies Unlimited	I	Deodorizer (liq.)	$ 3.72/gal.
561 Huth Road	II	Deodorizer (dry)	.65/lb.
Cheektowaga, New York 14225	IV	Degreaser	4.90/gal.
Thames Chemical Ltd.	III	Enzymes	2.75/lb.
3806 Union Road			
Cheektowaga, New York 14225			
Duke's Sales & Service	V	Vaporooter (San.)	45.75/gal.
1020 Hiawatha Blvd. W.	VI	Vaporooter (Storm)	38.00/gal.
Syracuse, New York 13204			

*See next two pages for tabulation and report.

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3447

April 1, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Maintenance Chemicals

Gentlemen:

At the regular Town Board Meeting of March 2, 1981 bids were received and opened for the furnishing of maintenance chemicals to meet the requirements of various departments for the year of 1981.

Five (5) bids were received as follows:

NAME	ITEM					
	I	II	III	IV	V	VI
Riverside Chemical	--	--	2.65	--	--	--
Zep Manufacturing	5.50	.69	3.46	6.92	--	--
Thames Chemicals	3.75	.70	2.75	5.35	--	--
Supplies Unlimited	3.72	.65	2.75	4.90	--	--
Duke's Sales & Service	--	--	--	--	45.75	38.00

Bids were reviewed with Fred Zalenski, Chief Operator of the Wastewater Treatment Plant No. 5. It was determined that Riverside Chemical Company, which bid low on Item III be rejected for not supplying proof that the product has been acceptable for over a period of two (2) years and no label has been supplied as per our specifications. The next lowest bidder for Item III was Thames Chemicals and Supplies Unlimited. This bid should be awarded to Thames Chemicals presently being used by the Town and meeting all requirements of the specifications.

SUPERVISOR & TOWN BOARD MEMBERS

April 1, 1981

RE: Maintenance Chemicals

It is, therefore, recommended that the bids be awarded as follows:

Supplies Unlimited 561 Huth Road Buffalo, New York 14225	I II IV	Deodorizer (liq.) Deodorizer (dry) Degreaser	$ 3.72/gal. .65/lb. 4.90/gal.
Thames Chemical Ltd. 3806 Union Road Cheektowaga, New York 14225	III	Enzymes	2.75/lb.
Duke's Sales & Service 1020 Hiawatha Blvd. W. Syracuse, New York 13204	V VI	Vaporooter (san.) Vaporooter (storm)	45.75/gal. 38.00/gal.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

By Allan B. Blachowski

Allan B. Blachowski,
Engineering Aide

ABB:mjh

Item No. 20 Cont'd.

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

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

WHEREAS, the Cheektowaga Facilities Department has received and reviewed Pool Maintenance Chemical bids as submitted at the Town Board Meeting of March 16, 1981, NOW, THEREFORE, BE IT

RESOLVED, that Russel B. Mason Co., Inc., 205 North Avenue, Webster, New York 14580 is hereby awarded the bid for Pool Maintenance Chemicals for the year, 1981, and, BE IT FURTHER

RESOLVED, that said award encompasses the following categories and items:

POOL MAINTENANCE CHEMICALS:

Category I

Item I - Bromine

Category II

Item II - Diatomaceous Earth
Item III - Sodium Bicarbonate
Item IV - Soda Ash

*See next page for tabulation of bids.

POOL MAINTENANCE CHEMICALS - 1981 SEASON

VENDOR	CATEGORY I ITEM I BROMINE	CATEGORY II ITEM II DIATOMACEOUS EARTH	CATEGORY II ITEM III SODIUM BICARBONATE	CATEGORY II ITEM IV SODA ASH
Russel B. Mason Co. Inc. 205 North Ave. Webster, N.Y. 14580	$1.98 per lb.	.19 per lb.	.21 per lb.	.18 per lb.
DeVass's Inc. Pool Supplies & Service 9518 Kosta Drive Cincinnati, Ohio 45231	$2.25 per lb.	No Bid	No Bid	No Bid
[illegible]ry Pools Sales & Service 9325 Main Street Clarence, New York 14031	$2.38 per lb.	.185 per lb.	.34 per lb.	.19 per lb.
Jones Chemicals Inc. 100 Sunny Sol Blvd. Caledonia, New York 14423	$2.53 per lb.	10.25 per #50 Bag .205 per lb.	$24.00 per #100 Bag .24 per lb.	$13.50 per #100 Bag .135 per lb.

Item No. 21 Cont'd.

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

Item No. 22 Motion by Councilman Rogowski, seconded by Councilman Johnson

WHEREAS, the Kennel Club of Buffalo, Inc. has requested permission from Facility Department Director, James J. Matecki, to utilize John C. Stiglmeier 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 May 31, 1981, 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 the John C. Stiglmeier Park, AND

WHEREAS, the primary purpose of said "Dog Show" is to afford the general public an opportunity to observe various Pedigree species, categorized and professionally judged, AND

WHEREAS, the Kennel Club of Buffalo, Inc. has submitted a Certificate of Insurance from the Agency of Gerstman & Gerstman, 1130 Rand Building, Buffalo, New York, agent for the Zurich Insurance Company, to insure: General Liability to include Bodily Injury Liability in the amount of $300,000 each occurrence and Property Liability in the amount of $50,000 each occurrence, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grants to the Kennel Club of Buffalo, Inc. exclusive use of the area known as Diamond Number One (1), Two (2) and Three (3); the Losson Community Center at John C. Stiglmeier Park on May 31, 1981, between the hours of 10:00 a.m. and 6:00 p.m. under the guidelines set forth within said resolution, and BE IT FURTHER

RESOLVED that copies of said resolution be directed to the Chief of Police, the Town Dog Control Officer, the Town Attorney, the Director of Facilities Department of the Town of Cheektowaga and the Director of the Recreation Department of the Town of Cheektowaga.

*See next few pages for copies of Insurance Papers.

Certificate of Insurance

ACORD

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

NAME AND ADDRESS OF AGENCY

Gerstman & Gerstman
1130 Rand Building
Buffalo,N.Y. 14203
PH 716 853 4440

NAME AND ADDRESS OF INSURED

Kennel Club of Buffalo,Inc.
159 David Avenue
Buffalo,N.Y. 14225

COMPANIES AFFORDING COVERAGES

COMPANY LETTER **A** Zurich Insurance Co..
COMPANY LETTER **B**
COMPANY LETTER **C**
COMPANY LETTER **D**
COMPANY LETTER **E**

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time.

COMPANY LETTER	TYPE OF INSURANCE	POLICY NUMBER	POLICY EXPIRATION DATE	Limits of Liability in Thousands (000)		
					EACH OCCURRENCE	AGGREGATE
	GENERAL LIABILITY	GA89 17 562	6/30/81	BODILY INJURY	$ 300	$ 300
	[X] COMPREHENSIVE FORM			PROPERTY DAMAGE	$ 50	$ 50
	[ ] PREMISES - OPERATIONS					
	[ ] EXPLOSION AND COLLAPSE HAZARD					
	[ ] UNDERGROUND HAZARD					
	[ ] PRODUCTS/COMPLETED OPERATIONS HAZARD			BODILY INJURY AND PROPERTY DAMAGE COMBINED	$	$
	[ ] CONTRACTUAL INSURANCE					
	[ ] BROAD FORM PROPERTY DAMAGE					
	[ ] INDEPENDENT CONTRACTORS					
	[ ] PERSONAL INJURY			PERSONAL INJURY		$
	AUTOMOBILE LIABILITY			BODILY INJURY (EACH PERSON)	$	
	[ ] COMPREHENSIVE FORM			BODILY INJURY (EACH OCCURRENCE)	$	
	[ ] OWNED			PROPERTY DAMAGE	$	
	[ ] HIRED			BODILY INJURY AND PROPERTY DAMAGE COMBINED	$	
	[ ] NON-OWNED					
	EXCESS LIABILITY			BODILY INJURY AND PROPERTY DAMAGE COMBINED	$	$
	[ ] UMBRELLA FORM					
	[ ] OTHER THAN UMBRELLA FORM					
	WORKERS' COMPENSATION and EMPLOYERS' LIABILITY			STATUTORY		
					$	(EACH ACCIDENT)
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES

ALL OPERATIONS IN THE STATE OF NEW YORK
(For May 31,1981)

Cancellation: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the below named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.

NAME AND ADDRESS OF CERTIFICATE HOLDER

TOWN OF CHEEKTOWAGA
CHEEKTOWAGA TOWN HALL
BROADWAY & UNION
BUFFALO, NEW YORK 14225

DATE ISSUED: March 12,1981

ZURICH-AMERICAN INS. COS.
2440 SHERIDAN DRIVE
TONAWANDA, NEW YORK 14150
AUTHORIZED REPRESENTATIVE
Hubert Gerstman-GERSTMAN &GERSTMAN

D 25 (Ed 2 77)

9 17 562 69-373

NEW REN.	RISK	DAC	PROD	TERM	RETRO	PAR	EXC	M.P.	INSTALL	AUDIT	ACCOUNT NO.	COMM. AUTO
X	5	1	-	12	9	9	9	99	0	4		

AGENCY NAME	BROKER OR SUB AGENT NAME	REN. OF	PERS.	DEV.	STATUS	FLEET	EXP.	SUB STD.	COMM. LIAB.
GERSTMAN & GERSTMAN		89-05-367	78						20%

GENERAL—AUTOMOBILE LIABILITY POLICY

Form JP6300 | **DECLARATIONS**

AUDIT

INSURANCE IS PROVIDED BY THE COMPANY DESIGNATED BELOW
(A stock insurance company, herein called the company)
111 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

CO. 1 [X] ZURICH INSURANCE COMPANY
CO. 3 [ ] AMERICAN GUARANTEE AND LIABILITY INSURANCE COMPANY

GA 89 17 562

m 1. Named Insured and Address: (No., Street, Town or City, County, State)

KENNEL CLUB OF BUFFALO, INC. C/O JOYCE GRADL
159 DAVID AVENUE
BUFFALO, ERIE CO., NEW YORK 14225

n 2. Policy Period: (Mo. Day Yr.)
6-30-80 to 6-30-81
2:01 A.M., standard time at the address of the named insured as stated herein.

Audit Period: Annual, unless otherwise stated.

Business of the named insured is: CLUB

named insured is: [ ] Individual [ ] Partnership [X] Corporation [ ] Joint Venture [ ] Other:

n 3. The insurance afforded is only with respect to the following Coverage Part(s) indicated by an "X" in [ ] or designated by Coverage Part Number(s) and to such of the following verages as are indicated by specific premium charge or charges. The limit of the company's liability against each such Coverage shall be as stated herein, or in each applicable verage Part, subject to all the terms of this policy having reference thereto.

Coverage Part(s)	[X] Comprehensive General Liability Insurance [ ] Completed Operations and Products Liability Insurance				[ ] Manufacturers' and Contractors' Liability Insurance [ ] Owners', Landlords' and Tenants' Liability Insurance†		
Coverage(s)	A – Bodily Injury Liability		B – Property Damage Liability		A – Bodily Injury Liability	B – Property Damage Liability	
Limits of Liability	each occurrence	aggregate	each occurrence	aggregate	each occurrence	each occurrence	aggregate†
	$ 300,000.	$ 300,000.	$ 50,000.	$ 50,000.	$	$	$
Advance Premium(s)	$ 166.		$ 27.		$	$	

†aggregate not applicable if Owners', Landlords' and Tenants' Liability Insurance excludes structural alterations, new construction and demolition.

Coverage Part(s)	[ ] Contractual Liability Insurance (Designated Contracts only)			[ ] Personal Injury Liability Insurance	[ ] Premises Medical Payments Insurance	
Coverage(s)	Y – Contractual Bodily Injury Liability	Z – Contractual Property Damage Liability		P – Personal Injury Liability Refer to Coverage Part for applicable Groups of Offenses covered.	E – Premises Medical Payments Refer to Coverage Part for applicable Coverages.	
Limits of Liability	each occurrence	each occurrence	aggregate	See Coverage Part for Limits of Liability	each person	each accident
	$	$	$		$	$
Advance Premium(s)	$	$		$ INCL.	$	

Coverage Part(s)	[ ] Comprehensive Personal Insurance		[ ] Farmer's Comprehensive Personal Insurance		
Coverage(s)	L – Personal Liability	M – Personal Medical Payments	N – Physical Damage to Property	O – Animal Collision (applies only to Farmer's Comprehensive Personal Insurance)	Additional Charges Coverages L and M
Limits of Liability	See Coverage Part for Limits of Liability		See Coverage Part Schedule for Limits of Liability		X X X
				$	$

Coverage Part(s)	[ ] Comprehensive Automobile Liability Insurance			[ ] Automobile Medical Payments Insurance	[ ] Uninsured Motorists Insurance
Coverage(s)	C – Bodily Injury Liability		D – Property Damage Liability	F – Automobile Medical Payments	U – Uninsured Motorists
Limits of Liability	each person	each occurrence	each occurrence	each person	See Endorsement
	$	$	$	$	
Advance Premium(s)	$		$	$	$

(Refer to the following designated Coverage Part(s) for Coverages and Limits of Liability afforded thereunder.)

Coverage Part(s) and Coverage Part No(s).		Advance Premium(s)	Coverage Part(s) and Coverage Part No(s).		Advance Premium(s)
Automobile Physical Damage Insurance	[ ]	$	Storekeeper's Insurance	[ ]	$
Basic Automobile Liability Insurance	[ ]	$	ADDITIONAL INSURED L9109	[X]	$ INCL.
Garage Insurance	[ ]	$		[ ]	$
Farmer's and Contractor's Protective Liability Insurance	[ ]	$		[ ]	$
				[ ]	$

Form numbers of other Coverage Parts and of endorsements attached at issue

G-610, L9109, L9288, G-604, G-101, G-330, L9235, L6128 Advance Premium $ 193.

Advance Premium for this policy. $ 193.	*If the Policy Period is more than one year and the premium is to be paid in installments, premium is payable on:			
	$ Effective Date	$ 1st Anniversary	$ 2nd Anniversary	

6-17-80 LAH LI RBR

Countersigned: By
Applicable in Texas Authorized Representative

(2)X-F Ptd. in U.S.A. THIS PART B, WITH "POLICY PROVISIONS—PART A", AND COVERAGE PART(S) AND ENDORSEMENT(S), (IF ANY), ISSUED TO FORM A PART THEREOF, COMPLETES THE ABOVE NUMBERED POLICY

COVERAGE PART

L 9259a
(Ed. 1-73)

COMPREHENSIVE GENERAL LIABILITY INSURANCE

For attachment to Policy No. 89-17-562, to complete said policy.

ADDITIONAL DECLARATIONS

Location of all premises owned by, rented to or controlled by the **named insured** (ENTER "SAME" IF SAME LOCATION AS ADDRESS SHOWN IN ITEM 1 OF DECLARATIONS)

1) TN OF CHEEKTOWAGA, TOWN PARK 2) COUNTY FAIR GROUNDS, HAMBURG, NY

Interest of **named insured** in such premises (CHECK BELOW)

☐ Owner ☐ General Lessee ☐ Tenant ☐ Other _____

Part occupied by **named insured** (ENTER BELOW)

The following discloses all hazards insured hereunder known to exist at the effective date of this policy, unless otherwise stated herein.

SCHEDULE

General Liability Hazards

Description of Hazards	Code No.	Premium Bases	Rates B.I.	Rates P.D.	Advance Premiums Bodily Injury	Advance Premiums Property Damage
Premises - Operations DOG CLUBS RATED AS: CLUBS-FRATERNAL INCLUDING TWO DOG SHOWS NO BUILDINGS OR PREMISES OWNED OR LEASED EXCEPT FOR OFFICE PURPOSES INCLUDING COMPLETED OPERATIONS	86415	FLAT CHARGE			166.	27.
		(a) Area (Sq. Ft.) (b) Frontage (c) Remuneration (d) Receipts (e) Units (f) Admissions	(a) Per 100 Sq. Ft. of Area (b) Per Linear Foot (c) Per $100 of Remuneration (d) Per $100 of Receipts (e) Per Unit (f) Per 100 Admissions			
Escalators (Number at Premises) NONE		Number Insured	Per Landing			
Independent Contractors IF ANY		Cost	Per $100 of Cost			
Completed Operations INCLUDED AS PER FORM L6128		(a) Receipts	(a) Per $1,000 of Receipts			
Products		(b) Sales	(b) Per $1,000 of Sales			
			Total Advance B.I. and P.D. Premiums		$ 166.	$ 27.

When used as a premium basis:

1. "admissions" means the total number of persons, other than employees of the **named insured**, admitted to the event insured or to events conducted on the premises whether on paid admission tickets, complimentary tickets or passes;
2. "**cost**" means the total cost to the **named insured** with respect to operations performed for the **named insured** during the policy period by independent contractors of all work let or sub-let in connection with each specific project, including the cost of all labor, materials and equipment furnished, used or delivered for use in the execution of such work, whether furnished by the owner, contractor or subcontractor, including all fees, allowances, bonuses or commissions made, paid or due;
3. "**receipts**" means the gross amount of money charged by the **named insured** for such operations by the **named insured** or by others during the policy period as are rated on a receipts basis other than receipts from telecasting, broadcasting or motion pictures, and includes taxes, other than taxes which the **named insured** collects as a separate item and remits directly to a governmental division;
4. "**remuneration**" means the entire remuneration earned during the policy period by proprietors and by all employees of the **named insured**, other than chauffeurs (except operators of mobile equipment) and aircraft pilots and co-pilots, subject to any overtime earnings or limitation of remuneration rule applicable in accordance with the manuals in use by the company;
5. "**sales**" means the gross amount of money charged by the **named insured** or by others trading under his name for all goods and products sold or distributed during the policy period and charged during the policy period for installation, servicing or repair, and includes taxes, other than taxes which the **named insured** and such others collect as a separate item and remit directly to a governmental division.

(over)

COVERAGE PART

PERSONAL INJURY LIABILITY INSURANCE

L 9288
(Ed. 1-73)

For attachment to Policy No. 89-17-562, to complete said policy.

SCHEDULE

Coverage	Limits of Liability	
P—Personal Injury Liability	300 thousand dollars aggregate	0 % Insured's Participation

The insurance afforded is only with respect to **personal injury** arising out of an offense included within such of the following groups of offenses as are indicated by specific premium charge or charges.

Groups of Offenses	Advance Premiums
A. False Arrest, Detention or Imprisonment, or Malicious Prosecution	$ INCL.
B. Libel, Slander, Defamation or Violation of Right of Privacy	$ INCL.
C. Wrongful Entry or Eviction or Other Invasion of Right of Private Occupancy	$ INCL.
Form numbers of endorsements attached at issue	$
	Total Advance Premium $ INCL.
	Minimum Premium $ N/A

I. COVERAGE P—PERSONAL INJURY LIABILITY

The company will pay on behalf of the **insured** all sums which the **insured** shall become legally obligated to pay as **damages** because of injury (herein called **"personal injury"**) sustained by any person or organization and arising out of one or more of the following offenses committed in the conduct of the **named insured's** business:

Group A—false arrest, detention or imprisonment, or malicious prosecution;

Group B—the publication or utterance of a libel or slander or of other defamatory or disparaging material, or a publication or utterance in violation of an individual's right of privacy; except publications or utterances in the course of or related to advertising, broadcasting or telecasting activities conducted by or on behalf of the **named insured**;

Group C—wrongful entry or eviction, or other invasion of the right of private occupancy;

If such offense is committed during the policy period within the United States of America, its territories or possessions, or Canada, and the company shall have the right and duty to defend any suit against the **insured** seeking **damages** on account of such **personal injury** even if any of the allegations of the suit are groundless, false or fraudulent, and may make such investigation and settlement of any claim or suit as it deems expedient, but the company shall not be obligated to pay any claim or judgment or to defend any suit after the applicable limit of the company's liability has been exhausted by payment of judgments or settlements.

Exclusions

This insurance does not apply:

(a) to liability assumed by the **insured** under any contract or agreement;

(b) to **personal injury** arising out of the wilful violation of a penal statute or ordinance committed by or with the knowledge or consent of any **insured**;

(c) to **personal injury** sustained by any person as a result of an offense directly or indirectly related to the employment of such person by the **named insured**;

(d) to **personal injury** arising out of any publication or utterance described in Group B, if the first injurious publication or utterance of the same or similar material by or on behalf of the **named insured** was made prior to the effective date of this insurance;

(e) to **personal injury** arising out of a publication or utterance described in Group B concerning any organization or business enterprise, or its products or services, made by or at the direction of any **insured** with knowledge of the falsity thereof.

II. PERSONS INSURED

Each of the following is an **insured** under this insurance to the extent set forth below:

(a) if the **named insured** is designated in the declarations as an individual, the person so designated and his spouse;

(b) if the **named insured** is designated in the declarations as a partnership or joint venture, the partnership or joint venture so designated and any partner or member thereof but only with respect to his liability as such;

(c) if the **named insured** is designated in the declarations as other than an individual, partnership or joint venture, the organization so designated and any executive officer, director or stockholder thereof while acting within the scope of his duties as such.

This insurance does not apply to **personal injury** arising out of the conduct of any partnership or joint venture of which the **insured** is a partner or member and which is not designated in this policy as a **named insured**.

III. LIMITS OF LIABILITY; INSURED'S PARTICIPATION

Regardless of the number of (1) **insureds** under this policy, (2) persons or organizations who sustain **personal injury**, or (3) claims made or suits brought on account of **personal injury**, the total limit of the company's liability under this coverage for all **damages** shall not exceed the limit of **personal injury** liability stated in the schedule as "aggregate".

If a participation percentage is stated in the schedule for the **insured**, the company shall not be liable for a greater proportion of any loss than the difference between such percentage and one hundred percent and the balance of the loss shall be borne by the **insured**; provided, the company may pay the **insured's** portion of a loss to effect settlement of the loss, and, upon notification of the action taken, the **named insured** shall promptly reimburse the company therefor.

IV. ADDITIONAL DEFINITION

When used in reference to this insurance:

"**damages**" means only those damages which are payable because of **personal injury** arising out of an offense to which this insurance applies.

AUTHENTIC

I. COVERAGE A—BODILY INJURY LIABILITY
COVERAGE B—PROPERTY DAMAGE LIABILITY

The company will pay on behalf of the **insured** all sums which the **insured** shall become legally obligated to pay as damages because of

A. **bodily injury** or

B. **property damage**

to which this insurance applies, caused by an **occurrence**, and the company shall have the right and duty to defend any suit against the **insured** seeking damages on account of such **bodily injury** or **property damage**, even if any of the allegations of the suit are groundless, false or fraudulent, and may make such investigation and settlement of any claim or suit as it deems expedient, but the company shall not be obligated to pay any claim or judgment or to defend any suit after the applicable limit of the company's liability has been exhausted by payment of judgments or settlements.

Exclusions

This insurance does not apply:

(a) to liability assumed by the **insured** under any contract or agreement except an incidental contract; but this exclusion does not apply to a warranty of fitness or quality of the **named insured's products** or a warranty that work performed by or on behalf of the **named insured** will be done in a workmanlike manner;

(b) to **bodily injury** or **property damage** arising out of the ownership, maintenance, operation, use, loading or unloading of

(1) any **automobile** or aircraft owned or operated by or rented or loaned to any **insured**, or

(2) any other **automobile** or aircraft operated by any person in the course of his employment by any **insured**;

but this exclusion does not apply to the parking of an **automobile** on premises owned by, rented to or controlled by the **named insured** or the ways immediately adjoining, if such **automobile** is not owned by or rented or loaned to any **insured**;

(c) to **bodily injury** or **property damage** arising out of (1) the ownership, maintenance, operation, use, loading or unloading of any **mobile equipment** while being used in any prearranged or organized racing, speed or demolition contest or in any stunting activity or in practice or preparation for any such contest or activity or (2) the operation or use of any snowmobile or trailer designed for use therewith;

(d) to **bodily injury** or **property damage** arising out of and in the course of the transportation of **mobile equipment** by an **automobile** owned or operated by or rented or loaned to any **insured**;

(e) to **bodily injury** or **property damage** arising out of the ownership, maintenance, operation, use, loading or unloading of

(1) any watercraft owned or operated by or rented or loaned to any **insured**, or

(2) any other watercraft operated by any person in the course of his employment by any **insured**;

but this exclusion does not apply to watercraft while ashore on premises owned by, rented to or controlled by the **named insured**;

(f) to **bodily injury** or **property damage** arising out of the discharge, dispersal, release or escape of smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquids or gases, waste materials or other irritants, contaminants or pollutants into or upon land, the atmosphere or any water course or body of water; but this exclusion does not apply if such discharge, dispersal, release or escape is sudden and accidental;

(g) to **bodily injury** or **property damage** due to war, whether or not declared, civil war, insurrection, rebellion or revolution or to any act or condition incident to any of the foregoing, with respect to

(1) liability assumed by the **insured** under an **incidental contract**, or

(2) expenses for first aid under the Supplementary Payments provision;

(h) to **bodily injury** or **property damage** for which the **insured** or his indemnitee may be held liable

(1) as a person or organization engaged in the business of manufacturing, distributing, selling or serving alcoholic beverages, or

(2) if not so engaged, as an owner or lessor of premises used for such purposes,

if such liability is imposed

(i) by, or because of the violation of, any statute, ordinance or regulation pertaining to the sale, gift, distribution or use of any alcoholic beverage, or

(ii) by reason of the selling, serving or giving of any alcoholic beverage to a minor or to a person under the influence of alcohol or which causes or contributes to the intoxication of any person;

but part (ii) of this exclusion does not apply with respect to liability of the **insured** or his indemnitee as an owner or lessor described in (2) above;

to any obligation for which the **insured** or any carrier as his insurer may be held liable under any workmen's compensation, unemployment compensation or disability benefits law, or under any similar law;

to **bodily injury** to any employee of the **insured** arising out of and in the course of his employment by the **insured** or to any obligation of the **insured** to indemnify another because of damages arising out of such injury; but this exclusion does not apply to liability assumed by the **insured** under an **incidental contract**;

to **property damage** to

(1) property owned or occupied by or rented to the **insured**,

(2) property used by the **insured**, or

(3) property in the care, custody or control of the **insured** or as to which the **insured** is for any purpose exercising physical control;

but parts (2) and (3) of this exclusion do not apply with respect to liability under a written sidetrack agreement and part (3) of this exclusion does not apply with respect to **property damage** (other than to **elevators**) arising out of the use of an **elevator** at premises owned by, rented to or controlled by the **named insured**;

to **property damage** to premises alienated by the **named insured** arising out of such premises or any part thereof;

to loss of use of tangible property which has not been physically injured or destroyed resulting from

(1) a delay in or lack of performance by or on behalf of the **named insured** of any contract or agreement, or

(2) the failure of the **named insured's products** or work performed by or on behalf of the **named insured** to meet the level of performance, quality, fitness or durability warranted or represented by the **named insured**;

but this exclusion does not apply to loss of use of other tangible property resulting from the sudden and accidental physical injury to or destruction of the **named insured's products** or work performed by or on behalf of the **named insured** after such products or work have been put to use by any person or organization other than an **insured**;

(n) to **property damage** to the **named insured's products** arising out of such products or any part of such products;

(o) to **property damage** to work performed by or on behalf of the **named insured** arising out of the work or any portion thereof, or out of materials, parts or equipment furnished in connection therewith;

(p) to damages claimed for the withdrawal, inspection, repair, replacement, or loss of use of the **named insured's products** or work completed by or for the **named insured** or of any property of which such products or work form a part, if such products, work or property are withdrawn from the market or from use because of any known or suspected defect or deficiency therein;

(q) to **property damage** included within

(1) the **explosion hazard** in connection with operations identified in this policy by a classification code number which includes the symbol "x",

(2) the **collapse hazard** in connection with operations identified in this policy by a classification code number which includes the symbol "c",

(3) the **underground property damage hazard** in connection with operations identified in this policy by a classification code number which includes the symbol "u".

II. PERSONS INSURED

Each of the following is an **insured** under this insurance to the extent set forth below:

(a) if the **named insured** is designated in the declarations as an individual, the person so designated but only with respect to the conduct of a business of which he is the sole proprietor, and the spouse of the **named insured** with respect to the conduct of such a business;

(b) if the **named insured** is designated in the declarations as a partnership or joint venture, the partnership or joint venture so designated and any partner or member thereof but only with respect to his liability as such;

(c) if the **named insured** is designated in the declarations as other than an individual, partnership or joint venture, the organization so designated and any executive officer, director or stockholder thereof while acting within the scope of his duties as such;

(d) any person (other than an employee of the **named insured**) or organization while acting as real estate manager for the **named insured**; and

(e) with respect to the operation, for the purpose of locomotion upon a public highway, of **mobile equipment** registered under any motor vehicle registration law,

(i) an employee of the **named insured** while operating any such equipment in the course of his employment, and

(ii) any other person while operating with the permission of the **named insured** any such equipment registered in the name of the **named insured** and any person or organization legally responsible for such operation, but only if there is no other valid and collectible insurance available, either on a primary or excess basis, to such person or organization;

provided that no person or organization shall be an **insured** under this paragraph (e) with respect to:

(1) **bodily injury** to any fellow employee of such person injured in the course of his employment, or

(2) **property damage** to property owned by, rented to, in charge of or occupied by the **named insured** or the employer of any person described in subparagraph (ii).

This insurance does not apply to **bodily injury** or **property damage** arising out of the conduct of any partnership or joint venture of which the **insured** is a partner or member and which is not designated in this policy as a **named insured**.

III. LIMITS OF LIABILITY

Regardless of the number of (1) **insureds** under this policy, (2) persons or organizations who sustain **bodily injury** or **property damage**, or (3) claims made or suits brought on account of **bodily injury** or **property damage**, the company's liability is limited as follows:

Coverage A—The total liability of the company for all damages, including damages for care and loss of services, because of **bodily injury** sustained by one or more persons as the result of any one **occurrence** shall not exceed the limit of **bodily injury** liability stated in the declarations as applicable to "each **occurrence**".

Subject to the above provision respecting "each **occurrence**", the total liability of the company for all damages because of (1) all **bodily injury** included within the **completed operations hazard** and (2) all **bodily injury** included within the **products hazard** shall not exceed the limit of **bodily injury** liability stated in the declarations as "aggregate".

Coverage B—The total liability of the company for all damages because of all **property damage** sustained by one or more persons or organizations as the result of any one **occurrence** shall not exceed the limit of **property damage** liability stated in the declarations as applicable to "each **occurrence**".

Subject to the above provision respecting "each **occurrence**", the total liability of the company for all damages because of all **property damage** to which this coverage applies and described in any of the numbered subparagraphs below shall not exceed the limit of **property damage** liability stated in the declarations as "aggregate":

(1) all **property damage** arising out of premises or operations rated on a remuneration basis or contractor's equipment rated on a receipts basis, including **property damage** for which liability is assumed under any **incidental contract** relating to such premises or operations, but excluding **property damage** included in subparagraph (2) below;

(2) all **property damage** arising out of and occurring in the course of operations performed for the **named insured** by independent contractors and general supervision thereof by the **named insured**, including any such **property damage** for which liability is assumed under any **incidental contract** relating to such operations, but this subparagraph (2) does not include **property damage** arising out of maintenance or repairs at premises owned by or rented to the **named insured** or structural alterations at such premises which do not involve changing the size of or moving buildings or other structures;

(3) all **property damage** included within the **products hazard** and all **property damage** included within the **completed operations hazard**.

Such aggregate limit shall apply separately to the **property damage** described in subparagraphs (1), (2) and (3) above, and under subparagraphs (1) and (2), separately with respect to each project away from premises owned by or rented to the **named insured**.

Coverages A and B—For the purpose of determining the limit of the company's liability, all **bodily injury** and **property damage** arising out of continuous or repeated exposure to substantially the same general conditions shall be considered as arising out of one **occurrence**.

IV. POLICY TERRITORY

This insurance applies only to **bodily injury** or **property damage** which occurs within the policy territory.

AUTHENTICATED

G604
(Ed. 7-66)

This endorsement forms a part of the policy to which attached, effective on the inception date of the policy unless otherwise stated herein.

(The following information is required only when this endorsement is issued subsequent to preparation of policy.)

Endorsement effective 6-30-80 Policy No. 89-17-562 Endorsement No.

Named Insured KENNEL CLUB OF BUFFALO, INC. ETAL.

Additional Premium $ _____ Countersigned by _____
(Authorized Representative)

This endorsement modifies such insurance as is afforded by the provisions of the policy relating to the following:

COMPREHENSIVE GENERAL LIABILITY INSURANCE
MANUFACTURERS AND CONTRACTORS LIABILITY INSURANCE
OWNERS AND CONTRACTORS PROTECTIVE LIABILITY INSURANCE
OWNERS, LANDLORDS AND TENANTS LIABILITY INSURANCE
SMP LIABILITY INSURANCE

DEDUCTIBLE LIABILITY INSURANCE

It is agreed that:

1. The company's obligation under the Bodily Injury Liability and Property Damage Liability Coverages to pay **damages** on behalf of the **insured** applies only to the amount of **damages** in excess of any deductible amounts stated in the schedule below as applicable to such coverages.
2. The deductible amounts stated in the schedule apply as follows:
   (a) **PER CLAIM BASIS**—If the deductible is on a "per claim" basis, the deductible amount applies under the Bodily Injury Liability or Property Damage Liability Coverage, respectively, to all **damages** because of **bodily injury** sustained by one person, or to all **property damage** sustained by one person or organization, as the result of any one **occurrence**.
   (b) **PER OCCURRENCE BASIS**—If the deductible is on a "per **occurrence**" basis, the deductible amount applies under the Bodily Injury Liability or Property Damage Liability Coverage, respectively, to all **damages** because of all **bodily injury** or **property damage** as the result of any one **occurrence**.
3. The terms of the policy, including those with respect to (a) the company's rights and duties with respect to the defense of suits and (b) the **insured's** duties in the event of an **occurrence** apply irrespective of the application of the deductible amount.
4. The company may pay any part or all of the deductible amount to effect settlement of any claim or suit and, upon notification of the action taken, the named insured shall promptly reimburse the company for such part of the deductible amount as has been paid by the company.

SCHEDULE

Coverage	Amount and Basis of Deductible	
Bodily Injury Liability	$ 100.	per claim
	$ 100.	per occurrence
Property Damage Liability	$	per claim
	$	per occurrence

APPLICATION OF ENDORSEMENT (Enter here any limitations on the application of this endorsement. If no limitation is entered, the deductibles apply to all loss however caused):—

G610
(Ed. 7-66)

This endorsement forms a part of the policy to which attached, effective on the inception date of the policy unless otherwise stated herein.

(The following information is required only when this endorsement is issued subsequent to preparation of policy.)

Endorsement effective 6-30-80 Policy No. 89-17-562 Endorsement No.

Named Insured KENNEL CLUB OF BUFFALO, INC. ETAL.

Countersigned by _____
(Authorized Representative)

This endorsement modifies such insurance as is afforded by the provisions of the policy relating to the following:

COMPREHENSIVE GENERAL LIABILITY INSURANCE
MANUFACTURERS AND CONTRACTORS LIABILITY INSURANCE
OWNERS, LANDLORDS AND TENANTS LIABILITY INSURANCE

PRODUCTS HAZARD EXCEPTIONS

It is agreed that the **products hazard** does not include **bodily injury** or **property damage** arising out of the **named insured's products** manufactured, sold, handled or distributed in connection with (1) the use of any premises described in this endorsement, owned by or rented to the **named insured** or (2) any operation, described in this endorsement, conducted by or on behalf of the **named insured.**

Description of Premises and Operations: CODE NO. 86415

G610 (Ed. 7-66)

(The Attaching Clause need be c...pleted only when this endorsement is issued subsequent to pr...ation of the policy.)

TY

GL 20 11 (Ed. 07 66)
G 109

L 9109
(Ed. 7-66)

ADDITIONAL INSURED

(Premises Leased to the Named Insured)

This endorsement modifies such insurance as is afforded by the provisions of the policy relating to the following:

COMPREHENSIVE GENERAL LIABILITY INSURANCE
MANUFACTURERS' AND CONTRACTORS' LIABILITY INSURANCE
OWNERS', LANDLORDS' AND TENANTS' LIABILITY INSURANCE
STOREKEEPER'S INSURANCE

ndorsement, effective 6-30-80 (12:01 A. M., standard time) , forms a part of policy No. 89-17-562

to KENNEL CLUB OF BUFFALO, INC. ETAL.

ZURICH INSURANCE CO.

.....
Authorized Representative

SCHEDULE

Premiums Bodily Injury Liability	Premiums Property Damage Liability	Designation of Premises (Part Leased to Named Insured)	Name of Person or Organization (Additional Insured)
INCL.	INCL.	AS REQUIRED	OWNER OF PREMISES

reed that the "Persons Insured" provision is amended to include as an **insured** the person or organization designated above, but only with respect ity arising out of the ownership, maintenance or use of that part of the premises designated above leased to the **named insured**, and subject to wing additional exclusions:

rance does not apply:

any **occurrence** which takes place after the **named insured** ceases to be a tenant in said premises;

structural alterations, new construction or demolition operations performed by or on behalf of the person or organization designated above.

NTIC

G101-1
(Ed. 7-66)

This endorsement forms a part of the policy to which attached, effective on the inception date of the policy unless otherwise stated herein.

(The following information is required only when this endorsement is issued subsequent to preparation of policy.)

Endorsement effective 6-30-80 Policy No. 89-17-562 Endorsement No.

Named Insured KENNEL CLUB OF BUFFALO, INC. ETAL.

Countersigned by _____
(Authorized Representative)

This endorsement modifies such insurance as is afforded by the provisions of the policy relating to the following:

COMPREHENSIVE GENERAL LIABILITY INSURANCE
OWNERS, LANDLORDS AND TENANTS LIABILITY INSURANCE

ADDITIONAL INSURED

(Club Members—Civic, Fraternal, Luncheon, Service or Social)

It is agreed that the "Person Insured" provision is amended to include as an insured any member of the named insured but only with respect to his liability for activities of the named insured or activities performed by such member on behalf of the named insured.

Item No. 22 Cont'd.

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

Item No. 23 Motion by Councilman Rogowski, seconded by Councilman Johnson

WHEREAS, through prior Town Board Resolution, permission has been granted to the Kennel Club of Buffalo, Inc. to conduct a "Dog Show" at John C. Stiglmeier Park on May 31, 1981, between the hours of 10:00 a.m. and 6:00 p.m., 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

WHEREAS, only duly authorized Kennel Club of Buffalo, Inc. members and registered entrants shall be allowed to occupy the grounds of the John C. Stiglmeier 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, Inc., its membership and registrants on May 31, 1981, between the hours of 10:00 a.m. and 6:00 p.m., and BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, Inc., its membership and registrants shall comply with the Code of the Town of Cheektowaga, Chapter 21, amended in its entirety on February 2, 1976, and BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, Inc., 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 Owner's 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 Offenses, and BE IT FURTHER

RESOLVED that copies of said resolution be directed to the Chief of Police, the Town Dog Control Officer, the Town Attorney, the Director of the Facilities Department of the Town of Cheektowaga and the Director of the Recreation Department of the Town of Cheektowaga.

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

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

BE IT RESOLVED that New York State Electric and Gas Corporation be and hereby is authorized to install one (1) - 5800 lumen high pressure sodium lamp on Eden Lane, in the Town of Cheektowaga, at an annual increase to the General Lighting District of $48.00, in accordance with the attached proposal, which is hereby made a part of this resolution.

*See next page for copy of street lighting proposal.

March 26, 1981

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Eden Lane

Install 1 - 5800 lumen HPS lamp @ $48.00 ea. -------- $ 48.00
(P-13 / L-2201)

TOTAL ANNUAL INCREASE ---- $ 48.00

NEW YORK STATE ELECTRIC & GAS CORPORATION

Item No. 24 Cont'd.

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

Item No. 25 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the position of Senior Engineer Assistant in the Engineering Department has previously been created, and

WHEREAS, Alan B. Blachowski, presently employed in the Engineering Department under the title of Engineering Aide, appears on the current Erie County Civil Service List of eligibles for the position of Senior Engineer Assistant, NOW, THEREFORE, BE IT

RESOLVED that Alan B. Blachowski, be and hereby is promoted to the position of Senior Engineer Assistant, at a salary in accordance with the current bargaining agreement presently in effect between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment effective immediately.

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

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

WHEREAS, a vacancy exists in the Justice Department for the position of Clerk-Typist, and

WHEREAS, this vacancy has been properly posted in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, Barbara Kominiarek of Cheektowaga, New York, appears first on the current list of eligibles from the Erie County Department of Personnel as a result of a recent Clerk-Typist examination, NOW, THEREFORE, BE IT

RESOLVED that Barbara Kominiarek, having bid on the above vacancy, be and hereby is appointed to the position of Clerk-Typist in the Justice Department, at a salary in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment being effective April 7, 1981.

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

Item No. 27 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, a temporary Clerk-Typist position exists in the Assessor's Office due to a leave of absence, and

WHEREAS, the current Erie County Civil Service List of eligibles for the position of Clerk-Typist has been canvassed, and interviews conducted for this temporary position, NOW, THEREFORE, BE IT

RESOLVED that Sherry L. Witt, of Cheektowaga, New York, whose name appears on the above mentioned Civil Service List, be and hereby is appointed to the temporary position of Clerk-Typist in the Assessor's Office, said appointment effective Tuesday, April 7, 1981, and BE IT FURTHER

RESOLVED that the above shall be compensated in accordance with the current bargaining agreement presently in effect between the Town of Cheek-

Item No. 27 Cont'd.

towaga and the Cheektowaga Employees Association.

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

Item No. 28 Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that the following individuals are hereby appointed to the seasonal positions listed in the Sewer Maintenance and Sewage Treatment Plant Departments; to be called as needed by the Department Head:

Sewer Maintenance - at $3.10 per hour

Robert F. Ruggiero

Cheektowaga, New York

Thomas Leszkowicz

Cheektowaga, New York

Sewage Treatment Plant (Sludge Removal Laborers) - at $32.00 per day

Kenneth R. Wagner

Cheektowaga, New York

David Burgasser

Cheektowaga, New York

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

Item No. 29 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that Walter Wolniewicz, residing at Cheektowaga, New York 14227, be and hereby is reappointed to the Cheektowaga Planning Commission, said appointment retroactive to February 1, 1981 and term to expire on February 1, 1988.

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

Item No. 30 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that the individuals listed below, be hereby terminated as participants of the Youth Community Conservation and Improvement Project (YCCIP), effective Monday, March 30, 1981:

--Bruce A. Degen

Cheektowaga, New York 14227

Item No. 30 Cont'd.

--Joseph Ruhlmann

Cheektowaga, New York 14227

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

Item No. 31 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Cheektowaga Youth Bureau has been designated a recipient of federal funds to conduct a Youth Community Conservation and Improvement Project, (YCCIP), and

WHEREAS, the YCCIP is a Title IV program of the Manpower Administration, with the purpose of providing employment and training to young adults, ages 16 through 19, who are unemployed, economically disadvantaged and have dropped out of school, and

WHEREAS, funds for this action are available from the YCCIP budget line number A.6260.100, i.e. participant wages, NOW, THEREFORE, BE IT

RESOLVED that the below listed individuals be hired to participate in said program at the rate of $3.35 per hour, the current minimum wage:

--Michael Cross

Cheektowaga, New York 14225

--Mark Dlugosz

Cheektowaga, New York 14206

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

_____
WILLIAM L. WIELINSKI

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

Item No. 32 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Cheektowaga Youth Bureau is a recipient of federal funds to conduct a U.S. Youth Conservation Corps Program this summer, and

WHEREAS, an environmental awareness program is a requirement of the grant proposal, necessitating the need for a seasonal coordinator of the environmental awareness activities, and

WHEREAS, funds for this action are available from the YCC budget line number, A.7310.161, supervisory staff salaries, NOW, THEREFORE, BE IT

RESOLVED that the following individual be hired in the aforementioned position, at the rate of $6.50 per hour:

--Roger J. Newhouse

Cheektowaga, New York 14227

Item No. 32 Cont'd.

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

WILLIAM L. WIELINSKI

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

Item No. 33 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Robert Fissler of , Cheektowaga, New York 14225, an employee in the Town's Central Garage, has applied and been accepted for Ordinary Disability Retirement under the New York State Employees' Retirement System, AND

WHEREAS, the above said employee is on six (6) month leave of absence without pay due to this disability, AND

WHEREAS, the Town must terminate the above employee due to notification from the State, NOW, THEREFORE, BE IT

RESOLVED that Robert Fissler be terminated and be it hereby adopted by the Town Board, effective March 31, 1981.

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

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

WHEREAS, the Finger Lakes Building Officials Association is sponsoring the Sixth Annual Building Officials School, to be held on April 27, 28 and 29, 1981 at the Trenholm East Inn, Victor, New York, and

WHEREAS, Ronald Marten, Town Building and Plumbing Inspector, has requested permission to attend the above school which will offer a variety of work sessions relating to SEQR laws, code enforcement, code update, fire prevention inspection, community rehabilitation, etc., NOW, THEREFORE, BE IT

RESOLVED that Ronald Marten, be and hereby is authorized to attend the Sixth Annual Building Officials School, April 27, 28 and 29, 1981, in Victor, New York, at a cost not to exceed $75.00; and BE IT FURTHER

RESOLVED that Ronald Marten is hereby granted permission to have the use of a Town vehicle for attendance at the School.

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

Item No. 35 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, be granted a leave of absence from June 7th, 1981 through June 19th, 1981 to attend active duty training with the United States Army Reserve at Fort Belvoir, Virginia.

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

Item No. 36 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Town is in need of completing various drainage projects, AND

WHEREAS, the Town Engineer has supplied the estimated costs allocated for each drainage project, AND

WHEREAS, funds are available from the Federal Revenue Sharing, NOW, THEREFORE, BE IT

RESOLVED that the $65,685.00 lump sum appropriation be allocated as follows:

TO:	FRS 8540.416	Chapel Avenue	$ 4,500.00
	FRS 8540.428	Slate Bottom Creek Tributary	9,300.00
	FRS 8540.429	Scajaquada Creek	9,500.00
	FRS 8540.430	U-Crest Ditch	1,785.00
	FRS 8540.431	Jane Drive	1,400.00
	FRS 8540.432	Sandra-Rogers Drive	2,450.00
	FRS 8540.433	Lucille-Heminway	1,450.00
	FRS 8540.434	Harlem Road	1,100.00
	FRS 8540.435	Flaczek Avenue	12,000.00
	FRS 8540.436	Crescent-Wheaton Drive	3,000.00
	FRS 8540.437	Oehman Boulevard	2,200.00
	FRS 8540.438	St. Felix	17,000.00
FROM:	FRS 8540.400	Erosion Control and Drainage	$65,685.00

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

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

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

BE IT RESOLVED that the following fund transfers are hereby approved and made a part hereof:

SPECIAL DISTRICT FUND:

From:	S.909 (Fund Balance)	$69,933.00
To:	S.8323.493 (Sewer District No. 3-Remedial Work)	17,973.00
	S.8323.505 (Sewer District No. 3-Drainage Study)	12,560.00
	S.8323.505 (Sewer District No. 3-Drainage Study)	39,400.00

COMMUNITY DEVELOPMENT FUND:

From:	Contingency 1979-1980 Funds	56,170.17
To:	Chapel Avenue 1979 Funds	40,000.00
	Beach Road 1979 Funds	16,170.17

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

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

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 6th, 1981 are hereby approved and the SUPERVISOR is ordered to pay same.

FUND	CHECK NOS.	AMOUNTS
GENERAL FUND	10660-10907	$119,144.85
SPECIAL DISTRICT FUND	10203-10279	118,535.18
HIGHWAY FUND	10162-10210	17,554.11
FEDERAL REVENUE SHARING FUND	10132-10145	24,645.31
CAPITAL FUND	443-447	163,104.10
TRUST AND AGENCY FUND	963-964	22.50
H.U.D.-C.D.B.G. FUND	311-322	41,299.93
PART TOWN FUND	417-420	288.30
DEBT SERVICE FUND	124-129	491,647.00
SPECIAL ASSESSMENT FUND	36, 1	3,113.05
H.U.D.-N.P.P. FUND	140-145	3,921.00
H.U.D. REHABILITATION GRANTS	107-108	3,435.00
		$986,710.33

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 39 Building Permits.
Item received and filed.

Item No. 40 Supervisor's Statement of Funds - December, 1980.
Item received and filed.

Item No. 41 Cheektowaga Public Library Board - Minutes of meeting held 2/27/81.
Item received and filed.

V. GENERAL COMMUNICATIONS

Item No. 42 Barber B. Conable, Jr., U.S. Congressman - Correspondence acknowledging Town Board resolution of 3/16/81 re: Revenue Procedure 80-55 issued by the I.R.S. on 12/15/80.
Item received and filed.

Item No. 43 New York State Department of Transportation - Correspondence re: Harlem Road--Walden Avenue intersection improvements.
Item referred to Theodore DeFedericis--Chief of Police, Captain Kempski, Alfred Wnek--Highway Superintendent, Chester L. Bryan--Town Engineer and Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 44 New York State Commission on Cable Television - Order approving transfer of Comax Telcom Corporation system to Prime Cable Corporation.
Item received and filed.

Item No. 45 Erie County Legislature - Copy of resolution adopted March 5, 1981 re: County-wide Revaluation Project.
Item received and filed.

Item No. 46 Erie County Legislature - Copy of resolution adopted March 5, 1981 re: Notice of Termination of Sales Tax Revenue Distribution Agreement.
Item received and filed.

Item No. 47 Order to Show Cause - Dennis L. Repka vs. Town Board of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, James Kirisits-Town Attorney, Honorable Town Board Members; item received and filed.

Item No. 48 Proof of Claim and Notice of Intention to Sue - Elaine F. Niewiemski vs. Town of Cheektowaga and David J. Przepiora.
Item referred to Supervisor Kenneth J. Meyers, James Kirisits-Town Attorney, Theodore DeFedericis-Chief of Police, E.T. Clauss-Town Insurance Company; item received and filed.

Item No. 49 Disabled American Veterans Regional Office - Correspondence relative to enactment of Local Law to be known as "Veterans Proportional Exemption Law".
Item referred to Honorable Members of the Town Board, Andrew Schwenk-Town Assessor, William Wielinski-Bookkeeper to the Supervisor; item received and filed.

Item No. 50 Resident Petition for submission of resolution to permissive referendum re: Eight (8) Bonding Issues approved March 2, 1981.
Item referred to Honorable Members of the Town Board and James Kirisits, Town Attorney; item received and filed.

Item No. 51 Order to Show Cause - Joseph Parco, Sr. vs. Town of Cheektowaga. Town Board.
Item referred to Honorable Members of the Town Board and James Kirisits, Town Attorney; item received and filed.

* *

Motion by Councilman Dux, seconded by Councilman Rogowski to Waive the Rules to include the following Item No. 52.

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

* *

VI. WAIVER OF RULES

Item No. 52 Hiring of Law Clerk in Town Attorney's Office.

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town Attorney's Office is in need of a Law Clerk to perform research and other legal duties, and

WHEREAS, the following person has had experience as an employee of the Town Attorney's Office during the summers of 1979 and 1980, NOW, THEREFORE BE IT

Item No. 52 Cont'd.

RESOLVED that the following person be and hereby is hired to work as a Law Clerk in the Town Attorney's Office at the rate of $5.00 per hour:

Marilyn Lew

Cheektowaga, New York

effective April 7, 1981.

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

Item No. 53 Motion by Supervisor Meyers, seconded by Councilman Wegner to adjourn this Town Board Meeting in memory of Mr. John Cotter, Resident of the Town of Cheektowaga, New York.

RICHARD M. MOLESKI
TOWN CLERK

SPECIAL MEETING NO. 9

CHEEKTOWAGA, NEW YORK
APRIL 17, 1981

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 17th day of April, 1981 at 12:00 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 Donald J. Wegner

ABSENT: Councilman William P. Rogowski

Also present was: Richard M. Moleski, Town Clerk.

I. RESOLUTIONS

Item No. 2 Set date of Special Election relative to Permissive Referendum on Eight (8) Bonding Issues.

Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, a petition, consisting of approximately 126 sheets, was filed in the office of the Town Clerk of the Town of Cheektowaga on the 1st day of April, 1981, subscribed and authenticated by more than one hundred electors of the Town qualified to vote upon a proposition to raise and expend money, comprising in number at least five per centum of the total votes cast for Governor in the Town at the last general election held for the election of State officers, and

WHEREAS, the aforesaid petition called for the submission of the following propositions at a special town election:

Number 1.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the reconstruction of Rossler Bridge, in the Town, stating the estimated maximum cost thereof is $550,000, appropriating said amount therefor, authorizing the issuance of $27,500 capital notes to provide the downpayment and $522,500 serial bonds of the Town to finance the balance of said appropriation," BE APPROVED?

Number 2.:

SHALL the Resolution entitled: "Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the purchase of various pieces of Machinery and Apparatus for use by the Town, stating the estimated total cost thereof is $617,000, appropriating said amount therefor, authorizing the application of $71,000 trade-in value of various pieces of machinery and apparatus presently owned by the Town towards the cost and authorizing the issuance of $546,000 serial bonds of said town to finance the balance of said appropriation," BE APPROVED?

Number 3.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of a Town Park and Recreation Area, in the Town, stating the estimated maximum cost thereof is $539,685, appropriating said amount therefor, authorizing the issuance of $16,500 capital notes to provide the required down payment and $313,500 serial bonds of the Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be

Item No. 2 Cont'd.

Number 3. Cont'd.:

applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 4.:

SHALL the Resolution entitled: "Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the construction of improvements to various parks and recreation areas in the Town, stating the estimated maximum cost thereof is $200,000, appropriating said amount therefor, and authorizing the issuance of $200,000 serial bonds of the Town to finance said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said class of objects or purposes or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 5.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of Town Parks and Playgrounds within the Town stating the estimated total cost of said class of objects or purposes is $200,000, appropriating said amount therefor, authorizing the issuance of $10,000 capital notes to provide the required down payment and $190,000 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants received from the United States of America and/or the State of New York shall be applied towards the cost of said class of objects or purposes or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds," BE APPROVED?

Number 6.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain piece or parcel of land in the Town, as the site of a park and recreation area, stating the estimated maximum cost thereof is $659,847, appropriating $659,847 therefor, authorizing the issuance of $10,300 capital notes to provide the required down payment and $195,700 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York (estimated to be $453,847) shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement and embellishment of said site, to be known as John C. Stiglmeier Park, stating the estimated maximum cost thereof is $400,000, appropriating said amount therefor, authorizing the issuance of $20,000 capital notes to provide the required down payment and $380,000 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 7.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain piece or parcel of land in the Town, as the site of a park and recreation area, stating the estimated maximum cost thereof is $60,000, appropriating $60,000 therefor, authorizing the issuance of $3,000 capital notes to provide the required down payment and $57,000 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement

Item No. 2 Cont'd.

Number 7. Cont'd.:

and embellishment of said site, to be known as Nob Hill Park, stating the estimated maximum cost thereof is $70,000 appropriating said amount therefor, authorizing the issuance of $3,500 capital notes to provide the required down payment and $66,500 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 8.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the construction of a Senior Citizens Building on Town property situate on Broadway, in said Town, stating the estimated maximum cost thereof is $1,310,000, appropriating said amount therefor, authorizing the issuance of $65,500 capital notes to provide the required down payment and $1,244,500 serial bonds of said Town to finance the balance of said appropriation, and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Section 82 of the Town Law, a special election is hereby authorized and directed to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 9th day of May, 1981, between the hours of 10:00 o'clock A.M. and 6:00 o'clock P.M. The vote upon such propositions shall be taken by the use of voting machines in the manner provided by law.

BE IT FURTHER RESOLVED that the Town Clerk is hereby ordered and directed to give notice of such special election by publication thereof in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, at least ten days prior to the date of such special election, and by posting on the sign-board of the Town a copy of such notice at least ten days before such special election, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby ordered and directed to select an appropriate number of resident taxpayers of the Town to act as election inspectors and ballot clerks; and further, to provide the necessary voting machines for use at said special election, and also to prepare for the use of the election officers the necessary oaths and certificates of election, and also to procure and deliver to such election officers any and all necessary paraphernalia for the proper conduct of such election.

* *

TOWN OF CHEEKTOWAGA
IN THE COUNTY OF ERIE
NEW YORK

NOTICE OF
SPECIAL ELECTION

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York will hold a Special Election in said Town, at the Town Hall, corner of Broadway and Union Roads, on the 9th day of May, 1981, at which the polls will be kept open between the hours of 10:00 a.m. and 6:00 p.m., for the purpose of voting upon the following propositions:

Number 1.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the reconstruction of Rossler Bridge, in the Town, stating the estimated maximum cost

Item No. 2 Cont'd.

Number 1. Cont'd.:

thereof is $550,000, appropriating said amount therefor, authorizing the issuance of $27,500 capital notes to provide the down payment and $522,500 serial bonds of the Town to finance the balance of said appropriation," BE APPROVED?

Number 2.:

SHALL the Resolution entitled: "Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the purchase of various pieces of Machinery and Apparatus for use by the Town, stating the estimated total cost thereof is $617,000, appropriating said amount therefor, authorizing the application of $71,000 trade-in value of various pieces of machinery and apparatus presently owned by the Town towards the cost and authorizing the issuance of $546,000 serial bonds of said Town to finance the balance of said appropriation," BE APPROVED?

Number 3.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of a Town Park and Recreation Area, in the Town, stating the estimated maximum cost thereof is $539,685, appropriating said amount therefor, authorizing the issuance of $16,500 capital notes to provide the required down payment and $313,500 serial bonds of the Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 4.:

SHALL the Resolution entitled: "Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the construction of improvements to various parks and recreation areas in the Town, stating the estimated maximum cost thereof is $200,000, appropriating said amount therefor, and authorizing the issuance of $200,000 serial bonds of the Town to finance said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said class of objects or purposes or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 5.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of Town Parks and Playgrounds within the Town stating the estimated total cost of said class of objects or purposes is $200,000, appropriating said amount therefor, authorizing the issuance of $10,000 capital notes to provide the required down payment and $190,000 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants received from the United States of America and/or the State of New York shall be applied towards the cost of said class of objects or purposes or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds," BE APPROVED?

Number 6.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain piece or parcel of land in the Town, as the site of a park and recreation area, stating the estimated maximum cost thereof is $659,847, appropriating $659,847 therefor, authorizing the issuance of $10,300 capital notes to provide the required down payment and $195,700 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York (estimated to be $453,847) shall be applied towards the cost of said specific

Item No. 2 Cont'd.

Number 6. Cont'd.:

object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement and embellishment of said site, to be known as John C. Stiglmeier Park, stating the estimated maximum cost thereof is $400,000, appropriating said amount therefor, authorizing the issuance of $20,000 capital notes to provide the required down payment and $380,000 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 7.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain piece or parcel of land in the Town, as the site of a park and recreation area, stating the estimated maximum cost thereof is $60,000, appropriating $60,000 therefor, authorizing the issuance of $3,000 capital notes to provide the required down payment and $57,000 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement and embellishment of said site, to be known as Nob Hill Park, stating the estimated maximum cost thereof is $70,000 appropriating said amount therefor, authorizing the issuance of $3,500 capital notes to provide the required down payment and $66,500 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 8.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the construction of a Senior Citizens Building on Town property situate on Broadway, in said Town, stating the estimated maximum cost thereof is $1,310,000, appropriating said amount therefor, authorizing the issuance of $65,500 capital notes to provide the required down payment and $1,244,500 serial bonds of said Town to finance the balance of said appropriation, and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

The sole voting place for said Special Election shall be:

Cheektowaga Town Hall
corner of Broadway and Union Roads
Cheektowaga, New York 14227

All registered voters of the Town of Cheektowaga are entitled to vote at said Special Election.

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

DATED: April 17, 1981

RICHARD M. MOLESKI, TOWN CLERK

* *

Item No. 2 Cont'd.

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

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 April 23, 1981; last publication April 23, 1981; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 24th

day of April, 1981

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, 1983

TOWN OF CHEEKTOWAGA
IN THE COUNTY OF ERIE
NEW YORK
NOTICE OF
SPECIAL ELECTION

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York will hold a Special Election in said Town, at the Town Hall, corner of Broadway and Union Roads, on the 9th day of May, 1981, at which the polls will be kept open between the hours of 10:00 a.m. and 6:00 p.m., for the purpose of voting upon the following propositions.

Number 1.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the reconstruction of Rossler Bridge, in the Town, stating the estimated maximum cost thereof is $550,000, appropriating said amount therefor, authorizing the issuance of $27,500 capital notes to provide the downpayment and $522,500 serial bonds of the Town to finance the balance of said appropriation," BE APPROVED?

Number 2.:

SHALL the Resolution entitled: "Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the purchase of various pieces of Machinery and Apparatus for use by the Town, stating the estimated total cost thereof is $617,000, appropriating said amount therefor, authorizing the application of $71,000 trade-in value of various pieces of machinery and apparatus presently owned by the Town towards the cost and authorizing the issuance of $546,000 serial bonds of said town to finance the balance of said appropriation," BE APPROVED?

Number 3.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of a Town Park and Recreation Area, in the Town, stating the estimated maximum cost thereof is $539,685, appropriating said amount therefor, authorizing the issuance of $16,500 capital notes to provide the required down payment and $313,500 serial bonds of the Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 4.:

SHALL the Resolution entitled: "Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the construction of improvements to various parks and recreation areas in the Town, stating the estimated maximum cost thereof is $200,000, appropriating said amount therefor, and authorizing the issuance of $200,000 serial bonds of the Town to finance said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said class of objects or purposes or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 5.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of Town Parks and Playgrounds within the Town stating the estimated total cost of said class of objects or purposes is $200,000, appropriating said amount therefor, authorizing the issuance of $10,000 capital notes to provide the required down payment and $190,000 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants received from the United States of America and/or the State of New York shall be applied towards the cost of said class of objects or purposes or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds," BE APPROVED?

Number 6.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain piece or parcel of land in the Town, as the site of a park and recreation area, stating the estimated maximum cost thereof is $659,847, appropriating $659,847 therefor, authorizing the issuance of $10,300 capital notes to provide the required down payment and $195,700 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York (estimated to be $453,847) shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement and embellishment of said site, to be known as John C. Stigmeier Park, stating the estimated maximum cost thereof is $400,000, appropriating said amount therefor, authorizing the issuance of $20,000 capital notes to provide the required down payment and $380,000 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 7.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain piece or parcel of land in the Town, as the site of a park and recreation area, stating the estimated maximum cost thereof is $60,000, appropriating $60,000 therefor, authorizing the issuance of $3,000 capital notes to provide the required down payment and $57,000 serial bonds of said Town te finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement and embellishment of said site, to be known as Nob Hill Park, stating the estimated maximum cost thereof is $70,000 appropriating said amount therefor, authorizing the issuance of $3,500 capital notes to provide the required down payment and $66,500 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

Number 8.:

SHALL the Resolution entitled: "Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the construction of a Senior Citizens Building on Town property situate on Broadway, in said Town, stating the estimated maximum cost thereof is $1,310,000, appropriating said amount therefor, authorizing the issuance of $65,500 capital notes to provide the required down payment and $1,244,500 serial bonds of said Town to finance the balance of said appropriation, and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds," BE APPROVED?

The sole voting place for said Special Election shall be:

Cheektowaga Town Hall
corner of
Broadway and Union Roads
Cheektowaga, New York 14227

All registered voters of the Town of Cheektowaga are entitled to vote at said Special Election.

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: April 17, 1981
PUBLISHED: April 23, 1981

Item No. 3 Motion by Councilman Wegner, seconded by Councilman Dux to adjourn this special meeting.

RICHARD M. MOLESKI
TOWN CLERK

MEETING NO. 10

CHEEKTOWAGA, NEW YORK
April 21, 1981

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 21st day of April, 1981 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
Councilman Frank J. Dux
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; John Gruber, Assistant Chief of Police; Julia Reinstein, Town Historian; Pat Wojcik, Recreation Supervisor-Senior Citizens; Alfred Wnek, Highway Superintendent; George Burst, Working Foreman in the Central Garage; Florian Majchrzycki, Assistant Foreman in the Sanitation Department; Ron Marten, Building and Plumbing Department.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting the "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE" of the Town of Cheektowaga, 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 ordinance being as follows:

* See next four (4) pages

GARBAGE, RUBBISH AND REFUSE COLLECTION

Section 1. TITLE.

This ordinance shall be known and may be cited as the "Refuse, Rubbish and Refuse Collection Ordinance of the Town of Cheektowaga, New York."

This ordinance shall apply to and affect only such part of the Town of Cheektowaga as is outside of the Villages of Sloan and Depew.

Section 2. PURPOSE.

This ordinance is adopted in order to promote and protect the public health, safety, comfort, convenience, prosperity and other aspects of the general welfare of the residents of the Town of Cheektowaga; and, in addition thereto, to protect property, preserve property values, and eliminate fire, safety and health hazards by regulating the collection, storage and disposal of garbage, rubbish and refuse within the Town of Cheektowaga.

Section 3. DEFINITIONS.

The following words, as used in this ordinance, shall have the meanings hereby ascribed thereto unless the context clearly indicates a different meaning:

GARBAGE - All table refuse; animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food; offal from meat, fish and fowl; fruits, vegetables and parts thereof; and other articles and materials ordinarily used for food which have become unfit for such use or which are for any reason discarded, except commercial and industrial garbage.

GARBAGE RECEPTACLE - A permanent container made of metal or vinyl, which is airtight, watertight and provided with a tight-fitting cover; or disposable plastic or heavy paper garbage bag which when closed by lacing is airtight, watertight and of sufficient strength to prevent breakage.

PERSON - An individual, society, group, firm, partnership, corporation or association of persons, and the singular number shall include the plural number.

REFUSE - All discarded articles or materials, including combustible refuse (paper, straw, excelsior, rags, rubber, shoes and such other refuse as may result from ordinary housekeeping pursuits, leaves, tree trimmings, hedge clippings and similar materials) and noncombustible refuse, except sewage, liquid waste, ashes and commercial and industrial refuse.

RUBBISH - Includes garbage and refuse.

Section 4. COLLECTION AND DISPOSAL.

All garbage and refuse, as hereinbefore defined, accumulated in the Town of Cheektowaga shall be collected, conveyed and disposed of by the Town; provided, however, that this ordinance shall not prohibit the actual producers of garbage and refuse, or the owners of premises upon which garbage and refuse has accumulated, from personally providing for the collecting, conveying and disposing of

such garbage and refuse if such producers or owners comply with all regulations for collection, conveyance and disposal prescribed in this ordinance or rules and regulations adopted by the Town Board concerning same.

Section 5. SUPERVISION: PROMULGATION OF RULES AND REGULATIONS.

The collection and disposal of garbage and refuse shall be under the supervision of the Department of Sanitation of the Town of Cheektowaga, which shall have authority to make rules and regulations concerning the days of collection, the type and location of containers and such other matters pertaining to the collection and disposal as it may deem advisable, provided that such rules and regulations are not contrary to the provisions of this ordinance.

Section 6. PREPARATION OF GARBAGE AND REFUSE FOR COLLECTION.

A. Separation of garbage and refuse. Garbage and refuse shall be placed and maintained separately.

B. Preparation of garbage and refuse.

(1) All garbage, before being placed in garbage receptacles for collection, shall be thoroughly drained from all free liquids and shall be wrapped in dry paper or similar dry substance. Loose garbage shall not at any time be placed in receptacles, as hereinafter described, but shall first be placed in paper or plastic bags.

(2) All refuse shall be thoroughly drained of liquid before being deposited for collection.

(3) Refuse consisting of empty boxes, crates, cartons, shrubbery cuttings, tree trimmings, hedge clippings, wood and other unwieldly objects shall be broken up or cut and tied into compact bundles no longer than five (5) feet in length and no heavier than fifty (50) pounds in weight, so as to be easily handled by one person.

Protruding nails, glass and other sharp metal objects that might inflict bodily harm to sanitation personnel, contracted personnel, or residents of the Town shall be removed from all such refuse prior to bundling as aforesaid.

(4) All furniture, household appliances, flood-damaged articles and other large items, not capable of being placed in receptacles as hereinafter described, may be placed at the curbline or pavement line only after arrangements for special pick up have been made with the Sanitation Department. The Sanitation Department may decline to collect any such material when such collection is not in accord with Department handling and disposal abilities.

(5) No dirt, stone, brick, concrete or other substances that may accumulate as a result of building construction, demolition, remodeling or repair operations shall be set out for collection by the Sanitation Department, but shall be otherwise disposed of by the owner or contractor.

(6) Neither hot ashes or chemically toxic wastes shall be set out for collection, but shall be otherwise disposed of by the owner or producer of same.

Section 7. RECEPTACLES.

A. Receptacles required. Every owner, lessee or occupant of any building, premises or place of business within the Town shall provide or cause to be provided, suitable and sufficient receptacles for receiving and containing garbage or refuse that may accumulate or be used upon said premises. All containers or receptacles used for storing garbage or refuse shall be of such material and so constructed as to withstand the use for which they are intended without breaking or collapsing. Although not prohibited herein, vinyl containers are not recommended for use in cold weather conditions, which frequently cause such containers to shatter. The Sanitation Department will not be responsible for shattered vinyl containers.

B. Garbage receptacles. Garbage shall be stored in covered, watertight metal or vinyl containers with handles and tight lids designed for that purpose, or in disposable plastic or heavy paper garbage bags of sufficient strength to prevent breakage, securely tied or fastened. No container or bag shall exceed twenty (20) gallons in capacity or fifty (50) pounds in weight when filled.

C. Refuse receptacles. Refuse receptacles shall conform to the same standards as garbage receptacles.

D. Maintenance of receptacles.

(1) All garbage and refuse receptacles shall be maintained in good condition. Any receptacle that does not conform to the provisions of this ordinance or that may have ragged or sharp edges or any other defect liable to hamper or injure sanitation personnel shall be promptly replaced or repaired. Failure to comply may result in the refusal to collect or the disposal of the defective receptacle as refuse.

(2) All garbage and refuse receptacles shall be kept as sanitary as possible in view of the use to which they are put and shall be thoroughly cleaned by the owner, lessee or occupant of the premises after garbage is removed by the collector.

Section 8. PLACEMENT OF RECEPTACLES FOR COLLECTION.

A. All receptacles with domestic garbage or household refuse shall be transferred to the curbline or pavement line in front of premises by the householder who shall remove all such receptacles therefrom to a place invisible from the street on the day of collection.

B. No garbage or refuse shall be set out for collection before 6:00 P.M. of the day preceding collection.

Section 9. PROHIBITED DEPOSITS OR ACCUMULATIONS.

A. No person shall throw, deposit or burn, or cause to be thrown, deposited or burned, any garbage or refuse in or upon any public highway, street or other public place, including gutters or drainage ditches, or upon any private property, whether owned by such person or not, except in proper receptacles for collection.

B. Any unauthorized accumulation of garbage or refuse on any premises is hereby declared to be a nuisance and is prohibited.

C. It shall be unlawful for any person other than the occupants of the premises on which garbage or refuse receptacles are stored, or other than sanitation personnel or other authorized collector, to remove any of the contents of garbage or refuse receptacles.

Section 10. VIOLATIONS AND PENALTIES.

Any person who shall be convicted of violating or failing to comply with the provisions of this ordinance shall be punishable by a fine of not more than two hundred fifty dollars ($250.00) or imprisonment not exceeding fifteen (15) days, or to both such fine and imprisonment. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of a violation may be punished as above provided for each separate offense.

Item No. 2 cont'd

Also, at the public hearing regarding the proposed "GARBAGE, RUBBISH, AND REFUSE COLLECTION ORDINANCE", consideration was given to repealing ORDINANCE NO. 30, enacted on April 3, 1961 which pertains to the subject of refuse and garbage collection.

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. 3 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 amendments being as follows:

* *

1. RESOLVED that Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Truck Exclusions," be amended by the enactment of a new Section 130 providing as follows:

> Section 130. All trucks excluded. All trucks are hereby excluded from the following designated highways within the Town of Cheektowaga, County of Erie, State of New York:
>
> 1. Chapel Avenue
> 2. Eggert Road between Sugar Road and Delavan Avenue

2. RESOLVED that sections presently numbered "Section 130. Trucks over 5 tons excluded." and "Section 131. Delivery and pickup of merchandise." be renumbered Section 131 and Section 132 respectively.

3. RESOLVED that presently numbered Section 130, which is to be renumbered Section 131, be amended by deleting Chapel Avenue and Eggert Road therefrom.

4. RESOLVED that subdivision B of Section 150, which excludes trucks in excess of five tons from Eggert Road between Sugar Road and Delavan Avenue, be repealed.

* *

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.

II. RESOLUTIONS

Item No. 4 Motion by Councilman Dux, seconded by Supervisor Meyers

RESOLVED that the Town of Cheektowaga be and hereby approves the agreement as attached between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Bargaining Unit, and authorizes the Supervisor to execute the agreement on behalf of the Town of Cheektowaga.

See next twenty-eight (28) pages for Agreement.

A G R E E M E N T

Between the Town of Cheektowaga

and the

Town of Cheektowaga Supervisory Unit

This agreement is made this 1st day of January, 1981, to December 31, 1982, by and between the Supervisor of the Town of Cheektowaga, on behalf of the Town Board of Cheektowaga; hereinafter referred to as the "Board", and Town of Cheektowaga Supervisory Unit, hereinafter referred to as the "Supervisory Unit", has as its purpose the promotion of harmonious relations between the Board and the Union; establishment of an equitable and peaceful procedure for the resolution of differences; and the establishment of rates of pay, hours of work and other conditions of employment.

"It is agreed by and between the parties that any provisions of this agreement requiring legislative action to permit its implementation by amendment of law or by providing the additional funds therefor, shall not become effective until the appropriate legislative body has given its approval."

ARTICLE I

RECOGNITION

The Board recognizes the Supervisory Unit as the sole and "exclusive bargaining agent for the purposes of establishing wages, hours and other conditions of employment for the employees in the negotiating unit, hereinafter described. Such recognition shall extend to the maximum period allowed by law."

ARTICLE 2

NEGOTIATING UNIT

The Negotiating Unit shall consist of : Superintendent of Disposal Plants, General Foremen, Working Foremen, Automotive Mechanic Foremen, in the listed Departments: Highway, Sanitation, Central Garage, Sewer Maintenance, Sewage Treatment Plants and Facilities (Parks, Building & Grounds, Utility and Plumbing).

ARTICLE 3

SUPERVISORY UNIT SECURITY

SECTION 3.01 - SUPERVISORY UNIT MEMBERSHIP

Each employee who, on the effective day of this agreement is a member of the Supervisory Unit for the duration of this agreement, providing the signed authorization of the employee authorizes such continued membership.

SECTION 3.02 - PAYROLL DEDUCTION OF SUPERVISORY UNIT DUES

(a) All employees who are members of the Supervisory Unit shall tender their membership dues to the Supervisory Unit by signing the Authorization for Payroll Deduction of Supervisory Unit Dues on a form provided by the Supervisory Unti.

(b) The Board agrees to deduct Supervisory Unit membership dues in accordance with the amount certified by the Supervisory Unit to the Board and to maintain such dues deductions in accordance with the terms and conditions of the form of Authorization for Payroll Deduction of Supervisory Unit dues provided by the Supervisory Unit from the pay of all employees who have executed such authorization for payroll deduction of Supervisory Unit dues.

(c) Payroll Deduction of Supervisory Unit dues under the properly executed Authorization for Payroll Deduction of Supervisory Unit dues form shall become effective at the time the form is signed by the employees and shall be deducted by the next full pay period and each month thereafter from the pay of the employee, providing form is duly filed with Fiscal Officer.

(d) The aggregate total of all such deductions shall be remitted each month to the designated financial officer of the Supervisory Unit together with a list from whom does have been deducted on or before the fifteenth (15th) of every such month.

(e) Any changes in the amount of Supervisory Unit dues to be deducted must be certified by the Supervisory Unit in writing, to the Fiscal Officer.

SECTION 3.03 - ACCESS TO PREMISES

The Board agrees to permit representatives of the Supervisory Unit to enter the premises of the Board for individual discussion of working conditions with employees during working hours, providing that such discussion does not unduly interfere with the performance of his duties.

SECTION 3.04 - AID TO OTHER UNIONS

The Board agrees that there will be no aid, promotion or financing of any labor group or organization which purports to engage in collective bargaining on the part of the Board or those designated as his representative or subordinate staff for the purpose of undermining the Supervisory Unit during the term of this agreement.

ARTICLE 4

MANAGEMENT'S RIGHTS

The Board reserves the exclusive right to manage the business of the Town and to direct the employees in the discharge of their duties, subject to the terms of this agreement. The right to manage and direct the employees includes the right to hire, suspend, or discharge for proper cause in accordance with the applicable laws, the apportionment of the working force and the right to control the Town's property. In the exercise of these rights, the Board shall observe and be bound by all provisions of this Agreement.

ARTICLE 5

HOURS OF WORK

SECTION 5.01 - WORK SHIFT

Eight (8) consecutive hours of work including lunch period shall constitute a work shift.

SECTION 5.02 - WORK DAY

Eight (8) consecutive hours of work within the twenty-four (24) hour period shall constitute the regular work day.

SECTION 5.03 - INCLEMENT WEATHER

(a) In the event of a severe storm, all employees are expected to make every reasonable effort to report for work at their regularly scheduled time. If an employee is unable to report on time, but does report by 12:00 noon, he shall be paid as if he reported for work on time.

(b) If an employee, after having made every reasonable effort to report for work is unable to do so, he will have the option of using a sick or personal leave day.

ARTICLE 6

HOLIDAYS

SECTION 6.01 - HOLIDAYS OBSERVED AND RECOGNIZED

The following shall be recognized and observed as paid Holidays:

New Years Day	Veteran's Day
Washington's Birthday	Columbus Day
Good Friday	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	December 24th
Labor Day	Christmas Day
Election Day	December 31st

(a) All Supervisors or Foremen covered by this agreement shall receive one (1) day's pay for each of the Holidays listed above on which they perform no work.

All Supervisors or Foremen of the Sanitation Department shall be required to work on all of the above Holidays except Christmas and New Year's Day.

(b) If any of the Holidays listed fall on a Sunday, then the succeeding Monday shall be observed as a Holiday. If such Holiday falls on a Saturday, then employees who normally do not work on a Saturday will be paid for that day as if they had worked that day.

(c) Whenever any of the above Holidays shall fall during an employee's vacation period, then the employee shall in addition to his pay for such day, receive a lieu day, to be taken at the employee's option provided two (2) weeks notice is given to his immediate supervisor.

(d) Whenever any of the above Holidays shall fall on an employee's regular shift day off, he shall be paid for that day as if he had worked that day.

SECTION 6.02 - ELIGIBILITY REQUIREMENTS

All employees covered by this agreement shall be eligible for Holiday pay under the following conditions:

(a) The Supervisor or Foreman who would have been scheduled to work on such day if it had not been observed as a Holiday, unless the employee is on an authorized vacation, sich leave or being paid workmen's compensation benefits, in which case an additional day off shall be granted.

(b) The Supervisor of Foreman worked or used a benefit day prior to the Holiday and/or the day after the Holiday.

(c) The Supervisor or foreman must have actually worked and/or used a vacation, personal leave or sick day totaling five (5) days during the month in which the Holiday occured in order to be eligible for a paid Holiday as set forth in this Article.

SECTION 6.03 - HOLIDAY PAY

(a) All Supervisors or Foremen who perform no work on a Holiday shall be paid their current rate of pay for that day based on their regular pay.

(b) All Supervisors or Foremen whose regular work day differs from the

standard eight (8) hour day, shall be paid their daily rate of pay based on the standard eight (8) hour day.

SECTION 6.04 - HOLIDAY WORK

If any Supervisor of Foreman works on any of the Holidays listed in Article 6, Section 6.01, he shall be paid one and one half (1½) times his regular rate of pay in addition to his regular rate of pay of the day.

SECTION 6.05 - HOLIDAY HOURS FOR OVERTIME PURPOSES

For purposes of computing overtime, all holiday hours unworked for which a Supervisor of Foreman is compensated shall be regarded as hours worked. Any Supervisor of Foreman who works on a Holiday shall be compensated in accordance with Section 6.04, but such overtime shall not be computed in his overtime record for the equalization of overtime purposes.

ARTICLE 7

VACATIONS

SECTION 7.01 - CHOICE OF VACATION PERIOD

(a) The Department Head shall furnish vacation request forms in duplicate. One (1) is to be retained by the employee and one (1) by the Department Head.

(b) Vacations shall be granted at the time requested by the employee, provided that such request is not made prior to January 1, or later than of the year in which the vacation is to be taken.

If the nature of work makes it necessary to limit the number of employees on vacation, the employee with the greater seniority shall be given his choice of vacation period. Vacation days may be taken no less than one (1) day units, provided at least forty-eight (48) hours advance notice is given by the employee to his Department Head. Where practicable, vacations must be taken in full weeks. Vacation requests shall not be unjustly denied.

(c) No employee shall be required to work during his regularly scheduled vacation period.

SECTION 7.02 - VACATION SCHEDULE

All Supervisors or Foremen hired on or after January 1, 1979, will accrue vacation periods as of their anniversary date of hire. Vacations will be provided in accordance with the following schedule:

After 1 year	- 10 working days
After 5 years	- 15 working days
After 10 years	- 18 working days
After 15 years	- 23 working days
After 20 years	- 25 working days
After 25 years	- 30 working days

SECTION 7.03 - VACATION CREDITS, UPON LAY-OFF, SEPARATION OR DEATH

(a) All Supervisors or Foremen covered by this Agreement shall receive in cash any vacation credits earned in the previous year, and a pro-rata payment for the current year. In the event of the death of an employee, such payment shall be made to his estate. The pro-rata payment of vacation shall be determined by dividing twelve (12) into the number of vacation days worked.

SECTION 7.04 - VACATION CARRYOVER

All Supervisors or Foremen shall be allowed to carry over unused vacation credits provided that such credits are used in the next consecutive year.

SECTION 7.05 - VACATION CREDITS AT RETIREMENT

Each employee covered by this Agreement shall be paid, at the time of his retirement, monetary value of any unused vacation time and overtime standing to his credit, on the next pay period following his retirement.

Employees intending to retire may notify the Town two (2) years in advance and would be permitted to accumulate time off and vacation for one and one-half (1½) years, the value of which will be paid as salary during the final year of employment and included as wages for pension purposes.

ARTICLE 8

SICK LEAVE

SECTION 8.01 - SICK LEAVE DEFINED

(a) Sick leave shall apply to absence due to illness of an employee, his spouse or children, except where such illness is due to injury or disease for which the employee is entitled to receive Workmen's Compensation from the Town.

(b) Employees who are unable to perform their duties because of injuries or disease received in the course of their employment, shall receive a supplemental sum from the Town by separate check, which shall be the difference between his regular salary and the Workmen's Compensation benefits and such supplemental sums shall be deducted from his accumulated sick leave at the rate of one third (1/3) day per day of absence due to injury, or upon total use of accumulated sick leave, shall be deducted from vacation credits.

(c) An employee who is unable to perform the duties of his employment on account of illness other than Workmen's Compensation benefits, or is quarantined by health authorities or for the purpose of reporting to a doctor with reference to an employment-connected illness shall receive paid sick leave.

SECTION 8.02 - APPLICATION AND ACCURAL

(a) Regular full-time employees shall be granted sick leave at the rate of one and one-half (1½) days per month which shall accumulate to a maximum of two hundred ninety-eight (298) days.

An employee must have been compensated or credited with at least five (5) days of work in a month in order to be credited with sick leave accrual for that month.

(b) Each employee shall receive a written record of his accumulated sick leave at the end of each calendar year.

(c) The Town Board, by act or resolution, may authorize extended sick

leave payments for sick leave where an employee has exhausted all of his accrued sick leave and any other paid leave benefit (personal leave, vacations, etc.).

(d) No sick leave shall be authorized and no payment shall be made unless the employee shall have notified his immediate supervisor of his absence and the reason therefore at the earliest opportunity prior to the time he is scheduled to report for work and his anticipated date of return.

(e) If a man is on furlough, or his position is terminated, sick leave shall be reinstated as accumulated therefore, providing he returns to work within one (1) year.

(f) If an employee is absent for three (3) consecutive work days, the Town may require a medical report attesting to the employee's illness before he shall be paid for those days. If any employee is absent the day before and the day after a normal weekend, the day before and the day after a Holiday or Holiday weekend, such an absence shall be considered as three (3) consecutive work days of absence for the purpose of this section.

SECTION 8.03 - ACCUMULATED SICK LEAVE CREDIT

(a) A Supervisor or Foreman shall convert his accumulated sick leave days into value in his final year, prior to retirement, by written application, signifying his intention to retire on a form provided by the Town, not later than June 1, of the year preceding retirement.

Upon receipt of such notification, the Town will convert such accumulated sick leave into value, not to exceed a maximum in accordance with Section 8.03 b.

These payments may be paid over the last twelve (12) months of employment, provided the employee must give at least twelve (12) months notice of the date on which he will retire. Notice must be tendered on a form provided by the Board and shall be deemed a resignation to take effect on a future date twelve (12) months after acceptance of the resignation by the Town Board.

The foregoing time limit shall not apply where an employee becomes sufficiently disabled to warrant his disability retirement under the New York State Employees Retirement System.

(b) (i) Employees who retire shall be compensated for accumulated sick leave at the time of retirement on the basis of one (1) full day's pay for every five (5) days of accumulated sick leave. This shall take effect in the second year, effective January 1, 1982. The maximum amount of sick days used to compute this value shall be 262 days.

(b) (ii) The Town agrees to pay the equivalent structure of reimbursement for sick leave during the period of January 1, 1981 through December 31, 1981 as afforded the Cheektowaga Employee's Association Members.

ARTICLE 9

LEAVE OF ABSENCE

Employees covered by this agreement shall be eligible for a leave of absence for reasonable purpose after six (6) months. All such leaves, whether paid or unpaid, shall be handled in accordance with the following procedure:

(a) Any request for a leave of absence shall be submitted in writing by the employee to the Board. The request shall state the reason the leave of absence is being requested and the length of time off the employee desires.

(b) Any authorization for a leave of absence shall be furnished to the employee, by the Board, and it shall be in writing.

(c) A request for a short leave of absnece, not exceeding one (1) month, shall be answered within five (5) days. A request for a leave of absence exceeding one (1) month, shall be answered within ten (10) days. No leave of absence shall exceed one (1) year in length.

(d) Employees shall be returned to the position they held at the time the leave of absence was granted, and shall accrue seniority while on any leave of absence granted under the provisions of this agreement.

(e) A request for a leave of absence shall not be granted to the employee for the purpose of engaging in employment other than the Town of Cheektowaga, except that a request for a leave of absence for reasons of self-employment will be granted by the Town Board. Seniority and benefits shall not accrue during a leave of absence granted for the purpose of engaging in self-employment.

ARTICLE 10

LEAVES OF ABSENCE

SECTION 10.01 - BEREAVEMENT LEAVE

In the event of the death of an employee's spouse, parents, children, sister, brother, grandparents, father-in-law, mother-in-law, sister-in-lawy, brother-in-law, daughter-in-law or son-in-law, the employee shall be granted five (5) consecutive work days without loss of pay. If a death occurs during the regular work day, the day will not be charged as one of the five.

SECTION 10.02 - PERSONAL LEAVE

(a) Employees shall be granted five (5) personal leave days per year. Personal leave is noncumulative. Arrangements for the use of such time off shall be made by the employee at least twenty-four (24) hours in advance, except in the cases of emergency. Such leave shall be granted without loss of pay and shall not be deducted from vacation accruals or any other leave benefits. No more than five (5) employees in any department shall be granted personal leave at any time.

(b) On or before October 1st of each year, each member of the Supervisory Unit shall be given a list of the number of unused personal leave days, and shall have the option to request personal leave days to be taken prior to December 31st of each year or to be added to his vacation benefits in the following year.

SECTION 10.03 - JURY DUTY

Employees who are required to report for jury duty, shall be paid their full salary; they shall, however, assign to the Board all fees, except those sums received as reimbursement for actual expenses, such as mileage, meals, lodging and the like.

SECTION 10.04 - CIVIC DUTY

Employees subpoenaed to appear before a court or other public body on any matter not related to their work and in which they are not personally involved as a plaintiff or defendant shall be granted leave without pay for the period necessary to a maximum of two (2) work days.

SECTION 10.05 - MILITARY SERVICE LEAVE

All employees eligible for benefits under Section 242 and 243 of the Military Law of the State of New York shall be granted such benefits in full accordance with the law.

ARTICLE 11

UNPAID LEAVES

SECTION 11.01 - EMPLOYMENT OPPORTUNITIES

Employees shall be granted a leave of absence without pay to enable such employees to serve temporarily, provisionally, for trial periods, or for periods necessary to qualify for permanent appointment to a competitive class, or another position of higher class that requires such conditions to be met, or where an employee if offered a job on a permanent transfer, so long as said employment is with the Town of Cheektowaga.

SECTION 11.02 - MATERNITY LEAVE

Maternity Leave shall be granted in accordance with applicable law, including the use of accumulated sick leave.

ARTICLE 12

RETIREMENT PLAN

The Board will provide for each employee covered by this agreement, coverage under the New York State Retirement Plan, provided for in Section 75-i of the New York State Retirement and Social Security Plan commonly known as the Non-Contributory "20 Year Career" Plan at no cost to the employee except as mandated by the State.

ARTICLE 13

INSURANCE COVERAGE

The Board will provide a Twenty Thousand ($20,000) Dollar Life Insurance policy for each member of the unit, at no cost to the employee.

ARTICLE 14

HEALTH INSURANCE

(a) The Board shall cover all employees under the 50-51 Blue Cross and Blue Shield Plan and pay the full premiums at whatever the current rate is in effect including the XBR and the ($1) Dollar co-pay rider, and the Two Hundred Fifty Thousand ($250,000.00) Dollar Major Medical rider ($50.00) deductible.

(b) The Town will pay for 50% of the health insurance coverage for employees who retire after January 1, 1981. For employees who retire after January 1, 1982, the Town will pay the full cost of such coverage. Such coverage shall extend for the life of the said employee.

ARTICLE 15

HEALTH AND WELFARE FUND

The Town will pay to the Supervisory Unit in the amount of $170.00 per employee for a health and welfare fund. This shall become effective on January 1, 1982, for the second year of this contract.

ARTICLE 16

WAGES

SECTION 16.01 - WAGE SCHEDULE

The wage schedule for all employees covered by this agreement shall be as set forth in Appendix "A" 1981 and "B", 1982 of this agreement and shall be the only method by which wages and salaries shall be paid.

SECTION 16.02 - LONGEVITY SERVICE PAY

As per offer made to Cheektowaga Employee's Association.

SECTION 16.03 - RATES FOR NEW JOBS

Whenever a new position not listed as a job title in this agreement is established, the Board may designate the job classification and the pay rate for such position. In the event the Supervisory Unit does not agree that the classification and pay rates are proper, the matter shall be subject to the grievance procedure.

SECTION 16.04 - PAY PERIOD

The wages of all employees covered by this agreement shall be paid on the same day each week. In the event this day is a Holiday, the preceeding day shall be pay day.

SECTION 16.05 -SHIFT DIFFERENTIALS

In addition to the established wage rates, there shall be a shift differential. All employees assigned on the second and third shift shall receive an additional twenty-five ($.25) cents per hour.

SECTION 16.06 - VACATION PAY

An employee shall make arrangements at least two (2) weeks in advance if he desires to receive his vacation pay prior to taking his vacation.

SECTION 16.07 - WORK AT EMPLOYEE"S OPTION

Overtime work shall be voluntary except under emergency circumstances. There shall be no discrimination against any employee who declines to work overtime.

SECTION 16.08 - PREMIUM RATES OF PAY

All employees covered by this agreement, except as excluded in Appendix "C", shall be paid time and one-half (1½) their regular rates of pay for all work performed in excess of eight (8) hours in any work day of forty (40) hours in any work week.

ARTICLE 17

SENIORITY

SECTION 17.01 - SUPERVISORY SENIORITY:

Shall be based upon the date of appointment to a supervisory position.

SECTION 17.02 - DEFINITION

Seniority means an employee's length of continuous service with the Board since his initial date of physically report for work.

SECTION 17.03 - PROBATIONARY EMPLOYEES

(a) All new employees hired shall be considered as probationary employees for the first six (6) months of their employment. When an employee completes his probationary period, he shall be placed on the seniority list. There shall be no seniority among probationary employees. During his probationary period, the employee shall only be entitled to bereavement leave, and jury leave as outlined in this agreement. Upon completion of his probationary period, the employee shall be entitled to all benefits allowed to all regular full time employees.

(b) The Supervisory Unit shall represent probationary employees for the purpose of collective negotiations in respect to wages, hours and other conditions of employment as set forth under Article 1 of this agreement, except for discharge and discipline for other than Union activity.

SECTION 17.04 - BREAKS IN SERVICE

(a) An employee's continuous service record shall be broken by voluntary resignation, discharge for just cause, and retirement, except if

an employee returns to work in any capacity within one (1) year, the break in continuous service shall be removed from his record, with the exception of discharge for cause.

ARTICLE 18

WORK FORCE CHANGES

SECTION 18.01 - LAY-OFF

(a) The word "lay-off" means a reduction in work force. If the Board anticipates a lay-off, it shall notify the employees and the Union, sixty (60) days prior to such anticipated lay-off.

(b) When an employee is laid off due to a reduction in the work force, he shall be permitted to exercise his seniority rights to bump (replace an employee with less seniority) any employee in the same job classification, and same department.

SECTION 18.02 - RECALL

When the work force is increased after a lay-off, employees will be recalled according to the order of seniority as defined elsewhere in the agreement, based on job classification. Notice of recall shall be sent to the employee at his last known address by registered mail. If an employee fails to report for work on the tenth (10th) day from the date of mailing of the notice of recall, he shall be considered a "quit". Recall rights for an employee who has not been recalled after a lay-off shall expire one (1) year from the date of the lay-off.

ARTICLE 19

DISCIPLINE AND DISCHARGE

(a) The only procedure for taking disciplinary action or measure against any employees covered by this agreement, shall be as set forth in the following sections and shall in addition, apply in lieu of Section 75 and

Section 76 of the Civil Service Law for those employees who would otherwise be covered by those sections except that employees covered under Sections 75 and 76 shall have the right to choose between utilizing the statutory procedure and the grievance and arbitration procedure of this agreement.

Election of either precludes the use of the other. Disciplinary action or measures shall include the following in sequence.

1. Oral Reprimand
2. Written Reprimand
3. Suspension
4. Discharge

(b) Disciplinary action may be imposed upon an employee only for failing to fulfill his responsibilities as a Town of Cheektowaga Employee.

In the event of a serious violation, the employee may be immediately suspended and a meeting of the Labor Management Committee will be convened not later than forty-eight (48) hours after the suspension.

(c) If the Board has any reason to reprimand an employee, it shall be done privately, except for the presence of a Supervisory Unit representative and/or a representative of the Board.

(d) In a disciplinary action to be taken against an employee, the Department Head, Foreman or Working Foreman shall notify the Supervisory Unit President, Supervisory Unit Steward and the employee in writing, stating the reasons such disciplinary action is being imposed and the proposed penalty to be served within two (2) days of any oral notification except that no notice is necessary for oral or written reprimand.

(e) The Supervisory Unit shall have the right to take up disciplinary action imposed upon an employee or discharge as a grievance at Step 2 of the grievance procedure, and the matter shall be handled through arbitration, if

deemed necessary by either party.

(f) The arbitrator shall have the right to sustain the disciplinary action, overrule it, or modify it.

(g) An employee shall not be disciplined for acts, except those which constitute a crime, which occured more than one (1) year prior to the imposition of the discipline.

(h) Except as provided in the Town Safety program, prior to disciplinary action in any employee's record, shall not be utilized against the employee after the following time period:

Six Months	- Oral Reprimand
Twelve Months	- Written Reprimand
Eighteen Months	- Suspension

ARTICLE 20

SETTLEMENT OF DISPUTES

SECTION 20.01 - GRIEVANCE AND ARBITRATION PROCEDURE

Any grievance or dispute which may arise between the parties, including the application, meaning or interpretation of this agreement, shall be settled in the following manner:

Step 1: The Supervisory Unit President or other authorized representative of the Union, with or without the employee, shall take up the grievance or dispute with the employee's immediate supervisor within five (5) working days of its occurence. If at any time the Supervisory Unit President or other authorized representative of the Union is unaware of the grievance, he shall take it up within ten (10) days of his knowledge of its occurence. The Supervisor's/Foreman's immediate Department Head or Town Committee Chairman, which has jurisdiction over the Department in question, shall then attempt

to adjust the matter and shall respond in writing within five (5) work days.

Step 2: If the grievance or dispute shall remain unresolved, it shall be presented, in writing, to the Department Head or Town Committee Chairman within five (5) work days after the response of immediate supervisor is due. The Department Head shall respond in writing to the Department Head or Town Committee Chairman within five (5) work days.

Step 3: If the grievance or dispute is still not settled, it shall be presented by the Department Head or Town Committee Chairman and/or other authorized representative of the Union, in writing, to the Chairman of the Town's Labor Management Committee within seven (7) work days after the response of the Department is due. The Board representative to the Labor Management Committee shall schedule a meeting within five (5) working days after the meeting of the Labor Management Committee, the Board's representative shall respond in writing to the Unit President and/or other authorized representative of the Union.

Step 4: If the grievance or dispute is still unsettled, either party may, within twenty (20) days after the reply of the Town Board is due, by written notice to the other, request arbitration.

a) The arbitration proceedings shall be conducted by an arbitrator to be selected in accordance with the applicable rules and procedure of the New York State Public Employment Relations Board upon request of either party.

b) The arbitrator shall be requested to issue his decision within thirty (30) days after the conclusion of testimony and argument. The decision of the arbitrator shall be final and binding on both parties.

c) Expenses for the arbitrator's services and proceedings shall be borne equally by the Board and the Supervisory Unit. If

either party desires a transcribed copy of the proceedings, it shall pay for the transcription, and make copies available without charge, to the other party and arbitrator.

d) No arbitrator shall have the power to amend, modify or delete any provisions of this agreement.

e) Upon the mutual agreement of both parties, an arbitrator may be requested to hear and make determination on more than one (1) case, even though the cases are not related in any way.

SECTION 20.02 - TIME LIMITATIONS

Time limitations in the grievance procedure may be extended and steps may be by-passed by mutual agreement in writing.

ARTICLE 21

UNION COMMITTEES

SECTION 21.01 - GRIEVANCE COMMITTEE

(a) Employees selected by the Supervisory Unit to act as Supervisory Unit Representatives, shall be known as "unit officers". The names of representatives who may represent employees shall be certified, in writing, to the Board by the Supervisory Unit, and the individuals so certified shall constitute the Unit Grievance Committee.

(b) The Unit Officers may investigate and process grievances during working hours, without loss of time and pay.

SECTION 21.02 - SAFETY COMMITTEE

The Board and Unit agree jointly to maintain, operate and support the Town Loss Control and Safety Program and Rules, a copy of which is incorporated by reference herein.

SECTION 21.03 - LABOR MANAGEMENT COMMITTEE

Conferences between representatives of the Board and at least two (2) representatives of the Unit on important matters, which may include the

discussion or procedures for avoiding future grievances and other methods of improving the relationship between the parties, will be arranged between the parties upon request of either party. Arrangements for such meetings shall be made in advance, and shall be held at reasonable hours as mutually agreed upon by the parties. Employees acting on behalf of the Unit, shall suffer no loss of time or pay should meetings fall within their regular work hours.

SECTION 21.04 - NEGOTIATION COMMITTEE

Employees selected by the Unit, not exceeding five (5) to act in its behalf during the periof of negotiation of a labor contract, shall suffer no loss of time or pay for such time spent during their regular work hours.

SECTION 21.05

The parties agree that a committee composed of the Board's representative and the representative of the Unit shall be established one hundred twenty (120) days after the execution of the agreement to study and explore possible job re-classification, with view to rectify existing inequities, if any.

ARTICLE 22

GENERAL PROVISIONS

SECTION 22.01 - PLEDGE AGAINST DISCRIMINATION AND COERCION

(a) The provisions of this agreement shall be applied equally to all employees in the bargaining unit without discrimination as to age, sex, marital status, race, color, creed, national origin or political affiliation. The Unit shall share equally with the Board the responsibility for applying this provision of this agreement.

(b) All reference to employees in this agreement designate both sexes and whereever the male gender is used, it shall be construed to include both male and female employees.

(c) The Board agrees not to interfere with the rights of employees to become members of the Unit, and there shall be no discrimination, interference, restraint, or coercion by the Board or any Board representative against any employee because of Unit activity in an official capacity on behalf of the Unit as set forth in Section 24.02 below.

(d) The Unit recognizes its responsibility as the sole and exclusive representative of the negotiating Unit and agrees to represent all employees.

SECTION 22.02 - WORK RULES

(a) The Town agrees to discuss changes in existing work rules or the establishment of new work rules within the Unit.

SECTION 22.03 - WORK CLOTHING, PROTECTIVE CLOTHING

As per offer made to the Cheektowaga Employee's Association.

SECTION 22.04 - PERSONNEL POLICY

Thirty (30) copies of this agreement in handbook form shall be provided by the Town for distribution by the Supervisory Unit President to the employees.

SECTION 22.05 -

Employees who are obligated to use their personal automobile on Town business will be reimbursed at that current rate per mile as set by the Town Board.

ARTICLE 23

SAVINGS CLAUSE

Should any article, section or other portion thereof, of this agreement be declared unlawful and unforceable by any Court or competent jurisdiction, such decision of the Court shall apply only to the specific article, section or portion thereof directly specified in the decision.

ARTICLE 24

TERMINATION AND MODIFICATION

This Agreement shall become effective the first day of January 1, 1981, and continue in full force and effect until midnight December 31, 1982, and from year to year thereafter unless on or before July 1 prior to any expiration date, either party shall notify the other in writing of its intending to negotiate for the succeeding year. The parties shall meet no later than fifteen (15) days after such notice is given.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed each by its authorized officials.

TOWN OF CHEEKTOWAGA, NEW YORK

By Kenneth J Mayer
Supervisor

TOWN OF CHEEKTOWAGA SUPERVISORY UNIT

By Richard J Kazuta
President

Date Executed: April 21, 1981

The Town Board agrees to honor, retroactive to January 1, 1981, or as otherwise stated, any additional benefit awarded to the Cheektowaga Employee's Association, to the Cheektowaga Supervisory Unit Members, provided that any additional benefit will not increase the cost of this Agreement to a greater value than the Agreement with the Town of Cheektowaga Employees Association.

Kenneth J. Meyers, Supervisor
Town of Cheektowaga

Richard Koszuta, President
Cheektowaga Supervisory Unit

Date: April 21, 1981

APPENDIX

A) Wage Schedule - 1981

B) Wage Schedule - 1982

C) Additional Salary Exclusion

APPENDIX A

WAGE SCHEDULE - 1981

	January 1, 1981	July 1, 1981
General Foreman - Facilities (see Appendix C)	$24,613.10 (11.7879)	$25,843.76 (12.3773)
General Foreman - Central Garage	$22,495.53 (10.7737)	$23,620.30 (11.3124)
General Foreman - Sewer Maintenance	$22,495.53 (10.7737)	$23,620.30 (11,3124)
Superintendent of Disposal Plants	$22,495.53 (10.7737)	$23,620.30 (11.3124)
Automotive Mechanic Foreman - Central Garage	$20,514.40 (9.8249)	$21,540.12 (10.3161)
Working Foreman	$19,756.77 (9.4620)	$20,744.60 (9.9351)

APPENDIX B

WAGE SCHEDULE - 1982

	January 1, 1982
General Foreman - Facilities (See Appendix C)	$27,073.76 (12.9664)
General Foreman - Central Garage	$24,820.30 (11.8871)
General Foreman - Sewer Maintenance	$24,820.30 (11.8871)
Superintendent of Disposal Plants	$24,820.30 (11.8871)
Automotive Mechanic Foreman - Central Garage	$22,740.20 (10.8909)
Working Foreman	$21,944.60 (10.5099)

APPENDIX C

ADDITIONAL SALARY EXCLUSION

The General Foreman in the Facilities Department has elected to be excluded from additional salary as provided in this agreement. He shall however, be entitled to receive longevity as defined in Section 16.02 of this Agreement. His salary shall be as defined in Appendix A and B of this Agreement. Any additional salary paid to this employee up to the date this Agreement is signed, shall not have to be reimbursed by the above employee.

Item No. 4 cont'd

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

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

WHEREAS, the Building and Plumbing Inspector and the Planning Board of the Town of Cheektowaga have recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended, and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning Ordinances and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 6th day of April, 1981 at 7:00 o'clock P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the "Zoning Ordinance of the Town of Cheektowaga, New York" as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the "Zoning Ordinance of the Town of Cheektowaga, New York" be and the same hereby is amended and changed as follows:

* *

AMENDMENTS TO

ZONING ORDINANCE

1. RESOLVED that ARTICLE I - GENERAL PROVISIONS, Section 1-40 which pertains to the Interpretation of Permitted Uses shall be amended by the inclusion therein, after the words "in performance as", the word "not" so that the second paragraph of such Section shall read as follows:

> In the case of a use listed separately or in an inclusive use listing as a permitted use in any zoning district, no building permit or certificate of zoning compliance shall be issued for such use unless and until this ordinance has been amended including such use as a permitted use in an appropriate zoning district, or the Zoning Board of Appeals has made a ruling under Section 9-111 that the use in question is of such similarity in performance as <u>not</u> to be objectionable for the Zoning District.

2. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 A.6., which relates to the principal permitted uses in a R-Residence District "By special permit authorized by Town Board", shall be amended by the enactment of a new subdivision (c) thereunder as follows:

(c) Windmills or other energy generating devices.

3. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 B.5., which relates to a private swimming pool as an accessory use in a R-Residence District, shall be amended by inclusion therein after the words "Private swimming pool", the words "or Pool Deck", and by the inclusion therein of the words "is a minimum of 5 feet from the rear lot line" so that such subsection shall read in pertinent part as follows:

> 5. Private swimming pool <u>or pool deck</u>, provided that it is located in the rear of the front set-back line, <u>is a minimum of 5 feet from the rear</u> lot line and does not occupy any part of a required side yard.

Item No. 5 cont'd

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on April 21, 1981; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

The aforementioned changes to the "Zoning Ordinance of the Town of Cheektowaga, New York" shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deubler, 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 23, 1981; last publication April 23, 1981; and that no more than six days intervened between publications.

Gladys M. Deubler

Sworn to before me this 24th day of April, 19 81

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, 1983

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 21st day of April, 1981 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner

ABSENT:

Councilman
William P. Rogowski

Motion by Councilman Johnson, Seconded by Councilman Wegner

WHEREAS, the Building and Plumbing Inspector and the Planning Board of the Town of Cheektowaga have recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended, and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning Ordinances and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 6th day of April, 1981 at 7:00 o'clock P.M.,; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the "Zoning Ordinance of the Town of Cheektowaga, New York" as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the "Zoning Ordinance of the Town of Cheektowaga, New York" be and the same hereby is amended and changed as follows:

AMENDMENTS TO ZONING ORDINANCE

1. RESOLVED that ARTICLE I - GENERAL PROVISIONS, Section 1-40 which pertains to the Interpretation of Permitted Uses shall be amended by the inclusion therein, after the words "in performance as"; the word "not so that the second paragraph of such Section shall read as follows:

In the case of a use not listed separately or in an inclusive use listing as a permitted use in any zoning district, no building permit or certificate of zoning compliance shall be issued for such use unless and until this ordinance has been amended including such use as a permitted use in an appropriate zoning district, or the Zoning Board of Appeals has made a ruling under Section 9-111 that the use in question is of such similarity in performance as not to be objectionable for the Zoning District.

2. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 A.6., which relates to the principal permitted uses in a R-Residence District "By special permit authorized by Town Board", shall be amended by the enactment of a new subdivision (c) thereunder as follows:

(c) Windmills or other energy generating devices.

3. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 B.5., which relates to a private swimming pool as an accessory use in a R-Residence District, shall be amended by the inclusion therein, after the words "Private swimming pool", the words "or Pool Deck", and by the inclusion therein of the words "is a minimum of 5 feet from the rear lot line" so that such subsection shall read in pertinent part as follows:

5. Private swimming pool or pool deck, provided that it is located in the rear of the front set-back line, is a minimum of 5 feet from the rear lot line and does not occupy any part of a required side yard.

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on April 21, 1981; and that a certified copy thereof be published in The CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

The aforementioned changes to the "Zoning Ordinance of the Town of Cheektowaga, New York" shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

Upon roll call...

Supervisor		
Meyers	Voting	AYE
Councilmen:		
Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	ABSENT

AYES: 5
NAYES: 0
ABSENT: 1

STATE OF NEW YORK)
COUNTY OF ERIE)

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

WHEREAS, Santoro Signs has requested permission to erect four 6 ft. by 12 ft. billboard wall signs. One sign to be located on the East wall and one sign on the West wall of an existing building at 1068 Walden Avenue and one sign to be located on the East wall and on sign on the West wall of an existing building at 2352 Genesee Street, and

WHEREAS, said application was referred to the Building Inspector of the Town of Cheektowaga, and

WHEREAS, said Building Inspector has recommended denial of said sign application, NOW, THEREFORE, BE IT

RESOLVED that Santoro Signs be and is hereby denied permission to erect the following four billboard wall signs:

One sign on the East wall and one sign on the West wall of an existing building at 1068 Walden Avenue and one sign on the East wall and one sign on the West wall of an existing building at 2352 Genesee Street

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

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

WHEREAS, Herbert S. Chason, Renewal Housing Corp has made application and requested the rezoning of property located at 146 BENNETT ROAD from R-Residential to RA-Apartment District (2-30 Senior Citizen Housing), NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 4, 1981 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 and Wegner
NAYES: 0
ABSENT: Councilman Rogowski

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deshler, 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 23, 1981; last publication April 23, 1981; and that no more than six days intervened between publications.

Gladys M. Deshler

Sworn to before me this 24th day of April, 1981

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, 1983

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 4th day of May 1981, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Herbert S. Chason to Rezone from R-Residential District to Senior Citizens Housing District on property located at 146 Bennett 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
Councilmen:
Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: April 23, 1981

Item No. 8 Motion by Councilman Dux, seconded by Councilman Johnson

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of three (3) or four (4) 1980 garbage trucks with rear loading packer bodies for the Sanitation Department. Information for bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., Eastern Daylight Saving Time on May 18, 1981 for the purpose of properly opening and reading the sealed bids.

* *

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

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 18, 1981 at 7:00 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road for three (3) or four (4) garbage trucks with twenty-five (25) Cubic yard packer bodies.

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: April 21, 1981

* *

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Dechter, 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 23, 1981; last publication April 23, 1981; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 24th

day of April, 19 81

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, 1985

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 18, 1981 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road for three (3) or four (4) garbage trucks with twenty-five (25) cubic yard packer bodies.

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: April 21, 1981
PUBLISHED: April 23, 1981

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

WHEREAS, the Sanitary Sewer Maintenance Department is in need of one (1) 1981 truck chassis for the sewer flusher, and

WHEREAS, funds are available 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 vehicle, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 4th day of May, 1981 at 7:00 P.M., Eastern Daylight Saving 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 4, 1981 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Roads for the furnishing of a 1981 truck chassis for the Sanitary Sewer Maintenance Department of 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: April 21, 1981

* *

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

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 April 23, 1981; last publication April 23, 1981; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 24th

day of April, 19 81

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, 1983

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 4, 1981 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Roads for the furnishing of a 1981 truck chassis for the Sanitary Sewer Maintenance Department of 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 the order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI
Town Clerk

DATED: April 21, 1981
PUBLISHED: April 23, 1981

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 16, 1981 for the furnishing of road materials for 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 have 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 the Superintendent of Highways, a copy of which is attached hereto and made a part hereof.

* See next page for copy of letter

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: ~~6[illegible]~~
686 3450

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

April 13, 1981

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

Gentlemen: Re: Award of bids

Bids for road material were received by the Honorable Body on March 16, 1981, and after reviewing and tabulating same, I recommend that the bids be awarded to the following lowest responsible bidders:

TOP SOIL - Custom Top Soil Co. - 320 Losson Rd., Cheektowaga, New York 14227
(for pick up only) Regular ——@$10.00 per yd.
Screened —— @$13.00 per yd.
Shredded —— @$11.00 per yd.

ROAD OIL - Krantz Asphalt Co., 701 Elk St., Buffalo, New York

64 P ——— @ $.92 per gal. Item 70B Surface treatment — $.823 per gal.
Item 67B MCO -$1.16 per gal. Item 70B grade C """""""""" — .823 per gal.
MC-I Penetrating oil —— $1.16 per gal.

PORTLAND CEMENT - Duch Bldrs. Supply Corp. 410 Memorial Dr., Buffalo, NY 14212
94 lb. bag @ $4.13 per bag
MORTAR —— Duch Bldrs. Supply Corp. 410 Memorial Dr., Buffalo, NY 14212
70 lb. bag @ $3.37 per bag
GRAVEL —— Duch Bldrs. Supply Corp. 410 Memorial Dr., Buffalo, NY 14212
(for pick up only) 5/16" ——— @ $3.50 per T
5/8 " ———@ $5.00 per T
1½ " ———@ $4.25 per T
GRIT ———— Duch Bldrs. Supply Copr. 410 Memorial Dr., Buffalo, NY 14212
(for pick up only) $5.00 per T

CONCRETE BLOCKS - Buffalo Block Co., 242 Hopkins St., Buffalo, NY

6" standard hollow(cube)	115/.46	each ——	$52.90 per cube
6" - ½ block hollow(cube)	.28	each ——	56.00 per cube
8" standard - hollow	.63	each ——	56.70 per cube
8 - ½ block - hollow	120/.36	each ——	43.20 per cube
10" standard hollow	67/.77	each ——	51.59 per cube
10 - ½ block - hollow	134/.43	each ——	57.62 per cube
Concrete brick standard	720/139.50-M	—	100.44 per cube

I trust the above will meet with your Honorable approval.

Very truly yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

cc: Town Clerk
Town Atty.
Eng. Dept.
Council Office

Item No. 10 cont'd

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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of five (5) 1981 automobiles for the Police Department, 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 of five (5) 1981 automobiles be awarded to Mernan Chevrolet, Inc., 2751 Bailey Avenue, Buffalo, New York, for their bid in the amount of $8,185.00 each or $40,925.00 for five (5) vehicles, said bid being the lowest bid meeting the specifications for the Police Department.

* 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—686-3448

April 16, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Automobile Award of Bid
Police Department

Gentlemen:

At the regular Town Board Meeting of April 6, 1981, bids were received and opened for the purchase of five (5) 1981 automobiles for the Police Department. Four (4) bids were received as follows:

BIDDER	BID PRICE EACH	TOTAL BID FIVE VEHICLES
Mernan Chevrolet, Inc.	$8,185.00	$40,925.00
Southeastern Chrysler Plymouth, Inc.	$8,132.00	$40,660.00
Keller Chevrolet, Inc.	$8,188.88	$40,944.40
Mid City Dodge, Inc.	$8,228.00	$41,140.00

Southeastern Chrysler Plymouth, Inc. submitted the apparent lowest bid but did not meet the specifications in wheelbase and tire size requirements. It is, therefore, recommended that the bid be awarded to Mernan Chevrolet, Inc., 2751 Bailey Avenue, Buffalo, New York, for the purchase of five (5) 1981 automobiles for the Police Department, 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. 11 cont'd

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

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

WHEREAS, Mr. Donald W. Abram has informed the Town that he is the record owner of the real property on both sides of Cambria Street, a so-called paper street, in the Town of Cheektowaga, New York; and

WHEREAS, records in the Town Assessor's Office disclose that Cambria Street runs off of Shanley Street and is not presently on the assessment rolls; and

WHEREAS, investigation has shown that the aforesaid paper street has never been opened, dedicated, use or laid out as a town highway at any time; and more particularly for more than six years last past,

NOW, THEREFORE, BE IT RESOLVED that the aforesaid paper street, which is more particularly described in the attached petition of Donald W. Abram be and the same is hereby abandoned as a Town Highway as provided in the Highway Law of the State of New York, and BE IT FURTHER

RESOLVED that this Town Board execute a written consent that the Town Superintendent of Highways file and cause to be recorded in the Town Clerk's Office a written description, signed by him, and by this Town Board of the Highway so abandoned, and BE IT FURTHER

RESOLVED that subject to permissive referendum, Kenneth J. Meyers, as Supervisor of the Town of Cheektowaga, and for and on its behalf, be and hereby is authorized to execute a Quit Claim Deed of said paper street to Donald W. Abram in order to establish a future record title for such property.

* See next pages for petition, etc.

PETITION TO REQUEST ABANDONMENT OF
CAMBRIA STREET, IN THE TOWN OF CHEEKTOWAGA,
COUNTY OF ERIE AND STATE OF NEW YORK

TO THE TOWN BOARD FOR THE TOWN OF CHEEKTOWAGA, COUNTY OF ERIE AND STATE OF NEW YORK:

THE PETITION of DONALD W. ABRAM respectfully shows:

1. THAT your Petitioner is domiciled at 66 Willowdale Drive, West Seneca, New York, 14224.

2. THAT your Petitioner, on December 10th, 1980 purchased premises located in the Town of Cheektowaga, which bounds both on the south and the north of Cambria Street, which deed was recorded in the Erie County Clerk's Office in Liber 8970 of Deeds at Page 49, a copy of which is attached herewith as Schedule "A".

3. THAT Cambria Street as located in the Town of Cheektowaga is bounded on the north and south by lands owed by your Petitioner, on the west by lands owned by the City of Buffalo, and on the east by Shanley Street.

4. THAT to the best of your Petitioner's knowledge that portion of Cambria Street, which is the subject matter of the Petition, has not been traveled or used as a highway for at least six (6) years, and is not maintained in any way by the Town of Cheektowaga.

5. THAT the legal description of Cambria Street which is the subject matter of this Petition is 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. 148 1/2, Township 10, Range 7 of the Buffalo Creek Reservation and according to map filed under Cover No. 409 is known as Cambria Street 50 feet wide between the Buffalo City Line and Shanley Street.

WHEREFORE, Your Petitioner prays that the Town of Cheektowaga declare Cambria Street abandoned and further declare that the title to same shall revert to your Petitioner, who is the owner in fee simple of all lands adjoining Cambria Street, and that as evidence of such abandonment a certified copy of the Board's Abandonment of their right of way be issued to your Petitioner, and a Quit Claim Deed of subject premises vesting the title in DONALD W. ABRAM be delivered for recording in the Erie County Clerk's Office.

Dated this 13 day of April, 1981.

x Donald W Abram

STATE OF NEW YORK :
COUNTY OF ERIE : ss

I, DONALD W. ABRAM, being duly sworn, depose and say that I have read the foregoing Petition subscribed by me and know the contents thereof, and that the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters I believe it to be true.

x Donald W Abram

On April 13, 1981, before me personally came DONALD W. ABRAM, to me known to be the person described in and who executed the foregoing instrument, and such person duly swore thereto before me and duly acknowledged that he had executed the same.

Frank M. Spitzmiller II

FRANK M. SPITZMILLER II
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

A 201 | Standard N.Y.B.T.U. Form 8002
Bargain & sale deed, with covenant against grantor's acts—Ind. or Cor. | DATE CODE | JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS 80 EXCHANGE PL. AT BROADWAY, N. Y. C. 10004

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT – THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 10 day of December , nineteen hundred and eighty

BETWEEN EAST PENN MANUFACTURING CO., INC., a corporation organized under the laws of the State of Pennsylvania, and having its place of business in Lyon Station, Pennsylvania, 19536

party of the first part, and DONALD W. ABRAM, residing at West Seneca, NY, 14224

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ONE AND MORE------

--------($1.00 + MORE)-------- dollars,

lawful money of the United States, paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 148-1/2, Township 10, Range 7 of the Buffalo Creek Reservation, and according to a map filed in Erie County Clerk's Office on December 19, 1893 under Cover No. 409, in Block "E", described as follows:

BEGINNING at the point of intersection of the westerly line of Shanley Street with the northwesterly line of Cambria Street, thence northwesterly along the the northeasterly line of Lot No. 1 in Block "E", 74.96 feet to lands of the Lehigh Valley Railroad Company; thence easterly and along the southerly line of said railroad lands 62.71 feet to the westerly line of Shanley Street; thence southerly and along the westerly line of Shanley Street 98.63 feet to the place of beginning, being a triangular piece of land.

ALSO, 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. 148-1/2, Township 10, Range 7 of the Buffalo Creek Reservation, and according to a map filed in the Erie County Clerk's Office on December 19, 1893 under Cover No. 409, is known as Subdivision Lot No. 4 in Block "B" and Subdivision Lots Nos. 1 to 5 inclusive in Block "E".

EXCEPTING AND RESERVING therefrom any portion thereof lying within the bounds of the City of Buffalo,

FURTHER EXCEPTING from the above lands, those portions thereof taken for William Street, being Parcel 32, Map 28 and Parcel 33, Map 29 of the Public Service Commission Case No. 4786.

RECEIVED
$ 44.50
REAL ESTATE
DEC 10 1980
TRANSFER TAX
ERIE
COUNTY

LIBER 8370 PAGE 43

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

EAST PENN MANUFACTURING CO., INC.

BY John Rickolt
John Rickolt

STATE OF NEW YORK, COUNTY OF / ss:

On the 10 day of December 19 80, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

6A-147-10 Com 40 9
4 Sale B
1-Strip Sale E and A-Blk E

STATE OF NEW YORK, COUNTY OF Erie ss:

On the 10 day of December 19 80, before me personally came John Rickolt to me known, who, being by me duly sworn, did depose and say that he resides at No. Lyon Station, PA ;

that he is the Vice President of East Penn Manufacturing Co., 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.

Frank M. Spitzmiller II

FRANK M. SPITZMILLER II
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. ;

that he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed h name as witness thereto.

Bargain and Sale Deed Box 199

With Covenant Against Grantor's Acts

TITLE No.

SECTION
BLOCK
LOT
COUNTY OR TOWN

EAST PENN MANUFACTURING CO., INC.

TO

DONALD W. ABRAM 78

RETURN BY MAIL TO:

Zip No.

Reserve this space for use of Recording Office.

1980 DEC 10 PM 12:10
FILED
ERIE COUNTY
CLERK'S OFFICE

LIBER 8970 PAGE 51

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Liber 8970 Page 49
Deed
Dec 10 1980 12:10 P.M.
Examined
County Clerk

1-14, 2, 2f

I, the undersigned Town Superintendent of Highways of the Town of Cheektowaga, in the County of Erie, hereby certify that the premises described on Schedule "A" and designated as a proposed street on a map filed in the Erie County Clerk's Office under Cover No. 409, have not been opened or worked for more than six years last past, and that the same have been abandoned by the public, and are not now used as a public highway.

ALSO, we the undersigned members of the Town Board of the Town of Cheektowaga, constituting the whole or a majority thereof, do hereby consent to the making and filing of this Certificate, and do hereby sign the same.

THEREFORE, pursuant to Section 205 of the Highway Law, the premises described on Schedule "A", are hereby abandoned as a public right-of-way

DATED: This 21st day of April, 1981.

Alfred Wnek, Highway Superintendent

Kenneth J. Meyers, Supervisor

Frank J. Dux, Town Board Member

Frank E. Swiatek, Town Board Member

Donald J. Wegner, Town Board Member

William P. Rogowski, Town Board Member

Thomas M. Johnson, Jr, Town Board Member

STATE OF NEW YORK :
COUNTY OF ERIE : ss

On this 21st day of April, 1981, before me personally came ALFRED WNEK, to me personally known, who, being by me duly sworn did depose and say that he resides at 1491 Harlem Road, Cheektowaga, New York, that he is the Highway Superintendent of the Town of Cheektowaga, the corporation described in and which executed the within 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; that he signed his name thereto by like order.

James J. Kirisits

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1982

STATE OF NEW YORK:
COUNTY OF ERIE : ss

On this 21st day of April, 1981, before me personally came KENNETH J. MEYERS, to me personally known, who, being by me duly sworn did depose and say that he resides at 305 McNaughton Avenue, Cheektowaga, New York, that he is the Supervisor of the Town of Cheektowaga, the corporation described in and which executed the within 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.

James J. Kirisits

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1982

STATE OF NEW YORK :
COUNTY OF ERIE : ss

On this 21st day of April, 1981, before me personally came FRANK J. DUX, to me personally known, who, being by me duly sworn, did depose and say that he resides at 659 Cleveland Drive, Cheektowaga, New York, that he is a Member of the Town Board of the Town of Cheektowaga, New York, the corporation described in and which executed the within instrument; that he knows the seal of such 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.

James J. Kirisits

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1982

STATE OF NEW YORK :
COUNTY OF ERIE : ss

On this 21st day of April, 1981, before me personally came FRANK E. SWIATEK, to me personally known, who, being by me duly sworn did depose and say that he resides at 22 Ely Drive, Cheektowaga, New York, that he is a Member of the Town Board of the Town of Cheektowaga, New York, the corporation described in and which executed the within 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; that he signed his name thereto by like order.

James J. Kirisits

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1982

STATE OF NEW YORK :
COUNTY OF ERIE : ss

On this 21st day of April, 1981, personally came DONALD J. WEGNER, to me personally known, who, being by me duly sworn did depose and say that he resides at 89 Lloyd Drive, Cheektowaga, New York, that he is a Member of the Town Board of the Town of Cheektowaga, New York, the corporation described in and which executed the within 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.

James J. Kirisits

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1982

STATE OF NEW YORK :
COUNTY OF ERIE : ss

On this 21st day of April, 1981, before me personally came WILLIAM P. ROGOWSKI, to me personally known, who, being by me duly sworn did depose and say that he resides at 274 Curtiss, Sloan, New York, that he is a Member of the Town Board of the Town of Cheektowaga, New York, the corporation described in and which executed the within 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.

STATE OF NEW YORK :
COUNTY OF ERIE : ss

On this 21st day of April, 1981 before me personally came THOMAS M. JOHNSON, JR., to me personally known, who, being by me duly sworn did depose and say that he resides at 171 Meadowlawn Road, Cheektowaga, New York, that he is a Member of the Town Board of the Town of Cheektowaga, New York, the corporation described in and which executed the within 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.

James J. Kirisits

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19[illegible]

SCHEDULE "A"

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. 148 1/2, Township 10, Range 7 of the Buffalo Creek Reservation and according to map filed under Cover No. 409 is known as Cambria Street 50 feet wide between The Buffalo City Line and Shanley Street.

Item No. 12 cont'd

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

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

WHEREAS, Anthony J. Russo has made application to the Town for a topsoil removal permit for the purpose of removing previously stockpiled topsoil, and

WHEREAS, said applicant has complied with the necessary requirements and has paid the necessary fees, therefore, to comply with the provisions of Ordinance No. 16 of the Town of Cheektowaga Code (Regulating Sand Bank and Gravel Pits, Topsoil Removal and Other Excavations) and has submitted a performance bond in the amount of $2,000.00, and

WHEREAS, Section 3F, pertaining to Golden Nematode of Potato may be waived according to the attached letter from the Department of Agriculture and Markets, and

WHEREAS, access to the site shall be gained from Transit Road, NOW, THEREFORE, BE IT

RESOLVED that the Town grants a permit to Anthony J. Russo to remove stockpiled topsoil on his land, the survey of which land is attached hereto and made a part hereof, and the Engineering Department has also submitted its approval which is attached to said resolution, and BE IT FURTHER

RESOLVED that the Town Board be and hereby is authorized to sign said topsoil removal permit.

* See next seven (7) pages

PERMIT

for

TOPSOIL REMOVAL

The undersigned members of the Town Board hereby approve and issue a Permit to Anthony J. Russo to remove topsoil on lands owned by him/her and in accordance with all the provisions and attachments of a resolution duly passed by the Town Board at a regular Town Board meeting held on April 21, 1981.

DATED: April 22, 1981

CHEEKTOWAGA, NEW YORK

Kenneth J. Meyers, Supervisor

Frank E. Swiatek, Councilman

Thomas M. Johnson, Councilman

Frank J. Dox, Councilman

EXCUSED

William Rogowski, Councilman

Donald J. Wegner, Councilman

23495

APPLICATION

for

TOPSOIL REMOVAL PERMIT

State of New York)
) ss:
County of Erie)

1. The undersigned Anthony J. Russo, residing at Buffalo, N.Y., hereby applies to the Town Board of the Town of Cheektowaga for a topsoil removal permit pursuant to Chapter 25 of the Cheektowaga Code (Excavations - Article I - Sections 25-1 to 25-11). The applicant shall hereby comply with the provisions of any requirements set forth by the Town Engineer's Office and the Building Inspector's Office together with the requirements as set forth in Section 25-3 of the Cheektowaga Code.

2. The undersigned applicant further agrees to conform with all the provisions of Section 25-5 of said Code entitled "Regulation of Topsoil Removal." The applicant further states that he shall pay the necessary fees as required under the Code as well as filing a Performance Bond as may be required by the Town Clerk.

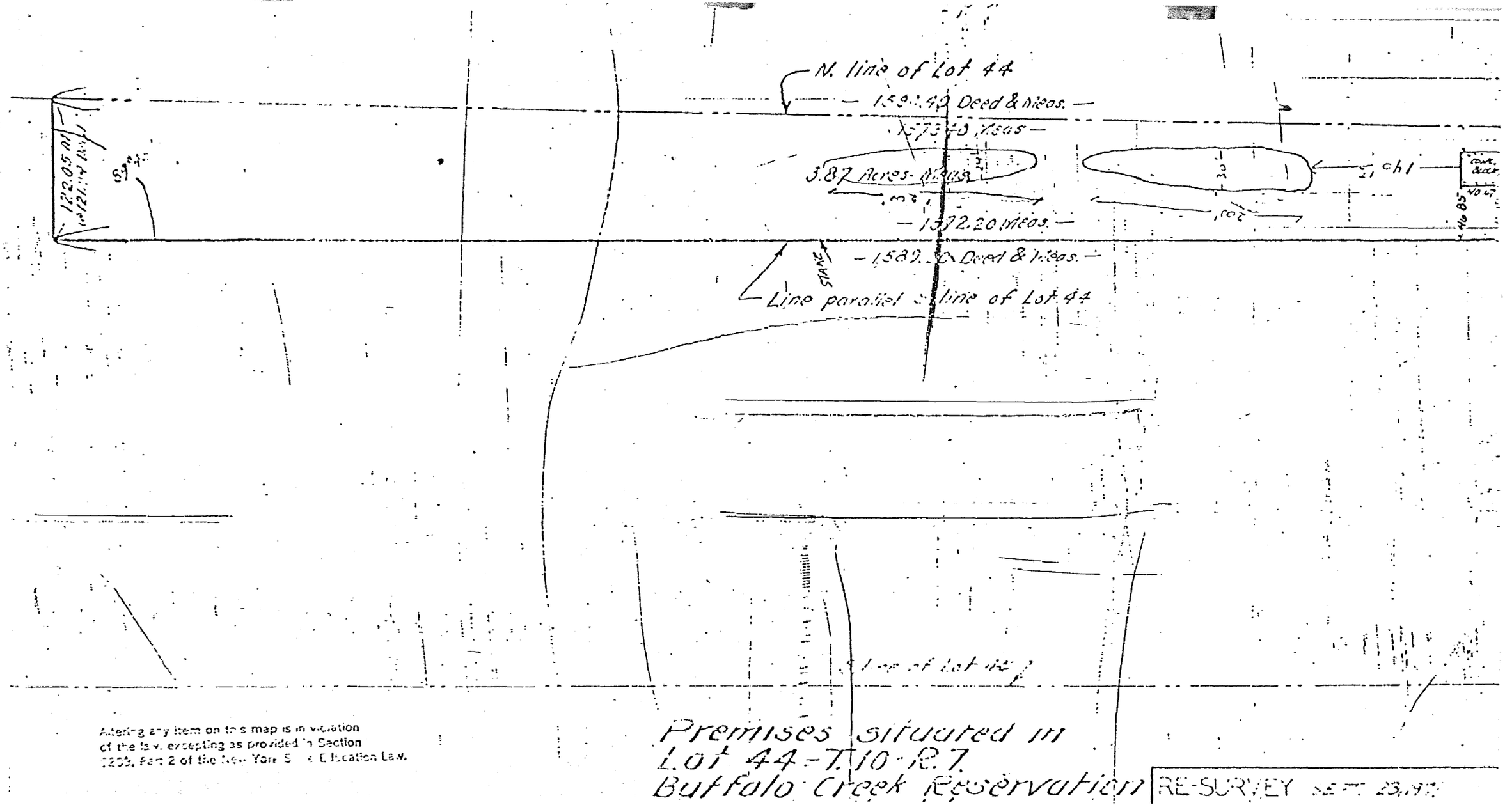
3. The premises from which said topsoil will be removed are described in Exhibit A attached hereto.

Anthony Russo

683-0010

Sworn to before me this
13th day of April, 1981.

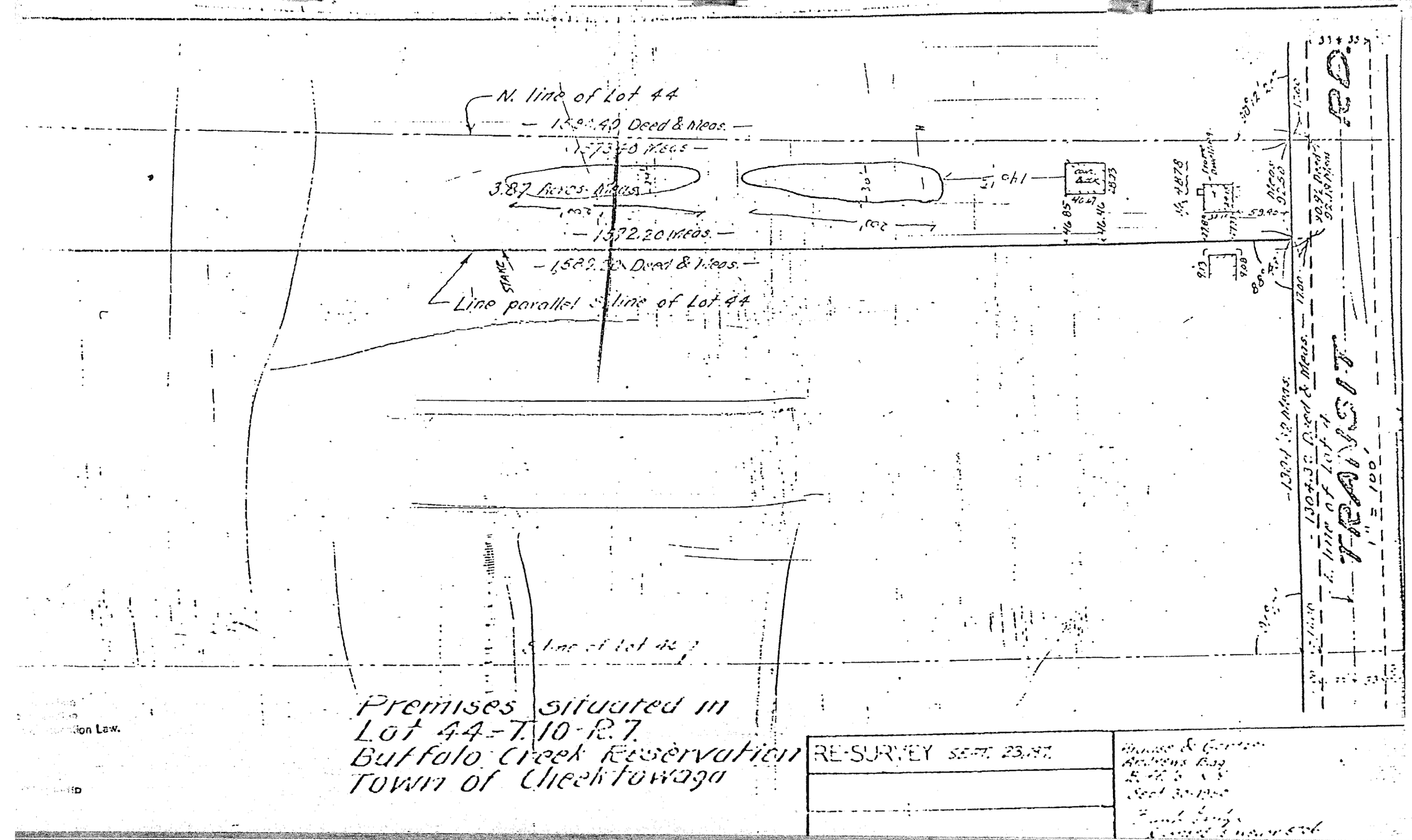
Linda M Seyell



Altering any item on this map is in violation of the law, excepting as provided in Section 7209, Part 2 of the New York State Education Law.

Premises situated in
Lot 44 - T.10 - R.7
Buffalo Creek Reservation

RE-SURVEY SEPT 23, 19??


N. line of Lot 44
— 1320.49 Deed & Meas. —
— 1573.20 Meas. —
3.87 acres Meas.
— 1572.20 Meas. —
— 1582.20 Deed & Meas. —
STAKE
Line parallel S line of Lot 44
S line of Lot 44
Premises situated in
Lot 44-T.10-R.7.
Buffalo Creek Reservation
Town of Cheektowaga
RE-SURVEY Sept. 23, 97
Sept. 30, 1997

M E M O

TO: Town Board Members

FROM: Bill Pugh
Sr. Engineer Assistant

RE: Topsoil Removal Permit
Applicant: Anthony J. Russo

DATE: April 16, 1980

An inspection was made of this existing topsoil stockpile located off Transit Road directly south of the Madeira Retention Basin. The applicant, Anthony J. Russo, presently owns the entire parcel (see attached survey) including the area being used for storm water retention purposes by the Town of Cheektowaga. The topsoil was stripped and stockpiled several years ago as evidenced by the amount of tree and brush growth on top of the pile. The removal of this topsoil should not cause any local drainage problems because of the neighboring retention basin.

The following is recommended as a condition of permit issuance:

1) Access to site shall be only from Transit Road.

2) The area be re-seeded according to the attached letter from Merriman Consultants.

3) All debris (i.e. brush, small trees associated with this stockpile) be removed from the site and properly disposed of.

4) The operation shall not cause any inconvenience to the tenants or any nuisance (dust, noise etc.) to neighboring property owners.

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

M E M O

TO: Mary Holtz
Deputy Town Clerk

FROM: Bill Pugh
Sr. Engineer Assistant

RE: Topsoil Removal Permit
Applicant: Anthony J. Russo

DATE: April 15, 1981

Attached please find a letter dated February 19, 1981 from Anthony Russo requesting renewal of a Topsoil Removal Permit which was issued in April 1980. Mr. Russo explains that he was unable to remove any of this stockpiled topsoil under the previous permit. The applicant has submitted an updated performance bond in the amount of $2,000 which has been placed on file in this office.

Re-issuance of this permit should be under the same conditions as the previous permit as indicated in the attached memo dated April 16, 1980.

WRP:dmr
Enc.

3138 Walden Avenue
P.O. Box 94
Depew, N.Y. 14043
February 19, 1981

Town of Cheektowaga - Engineering Dept.
Town Hall
Broadway and Union Road
Cheektowaga, N.Y. 14227

Gentlemen:

We wish to renew our topsoil removal permit which was issued on April 22, 1980.

Because of unforseen difficulties encountered last year, we were unable to remove any topsoil.

Very truly yours,

Anthony Russo

Anthony Russo

AR:bw

Item No. 13 cont'd

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

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman Johnson

BE IT RESOLVED that the Town Attorney's Office be and hereby is authorized to Appeal the Decision of Honorable Samuel L. Green, Justice Supreme Court, with reference to the lawsuit entitled:

In The Matter of the Application of

DENNIS L. REPKA

-against-

TOWN OF CHEEKTOWAGA, et al.

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

Item No. 15 Motion by Councilman Dux, seconded by Councilman Johnson

WHEREAS, this Town Board has continually expressed concern about both the past development and future development of the Town of Cheektowaga, and

WHEREAS, the appearance of all land areas in the Town and developments therein are of further concern to all of the inhabitants of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the period of May 4, 1981 through May 15, 1981 be and hereby is designated Clean-up, Paint-up and Fix-up Week in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that appropriate posters in Business windows and notices of said Clean-up, Paint-up and Fix-up Week be placed in the CHEEKTOWAGA TIMES and the PENNYSAVER of the Town of Cheektowaga.

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

AFFIDAVITS - NEXT PAGE

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 April 23 1981; last publication April 23, 1981; and that no more than six days intervened between publications.

Gladys M. Beckstead

Sworn to before me this 24th

day of April, 19 81

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, 1983

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 21st day of April, 1981 at 7:00 o'clock p.m. Eastern Standard Savings Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner

ABSENT:

Councilman
William P. Rogowski

Motion by Councilman Dux, Seconded by Councilman Johnson

WHEREAS, this Town Board has continually expressed concern about both the past development and future development of the Town of Cheektowaga, AND

WHEREAS, the appearance of all land areas in the Town and developments therein are of further concern to all of the inhabitants of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the period of May 4, 1981 through May 15, 1981 be and hereby is designated Clean-up, Paint-up and Fix-up Week in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that appropriate posters in Business windows and notices of said Clean-up, Paint-up and Fix-up Week be place in The CHEEKTOWAGA TIMES and the Pennysaver of the Town of Cheektowaga.

Upon roll call...

Supervisor	
Meyers	Voting AYE
Councilmen:	
Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
Wegner	Voting AYE
Rogowski	Voting ABSENT

AYES: 5
NAYES: 0
ABSENT: 1

PUBLISHED: April 23, 1981

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

WHEREAS, it is the intention of the Town to sponsor a "Polish-American Arts Festival" within the Town during the month of August, 1981, and

WHEREAS, such a Festival will include presentations by various professional amateur singing and dancing groups, and exhibits and demonstrations by craftsmen, and

WHEREAS, financial assistance may be available through the National Endowment for the Arts for the costs of certain elements of the Festival, and

WHEREAS, an application for financial assistance from the National Endowment for the Arts has been prepared by the Town Community Development Director in the amount of $2,660 for said Festival, and

WHEREAS, submission of said application was required in a timely manner, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign said application on behalf of the Town Board, and any and all related documents for submission to the National Endowment for the Arts, said authorization being retroactive to April 1, 1981.

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

Item No. 17 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, emergency sanitary sewer repairs were requried at 74 and 82 Susan Lane in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the vouchers of George Pagels Contracting Co., Inc. 33 Homewood Avenue, Cheektowaga, New York 14227, in the amount of $542.00 for 82 Susan Lane and $542.00 for 74 Susan Lane to repair two (2) separate cave-ins be approved and ordered paid.

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

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that Change Order #3, Contract #3A, for the Town's Sanitary Sewer District #5 Main Pump Station, in the amount of $12,014.00 as an addition to the contract of Frank Ciminelli Construction Company, Inc., 135 Manhattan Avenue, Buffalo, New York 14215 be approved. The reason for each change, description and cost are defined in a letter from the Town Engineer dated April 16, 1981 and considered part of this resolution, and BE IT FURTHER

RESOLVED that this Town Board, acting as the Board of Managers of Sewer District #5, directs and authorizes the Supervisor to sign said Change Order #3 on behalf of the Town's Sewer District #5.

* 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—686-3448

April 16, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 3
Contract No. 3A
Main Pump Station
Treatment Plant No. 5

Gentlemen:

The consulting firm of Nussbaumer & Clarke, Inc. has submitted one (1) Change Order on the above project and recommend its approval.

Change Order #3 - Add $12,014.00

This Change Order consists of four (4) different changes which are described as follows:

1) Addition of a 30 foot aluminum flag pole requested by the Town for a cost of $1,272.00.

2) Replacing an existing inadequate 2 inch water service line with a 3 inch water line and replacing the deteriorating meter pit at a cost of $6,622.00.

3) To furnish and install additional bituminous pavement to widen the driveway for truck traffic and for a future maintenance facility entrance at a cost of $3,146.00.

4) To furnish and install material and labor to encase six (6) steel columns in the offices to reduce equipment noise transmission and present a finished appearance for a cost of $974.00.

Attached is a resolution requesting your consideration.

Very truly yours,

TOWN OF CHEEKTOWAGA

C. L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dmr

Item No. 18 cont'd

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

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

WHEREAS, the Town wishes to establish the policy of paying all summer seasonal employees on a two-week basis, and

WHEREAS, the Town's Payroll Department suggest that the payment of summer seasonal employees be the same week for all departments, and

WHEREAS, the Town also wishes to establish the policy that no summer seasonal employees be paid for lunches, NOW, THEREFORE, BE IT

RESOLVED that the above policies be and hereby are adopted by the Town Board effective immediately.

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

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga Recreation Department is often required to purchase small items with very little notice, and

WHEREAS, these small purchases are usually difficult and/or costly to process through the Town voucher system, NOW, THEREFORE, BE IT

RESOLVED that a petty cash fund of $50.00 (Fifty Dollars) be established in the Town Recreation Dept.

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

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

WHEREAS, the Cheektowaga Sanitation Department has one (1) vacancy in the Laborer job classification, and

WHEREAS, said vacancy has been duly posted for bid in the various Town Departments as per Collective Bargaining Agreement, NOW, THEREFORE, BE IT

RESOLVED that David Klager, is hereby appointed to the position of Laborer in the Sanitation Department effective April 27, 1981.

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

Item No. 22 Motion by Councilman Dux, seconded by Councilman Johnson

WHEREAS, a vacancy exists in the Cheektowaga Facilities Department for the position of General Mechanic, Full Time, and

WHEREAS, said vacancy has been posted as per the Collective Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employee's Association, NOW, THEREFORE, BE IT

Item No. 22 cont'd

RESOLVED that Anthony J. Broniszewski, , Cheektowaga, New York 14225, , is hereby appointed to the position of General Mechanic, Full-Time in the Facilities Department effective April 22, 1981.

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

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

BE IT RESOLVED that the below listed individual be hired to participate in the Hometown Beautification Program (Participant - A.7310.187) at a salary rate of $3.35 per hour:

Michael A. Digati

Cheektowaga, New York 14211

and BE IT FURTHER

RESOLVED that the following individual be hired to work at the Central Garage as a seasonal clerk at a salary rate of $3.10 per hour:

Marcy Burst

Cheektowaga, New York

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

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

WHEREAS, the Cheektowaga Youth Bureau has been designated a recipient of federal funds to conduct a Youth Community Conservation and Improvement Project (Y.C.C.I.P.), and

WHEREAS, the Y.C.C.I.P. is a Title IV program of the Manpower Administration, with the purpose of providing employment and training to young adults, ages 16 through 19, who are unemployed, economically disadvantaged and have dropped out of school, and

WHEREAS, funds for this action are available from the Y.C.C.I.P. budget line A.6258.110, i.e. participant wages, NOW, THEREFORE, BE IT

RESOLVED that the below listed individual be hired to participate in said program at the rate of $3.35 per hour, the current minimum wage:

--Robert Reimer

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

Item No. 25 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Richard J. Kozell, Police Officer in the Cheektowaga Police Department, has received orders to report for military training for the period of May 16, 1981 to May 30, 1981, and

Item No. 25 cont'd

WHEREAS, all employees eligible for benefits under Section 242 and 243 of the Military Law of the State of New York shall be guaranteed such benefits in full accordance with the law, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board approves said Military Service Leave for Officer Kozell, for the period May 16, 1980 to May 30, 1981.

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

Item No. 26 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, there is need for obtaining technical services that are not included in the scope of any current project, and

WHEREAS, such services are needed in resolving erosion control problems, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is hereby authorized to secure the services of Merriman Conservation Consultants, 504 Ridge Avenue, East Aurora, New York 14052, as needed at the rate of twenty-four dollars ($24.00) per hour for the services of a Conservation Consultant, said rate to apply for the calendar year of 1981, and BE IT FURTHER

RESOLVED that payment for said services shall be made only where authorized by the Town Engineer in writing to said consultant and that services are charged to the General Fund, Erosion Control Budget.

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

Item No. 27 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers are hereby approved and made a part hereof.

FEDERAL REVENUE SHARING FUND

From:	CF.8540.400 (General Drainage)	$8,855.09
To:	CF.8540.408 (Madeira-Borden Drainage)	$3,355.09
	CF.8540.440 (Miscellaneous Erosion Control Work)	5,500.00

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

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

Item No. 28 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 21st, 1981 are hereby approved and the Superivsor is ordered to pay same.

Item No. 28 cont'd

FUND	CHECK NOS.	AMOUNT
GENERAL FUND	18864,18866,18868-18882 18884-18885,18887,10824, 10908-11055	$ 868,036.12
SPECIAL DISTRICT FUND	8219-8226,10280-10349	466,995.27
HIGHWAY FUND	6092-6099,10211-10251	159,361.89
FEDERAL REVENUE SHARING FUND	694,10146-10157	90,125.42
CAPITAL FUND	435,448-451	85,179.96
H.U.D. - C.D.B.G. FUND	323-329	56,317.03
PART TOWN FUND	399,412-416,423-432	12,337.11
DEBT SERVICE FUND	128 voided	-0-
TRUST AND AGENCY FUND	957,960-962	171,117.06
		$1,909,469.86

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 29 Health Reports
Received and Filed.

Item No. 30 Cheektowaga Public Library Board - Minutes from March meeting
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 31 Senator D. Moynihan, U.S. Senate - letter regarding Revenue Procedure 80-55
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary.
Received and Filed.

Item No. 32 N.Y.S. Dept. of Trans. - Notice of Order and Signal Operation Specs regarding signal at Walden and Pine Ridge
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Captain Henry Kempski, Police Department; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 33 N.Y.S. Dept. of Trans. - Designation of Restricted Highway - Clinton Street
Received and Filed.

Item No. 34 E.C. Dept. of Public Works - Designation of Restricted Highway- Rowley Road from Indian to Borden
Received and Filed.

Item No. 35 E.C. Legislature - resolutions regarding cost of reloacting water lines (Losson Road reconstruction)
Received and Filed.

Item No. 36 NOTICE OF CLAIM - Stanley Krzeminski vs Town of Cheektowaga.
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 37 Joseph Parco, Sr., taxpayer - Objection to petition for submission of resolution to permissive referendum.
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Cheektowaga Town Board Members.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Dux to suspend the rules to include the following item.

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

Item No. 38 Create position of "Clerk-Typist" in Police Department

Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of a "Clerk-Typist" position in the Cheektowaga Police Department, to assist the Dog Warden's Office with processing delinquent dog licenses, and

WHEREAS, the Erie County Department of Personnel has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Clerk-Typist" in the Cheektowaga Police Department, be and hereby is created.

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

Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

* * * *
B I D S
* * * *

NO.	ITEM	PAGE
	Meeting No. 11 - May 4, 1981	
2	1981 Truck Chassis for Sanitary Sewer Maintenance Department.	1
	Meeting No. 12 - May 18, 1981	
2	Three (3) or Four (4) garbage trucks with twenty-five cubic yard packer bodies.	1
	Meeting No. 13 - June 1, 1981	
2	Furnishing of traffic control signs, sign posts and brackets for the year of July 1, 1981 to June 30, 1982.	1
3	Football equipment.	1

* * * * * * * * * * * * * * * *
P U B L I C H E A R I N G S
* * * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 12 - May 18, 1981	
3	Amendment to Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (GREMLIN CT.); Article X: "Parking, Standing, Stopping" (JOANNE LANE).	1-2

* * * * * * * * * * *

R E S O L U T I O N S

* * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 11 - May 4, 1981	
3	Decision on Rezoning - 1030 Cleveland Drive (from C-Retail Business to CM-General Commercial Dist.).	1-2
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5	Decision on adoption and enactment of "Garbage, Rubbish and Refuse Collection Ordinance."	5-8
6	Decision on amendment to Traffic Ordinance - Article XIII: "Truck Exclusions" - (Chapel Ave. & Eggert Rd.-between Sugar Rd. and Delavan Ave.).	9
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10	Authorization for Nussbaumer & Clarke, Inc. to provide engineering services re: St. Felix Drainage System Extension - S.S.D. #3.	12-13
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12	Authorization for Supervisor to execute Agreement of Adjustment with N.Y.S. Dept. of Environmental Conservation re: Temporary easements for Scajaquada Creek Flood Control Project.	13
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14	Approval of Agreement between Town of Cheektowaga and Cheektowaga Police Club.	15-16
15	Promotional appointment of employee to position of Senior Sewage Plant Operator at Wastewater Treatment Plant No. 5.	16
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17	Hiring of part-time secretary - Council Office.	16-17
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5	Decision on Rezoning - 4042 Union Road.	2-3
6	Decision on Rezoning - 1317 Harlem Road.	4
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17	Notice to Bidders: Signs, sign posts and brackets.	12
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22	Appointment to position of "Motor Equipment Operator" in Sanitation.	16
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27	Extension of sick time for Highway Department employee.	19
28	Authorization for Frederick Marzak Architects to prepare plans and specifications for a Senior Citizen Center.	20
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30	Authorization for Frederick Marzak Architects to prepare plans and specifications regarding Town Park Improvement Project.	20-21
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14	Authorization for payment of voucher, including Change Order #2, with exception of 10% retention of total contract re: French-Towers Signalization.	10
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* *

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WAIVER OF RULES

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MEETING NO. 11

CHEEKTOWAGA, NEW YORK
MAY 4, 1981

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 4th day of May, 1981 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
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; George Burst, Working Foreman-Central Garage; Theodore DeFedericis, Chief of Police; Stanley Keller, President-Cheektowaga Police Club, Inc.; James Kirisits, Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; Florian Majchrzycki, Assistant Foreman-Sanitation Department; Ronald Marten, Building and Plumbing Inspector; Julia Reinstein, Town Historian; Dr. Louis Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent; Pat Wojcik, Recreation Supervisor-Senior Citizens; Ronald Zoeller, Working Foreman-Sanitation Department.

I. BIDS

Item No. 2 1981 Truck Chassis for Sanitary Sewer Maintenance Department. Bids referred to Chester L. Bryan, Town Engineer.

II. RESOLUTIONS

Item No. 3 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Joseph Nicosia has applied for a rezoning from C-Retail Business District to CM-General Commercial District for the property located at 1030 Cleveland Drive, Cheektowaga, New York, which property is 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. 19, Township 11, Range 7, of the Holland Land Company's Survey bounded and described as follows:
>
> COMMENCING at the point of intersection of the northerly line of Cleveland Drive (66 feet wide) with the westerly line of Beach Road (66 feet wide); proceeding thence northerly along the said westerly line of Beach Road 138.60 feet to a point; thence westerly at an interior angle of 86 degrees, 38 minutes, with Beach Road's westerly boundary 125 feet to a point; thence southerly parallel with the west line of lands conveyed to Robert H. Binner and wife by deed recorded in the Erie County Clerk's Office on April 24, 1923, in Liber 1667 of Deeds at Page 60, a distance of 167.77 feet to a point in the said northerly line of Cleveland Drive; thence easterly along the said northerly line of Cleveland Drive, 119.28 feet to the said westerly line of Beach Road and the point or place of beginning,

Item No. 3 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 this Town Board on the 2nd day of February at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 1030 Cleveland Drive and has rendered a determination that the rezoning will not have a significant effect on the environment, and

WHEREAS, it appears that all abutting property owners have no objection to the rezoning of the applicant's property for the proposed expansion,

NOW, THEREFORE, BE IT RESOLVED that the application of Joseph Nicosia for the rezoning of 1030 Cleveland Drive, Cheektowaga, New York from C-Retail Business District to CM-General Commercial District be and the same is hereby granted, and BE IT FURTHER

RESOLVED that the Zoning Map and Zoning Ordinance be amended in accordance with the above.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
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 7, 1981; last publication May 7, 1981; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 8th day of May, 19 81.

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, 1983

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 4th day of May, 1981 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner, Seconded by Councilman Johnson

WHEREAS, Joseph Nicosia has applied for a rezoning from C-Retail Business District to CM-General Commercial District for the property located at 1030 Cleveland Drive, Cheektowaga, New York, which property is 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. 19, Township 11, Range 7, of the Holland Land Company's Survey bounded and described as follows:

COMMENCING at the point of intersection of the northerly line of Cleveland Drive (66 feet wide) with the westerly line of Beach Road (66 feet wide); proceeding thence northerly along the said westerly line of Beach Road 138.60 feet to a point; thence westerly at an interior angle of 86 degrees, 38 minutes, with Beach Road's westerly boundary 125 feet to a point; thence southerly parallel with the west line of lands conveyed to Robert H. Binner and wife by deed recorded in the Erie County Clerk's Office on April 24, 1923, in Liber 1667 of Deeds at Page 60, a distance of 167.77 feet to a point in the said northerly line of Cleveland Drive; thence easterly along the said northerly line of Cleveland Drive, 119.28 feet to the said westerly line of Beach Road and 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 this Town Board on the 2nd day of February at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 1030 Cleveland Drive and has rendered a determination that the rezoning will have a significant effect on the environment, and

WHEREAS, it appears that all abutting property owners have no objection to the rezoning of the applicant's property for the proposed expansion,

NOW, THEREFORE, BE IT RESOLVED that the application of Joseph Nicosia for the rezoning of 1030 Cleveland Drive, Cheektowaga, New York from C-Retail Business District to CM-General Commercial District be and the same is hereby granted, and BE IT FURTHER

RESOLVED that the Zoning Map and Zoning Ordinance be amended in accordance with the above.

Upon roll call...

Supervisor Meyers	Voting AYE
Councilmen:	
Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
Wegner	Voting AYE
Rogowski	Voting AYE

AYES: 6

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 4, 1981, 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. 3, 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 4th day of May, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: May 7, 1981

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

WHEREAS, George R. Beckett has applied for a rezoning from C-Retail Business District to CM-General Commercial District for the property owned by him and his wife and located at 3445 Union Road, Cheektowaga, New York; which property is more particularly described in the attached copy of the face of the deed thereto, and

WHEREAS, public hearing was held before this Town Board on the 16th day of March, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 3445 Union Road and has rendered a determination that the rezoning will not have a significant effect on the environment, and

WHEREAS, it appears that all abutting property owners have no objection to the rezoning of the applicant's property for the proposed use of professional offices,

NOW, THEREFORE, BE IT RESOLVED, that the application of George R. Beckett for the rezoning of 3445 Union Road, Cheektowaga, New York from C-Retail Business District to CM-General Commercial District be and the same is hereby granted, and

BE IT FURTHER RESOLVED, that the Zoning Map and Zoning Ordinance be amended in accordance with the above.

*See next page for copy of Deed Description.

No. 12

No. 13

3 BECKETT, husband and wife
3 Melrose Road
own of Grand Island, New York

Clerk's Time Stamp

DEC 31 1980
TRANSFER TAX
ERIE
COUNTY

Transfer Tax Stamp

This Indenture, made the 31st day of December, 1980

Witnesseth, that CATHERINE WOJTASIEWICZ *GRANTOR(S).*
residing at 3445 Union Road, Town of Cheektowaga, New York
in consideration of $1.00 and more received by GRANTOR(S) subject to the trust fund provisions of section thirteen of the lien law hereby grant(s) and releases(s) unto GEORGE R. BECKETT AND SANDRA D. BECKETT, husband and wife *GRANTEE(S), residing at*
Town of Grand Island, New York

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. 11, 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. 293, is known as subdivision lots numbers thirty-four (34) to thirty-eight (38) inclusive.

Excepting therefrom the following:
Lands appropriated by the State of New York by notice of appropriation filed in Liber 3908 of Deeds at page 347
Lands appropriated by the State of New York by notices of appropriation filed in Liber 3870 of Deeds at page 298
Lands appropriated by the State of New York by notice of appropriation filed in Liber 6650 of Deeds at page 110
Lands reserved by the County of Erie in Liber 4934 of Deeds at page 75

6-11-9

* Premises are conveyed by Catherine Wojtasiewicz surviving spouse of Joseph Wojtasiewicz to a good faith third party purchaser for a full and adequate consideration.

Together *with the appurtenances to and all the estate and rights of GRANTOR(S) in said premises.* To have and to hold *unto the GRANTEE(S),* their heirs *and assigns forever.*
And *GRANTOR(S) covenant(s) as follows:* First, *that GRANTEE(S) shall quietly enjoy the said premises.* And Second *that GRANTOR(S) will forever warrant the title to the said premises.*

In Witness Whereof, GRANTOR(S) has *hereunto set* her *hand(s) and seal(s) the* 31st

_____ ls _____ ls

_____ ls _____ ls

In Presence of

State of New York
County of Erie } ss.: *On the* 31st *day of* December, 1980 *, before me, the subscriber, personally appeared*

CATHERINE WOJTASIEWICZ

known to me and known to me to be the same person described in the foregoing instrument and acknowledged to me that she *had executed the same*

Dated: December 31, 1980 Joseph E. Quirk

Item No. 4 Cont'd.

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

AFFIDAVIT-NEXT PAGE

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

Gladys M. Deckster, 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 7, 1981; last publication May 7, 1981; and that no more than six days intervened between publications.

Gladys M. Deckster

Sworn to before me this 8th

day of May, 1981

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, 1983

No. 12

No. 13

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 4th day of May, 1981 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilmen:
Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner, Seconded by Councilman Johnson

WHEREAS, George R. Beckett has applied for a rezoning from C-Retail Business District to CM-General Commercial District for the property owned by him and his wife and located at 3445 Union Road, Cheektowaga, New York; which property is more particularly described in the attached copy of the face of the deed thereto, and

WHEREAS, a public hearing was held before this Town Board on the 16th day of March, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 3445 Union Road and has rendered a determination that the rezoning will not have a significant effect on the environment, and

WHEREAS, it appears that all abutting property owners have no objection to the rezoning of the applicant's property for the proposed use of professional offices,

NOW, THEREFORE, BE IT RESOLVED, that the application of George R. Beckett for the rezoning of 3445 Union Road, Cheektowaga, New York from C-Retail Business District to CM-General Commercial District be and the same is hereby granted, and

BE IT FURTHER RESOLVED, that the Zoning Map and Zoning Ordinance be amended in accordance with the above.

Upon roll call...

Supervisor	
Meyers	Voting AYE
Councilmen:	
Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
Wegner	Voting AYE
Rogowski	Voting AYE

AYES: 6
NAYES: 0
ABSENT: 0

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. 11, 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. 293, is known as subdivision lots numbers thirty-four (34) to thirty-eight (38) inclusive.

Excepting therefrom the following:

Lands appropriated by the State of New York by notice of appropriation filed in Liber 3908 of Deeds at page 347

Lands appropriated by the State of New York by notices of appropriation filed in Liber 3870 of Deeds at page 298

Lands appropriated by the State of New York by notices of appropriation filed in Liber 6650 of Deeds at page 110

Lands reserved by the County of Erie in Liber 4934 of Deeds at page 75

Premises are conveyed by Catherine Wojtasiewicz surviving spouse of Joseph Wojtasiewicz to a good faith third party purchaser for a full and adequate consideration.

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 4, 1981, 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 4th day of May, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: May 7, 1981

No. 12

No. 13

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

WHEREAS, this Town Board, at a regular meeting held on the 6th day of April, 1981, 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 21st day of April, 1981 at 7:00 o'clock P.M., to consider the advisability of adopting and enacting a "GARBAGE, RUBBISH AND REFUSE COLLECTION 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 "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE" was duly held by this Town Board at the Cheektowaga Town Hall in the Town of Cheektowaga, New York, on the 21st day of April, 1981 at 7:00 o'clock P.M.; 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 "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE."

NOW, THEREFORE, BE IT RESOLVED, that a "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE" be, and the same hereby is adopted and enacted, providing as follows:

* *

GARBAGE, RUBBISH AND REFUSE COLLECTION

Section 1. TITLE.

This ordinance shall be known and may be cited as the "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE of the Town of Cheektowaga, New York."

This ordinance shall apply to and affect only such part of the Town of Cheektowaga as is outside of the Villages of Sloan and Depew.

Section 2. PURPOSE.

This ordinance is adopted in order to promote and protect the public health, safety, comfort, convenience, prosperity and other aspects of the general welfare of the residents of the Town of Cheektowaga; and, in addition thereto, to protect property, preserve property values, and eliminate fire, safety and health hazards by regulating the collection, storage and disposal of garbage, rubbish and refuse within the Town of Cheektowaga.

Section 3. DEFINITIONS.

The following words, as used in this ordinance, shall have the meanings hereby ascribed thereto unless the context clearly indicates a different meaning:

GARBAGE - All table refuse; animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food; offal from meat, fish and fowl; fruits, vegetables and parts thereof; and other articles and materials ordinarily used for food which have become unfit for such use or which are for any reason discarded, except commercial and industrial garbage.

GARBAGE RECEPTACLE - A permanent container made of metal or vinyl, which is airtight, watertight and provided with a tight-fitting cover; or disposable plastic or heavy paper garbage bag which when closed by lacing is airtight, watertight and of sufficient strength to prevent breakage.

PERSON - An individual, society, group, firm, partnership, corporation or association of persons, and the singular number shall include the plural number.

REFUSE - All discarded articles or materials, including combustible refuse (paper, straw, excelsior, rags, rubber, shoes and such other refuse as may result from ordinary housekeeping pursuits, leaves, tree trimmings, hedge clippings and similar materials) and noncombustible refuse, except sewage, liquid waste, ashes and commercial and industrial refuse.

Item No. 5 Cont'd.

RUBBISH - Includes garbage and refuse.

Section 4. COLLECTION AND DISPOSAL.

All garbage and refuse, as hereinbefore defined, accumulated in the Town of Cheektowaga shall be collected, conveyed and disposed of by the Town; provided, however, that this ordinance shall not prohibit the actual producers of garbage and refuse, or the owners of premises upon which garbage and refuse has accumulated, from personally providing for the collecting, conveying and disposing of such garbage and refuse if such producers or owners comply with all regulations for collection, conveyance and disposal prescribed in this ordinance or rules and regulations adopted by the Town Board concerning same.

Section 5. SUPERVISION: PROMULGATION OF RULES AND REGULATIONS.

The collection and disposal of garbage and refuse shall be under the supervision of the Department of Sanitation of the Town of Cheektowaga, which shall have authority to make rules and regulations concerning the days of collection, the type and location of containers and such other matters pertaining to the collection and disposal as it may deem advisable, provided that such rules and regulations are not contrary to the provisions of this ordinance.

Section 6. PREPARATION OF GARBAGE AND REFUSE FOR COLLECTION.

A. Separation of garbage and refuse. Garbage and refuse shall be placed and maintained separately.

B. Preparation of garbage and refuse.

(1.) All garbage, before being placed in garbage receptacles for collection, shall be thoroughly drained from all free liquids and shall be wrapped in dry paper or similar dry substance. Loose garbage shall not at any time be placed in receptacles, as hereinafter described, but shall first be placed in paper or plastic bags.

(2.) All refuse shall be thoroughly drained of liquid before being deposited for collection.

(3.) Refuse consisting of empty boxes, crates, cartons, shrubbery cuttings, tree trimmings, hedge clippings, wood and other unwieldly objects shall be broken up or cut and tied into compact bundles no longer than five (5) feet in length and no heavier than fifty (50) pounds in weight, so as to be easily handled by one person.

Protruding nails, glass and other sharp metal objects that might inflict bodily harm to sanitation personnel, contracted personnel, or residents of the Town shall be removed from all such refuse prior to bundling as aforesaid.

(4.) All furniture, household appliances, flood-damaged articles and other large items, not capable of being placed in receptacles as hereinafter described, may be placed at the curbline or pavement line only after arrangements for special pick up have been made with the Sanitation Department. The Sanitation Department may decline to collect any such material when such collection is not in accord with Department handling and disposal abilities.

(5.) No dirt, stone, brick, concrete or other substances that may accumulate as a result of building construction, demolition, remodeling or repair operations shall be set out for collection by the Sanitation Department, but shall be otherwise disposed of by the owner or contractor.

(6.) Neither hot ashes or chemically toxic wastes shall be set out for collection, but shall be otherwise disposed of by the owner or producer of same.

Section 7. RECEPTACLES.

A. Receptacles required. Every owner, lessee or occupant of any building,

No. 12 No. 13

premises or place of business within the Town shall provide or cause to be provided, suitable and sufficient receptacles for receiving and containing garbage or refuse that may accumulate or be used upon said premises. All containers or receptacles used for storing garbage or refuse shall be of such material and so constructed as to withstand the use for which they are intended without breaking or collapsing. Although not prohibited herein, vinyl containers are not recommended for use in cold weather conditions, which frequently cause such containers to shatter. The Sanitation Department will not be responsible for shattered vinyl containers.

B. Garbage receptacles. Garbage shall be stored in covered, watertight metal or vinyl containers with handles and tight lids designed for that purpose, or in disposable plastic or heavy paper garbage bags of sufficient strength to prevent breakage, securely tied or fastened. No container or bag shall exceed twenty (20) gallons in capacity or fifty (50) pounds in weight when filled.

C. Refuse receptacles. Refuse receptacles shall conform to the same standards as garbage receptacles.

D. Maintenance of receptacles.

(1.) All garbage and refuse receptacles shall be maintained in good condition. Any receptacle that does not conform to the provisions of this ordinance or that may have ragged or sharp edges or any other defect liable to hamper or injure sanitation personnel shall be promptly replaced or repaired. Failure to comply may result in the refusal to collect or the disposal of the defective receptacle as refuse.

(2.) All garbage and refuse receptacles shall be kept as sanitary as possible in view of the use to which they are put and shall be thoroughly cleaned by the owner, lessee or occupant of the premises after garbage is removed by the collector.

Section 8. PLACEMENT OF RECEPTACLES FOR COLLECTION.

A. All receptacles with domestic garbage or household refuse shall be transferred to the curbline or pavement line in front of premises by the householder who shall remove all such receptacles therefrom to a place invisible from the street on the day of collection.

B. No garbage or refuse shall be set out for collection before 6:00 P.M. of the day preceding collection.

Section 9. PROHIBITED DEPOSITS OR ACCUMULATIONS.

A. No person shall throw, deposit or burn, or cause to be thrown, deposited or burned, any garbage or refuse in or upon any public highway, street or other public place, including gutters or drainage ditches, or upon any private property, whether owned by such person or not, except in proper receptacles for collection.

B. Any unauthorized accumulation of garbage or refuse on any premises is hereby declared to be a nuisance and is prohibited.

C. It shall be unlawful for any person other than the occupants of the premises on which garbage or refuse receptacles are stored, or other than sanitation personnel or other authorized collector, to remove any of the contents of garbage or refuse receptacles.

Section 10. VIOLATIONS AND PENALTIES.

Any person who shall be convicted of violating or failing to comply with the provisions of this ordinance shall be punishable by a fine of not more than two hundred fifty dollars ($250.00) or imprisonment not exceeding fifteen (15) days, or to both such fine and imprisonment. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of a violation may be punished as above

Item No. 5 Cont'd.

provided for each separate offense.

* *

AND

BE IT FURTHER RESOLVED, that a copy of this Resolution, and the "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE," hereby adopted and enacted, be entered in the minutes of this meeting, and published at least once in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk, and

BE IT FURTHER RESOLVED, that upon the taking effect of the aforesaid "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE," the Refuse and Garbage Collection Ordinance (Ordinance No. 30) adopted April 3, 1961 shall be repealed in its entirety.

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

AFFIDAVIT-NEXT PAGE

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

Gladys M. Hedden, 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 7, 1981; last publication May 7, 1981; and that no more than six days intervened between publications.

Gladys M. Hedden

Sworn to before me this 8th day of May, 1981

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, 1983

No. 12

No. 13

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 4th day of May, 1981 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilmen:
Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner, Seconded by Councilman Johnson

WHEREAS, this Town Board, at a regular meeting held on the 6th day of April, 1981, 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 21st day of April, 1981 at 7:00 o'clock P.M., to consider the advisability of adopting and enacting a "GARBAGE, RUBBISH AND REFUSE COLLECTION 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 "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE" was duly held by this Town Board at the Cheektowaga Town Hall in the Town of Cheektowaga, New York, on the 21st day of April, 1981 at 7:00 o'clock P.M.; 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 "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE."

NOW, THEREFORE, BE IT RESOLVED, that a "GARBAGE, RUBBISH AND REFUSE COLLECTION ORDINANCE" be, and the same hereby is adopted and enacted, providing as follows:

GARBAGE, RUBBISH AND
REFUSE COLLECTION

Section 1. TITLE.

This ordinance shall be known and may be cited as the "Refuse, Rubbish and Refuse Collection Ordinance of the Town of Cheektowaga, New York."

This ordinance shall apply to and affect only such part of the Town of Cheektowaga as is outside of the Villages of Sloan and Depew.

Section 2. PURPOSE.

This ordinance is adopted in order to promote and protect the public health, safety, comfort, convenience, prosperity and other aspects of the general welfare of the residents of the Town of Cheektowaga; and, in addition thereto, to protect property, preserve property values, and eliminate fire, safety and health hazards by regulating the collection, storage and disposal of garbage, rubbish and refuse within the Town of Cheektowaga.

Section 3. DEFINITIONS.

The following words, as used in this ordinance, shall have the meanings hereby ascribed thereto unless the context clearly indicates a different meaning:

GARBAGE - All table refuse; animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food; offal from meat, fish and fowl; fruits, vegetables and parts thereof; sufficient strength to prevent breakage.

PERSON - An individual, society, group, firm, partnership, corporation or association of persons, and the singular number shall include the plural number.

REFUSE - All discarded articles or materials, including combustible refuse (paper, straw, excelsior, rags, rubber, shoes and such other refuse as may result from ordinary housekeeping pursuits, leaves, tree trimmings, hedge clippings and similar materials) and noncombustible refuse, except sewage, liquid waste, ashes and commercial and industrial refuse.

RUBBISH - Includes garbage and refuse.

Section 4. COLLECTION AND DISPOSAL.

All garbage and refuse, as hereinbefore defined, accumulated in the Town of Cheektowaga shall be collected, conveyed and disposed of by the Town; provided, however, that this ordinance shall not prohibit the actual producers of garbage and refuse, or the owners of premises upon which garbage and refuse has accumulated, from personally providing for the collecting, conveying and disposing of such garbage and refuse if such producers or owners comply with all regulations for collection, conveyance and disposal prescribed in this ordinance or rules and regulations adopted by the Town Board concerning same.

Section 5. SUPERVISION: PROMULGATION OF RULES AND REGULATIONS.

The collection and disposal of garbage and refuse shall be under the supervision of the Department of Sanitation of the Town of Cheektowaga, which shall have authority to make rules and regulations concerning the days of collection, the type and location of containers and such other matters pertaining to the collection and disposal as it may deem advisable, provided that such rules and regulations are not contrary to the provisions of this ordinance.

Section 6. PREPARATION OF GARBAGE AND REFUSE FOR COLLECTION.

A. Separation of garbage and refuse. Garbage and refuse shall be placed and maintained separately.

B. Preparation of garbage and refuse.

(1) All garbage, before being placed in garbage receptacles for collection, shall be thoroughly drained from all free liquids and shall be wrapped in dry paper or similar dry substance. Loose garbage shall not at any time be placed in receptacles, as hereinafter described, but shall first be placed in paper or plastic bags.

(2) All refuse shall be thoroughly drained of liquid before being deposited for collection.

3. Refuse consisting of empty boxes, crates, cartons, shrubbery cuttings, tree trimmings, hedge clippings, wood or other unwieldly objects shall be broken up or cut and tied into compact bundles no longer than five (5) feet in length and no heavier than fifty (50) pounds in weight, so as to be easily handled by one person. Protruding nails, glass and other sharp metal objects that might inflict bodily harm to sanitation personnel, contracted personnel, or residents of the Town shall be removed from all such refuse prior to bundling as aforesaid.

(4) All furniture, household appliances, flood-damaged articles and other large items, not capable of being placed in receptacles as hereinafter described, may be placed at the curbline or pavement line only after arrangements for special pick up have been made with the Sanitation Department. The Sanitation Department may decline to collect any such material set out for collection, but shall be otherwise disposed of by the owner or producer of same.

Section 7. RECEPTACLES.

A. Receptacles required. Every owner, lessee or occupant of any building, premises or place of business within the Town shall provide or cause to be provided, suitable and sufficient receptacles for receiving and containing garbage or refuse that may accumulate or be used upon said premises. All containers or receptacles used for storing garbage or refuse shall be of such material and so constructed as to withstand the use for which they are intended without breaking or collapsing. Although not prohibited herein, vinyl containers are not recommended for use in cold weather conditions, which frequently cause such containers to shatter. The Sanitation Department will not be responsible for shattered vinyl containers.

B. Garbage receptacles. Garbage shall be stored in covered, watertight metal or vinyl containers with handles and tight lids designed for that purpose, or in disposable plastic or heavy paper garbage bags of sufficient strength to prevent breakage, securely tied or fastened. No container or bag shall exceed twenty (20) gallons in capacity or fifty (50) pounds in weight when filled.

C. Refuse receptacles. Refuse receptacles shall conform to the same standards as garbage receptacles.

D. Maintenance of receptacles.

(1) All garbage and refuse receptacles shall be maintained in good condition. Any receptacle that does not conform to the provisions of this ordinance or that may have ragged or sharp edges or any other defect liable to hamper or injure sanitation personnel shall be promptly replaced or repaired. Failure to comply may result in the refusal to collect or the disposal of the defective receptacle as refuse.

(2) All garbage and refuse receptacles shall be kept as sanitary as possible in view of the use to which they are put and shall be thoroughly cleaned by the owner, lessee or occupant of the premises after garbage is removed by the collector.

Section 8. PLACEMENT OF RECEPTACLES FOR COLLECTION.

A. All receptacles with domestic garbage or household refuse shall be transferred to the curbline or pavement line in front of premises by the householder who shall remove all such receptacles therefrom to a place invisible from the street on the day of collection.

B. No garbage or refuse shall be set out for collection before 6:00 P.M. of the day preceding collection.

Section 9. PROHIBITED DEPOSITS OR ACCUMULATIONS.

A. No person shall throw, deposit or burn, or cause to be thrown, deposited or burned, any garbage or refuse in or upon any public highway, street or other public place, including gutters or drainage ditches, or upon any private property, whether owned by such person or not, except in proper receptacles for collection.

B. Any unauthorized accumulation of garbage or refuse on any premises is hereby declared to be a nuisance and is prohibited.

C. It shall be unlawful for any person other than the occupants of the premises on which garbage or refuse receptacles are stored, or other than sanitation personnel or other authorized collector, to remove any of the contents of garbage or refuse receptacles.

Section 10. VIOLATIONS AND PENALTIES.

Any person who shall be convicted of violating or failing to comply with the provisions of this ordinance shall be punishable by

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NAYES: 0
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Item No. 6 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Traffic Safety Commission of the Town of Cheektowaga has recommended that certain provisions of the TRAFFIC ORDINANCE of the Town of Cheektowaga, New York be amended, and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting said amendments to said TRAFFIC ORDINANCE and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 21st day of April, 1981 at 7:00 o'clock P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard, and were heard, and

WHEREAS, it is in the public interest to adopt the following amendments to the TRAFFIC ORDINANCE of the Town of Cheektowaga, New York as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the TRAFFIC ORDINANCE of the Town of Cheektowaga, New York be and the same hereby is amended and changed as follows:

1. RESOLVED that Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Truck Exclusions," be amended by the enactment of a new Section 130 providing as follows:

> Section 130. All trucks excluded. All trucks are hereby excluded from the following designated highways within the Town of Cheektowaga, County of Erie, State of New York:
>
> 1. Chapel Avenue
> 2. Eggert Road between Sugar Road and Delavan Avenue

2. RESOLVED that the sections presently numbered "Section 130. Trucks over 5 tons excluded." and "Section 131. Delivery and pickup of merchandise." be renumbered Section 131 and Section 132 respectively.

3. RESOLVED that the presently numbered Section 130, which is to be renumbered Section 131, be amended by deleting Chapel Avenue and Eggert Road therefrom.

4. RESOLVED that subdivision B of Section 150, which excludes trucks in excess of five tons from Eggert Road between Sugar Road and Delavan Avenue, be repealed.

5. RESOLVED that the amendments above set forth shall take effect when properly posted within a reasonable time 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. Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

6. RESOLVED that the amendments shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the Villages of Depew and Sloan.

7. RESOLVED that these amendments 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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

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

AFFIDAVIT-NEXT PAGE

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

Gladys M. Deshuta, 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 7, 1981; last publication May 7, 1981; and that no more than six days intervened between publications.

Gladys M. Deshuta

Sworn to before me this 8th day of May, 1981

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, 1983

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 4th day of May, 1981 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilmen:
Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Johnson
Seconded by Councilman Wegner

WHEREAS, the Traffic Safety Commission of the Town of Cheektowaga has recommended that certain provisions of the TRAFFIC ORDINANCE of the Town of Cheektowaga, New York be amended, and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting said amendments to said TRAFFIC ORDINANCE and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 21st day of April, 1981 at 7:00 o'clock P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard, and were heard, and

WHEREAS, it is in the public interest to adopt the following amendments to the TRAFFIC ORDINANCE of the Town of Cheektowaga, New York as set forth below,

NOW, THEREFORE, BE IT RESOLVED, that the TRAFFIC ORDINANCE of the Town of Cheektowaga, New York be and the same hereby is amended and changed as follows:

1. RESOLVED that Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Truck Exclusions," be amended by the enactment of a new Section 130 providing as follows:

Section 130. All trucks excluded. All trucks are hereby excluded from the following designated highways within the Town of Cheektowaga, County of Erie, State of New York:

1. Chapel Avenue
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2. RESOLVED that the sections presently numbered "Section 130. Trucks over 5 tons excluded." and "Section 131. Delivery and pickup of merchandise." be renumbered Section 131 and Section 132 respectively.

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4. RESOLVED that subdivision B of Section 150, which excludes trucks in excess of five tons from Eggert Road between Sugar Road and Delavan Avenue, be repealed.

5. RESOLVED that the amendments above set forth shall take effect when properly posted within a reasonable time 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. Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

6. RESOLVED that the amendments shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the Villages of Depew and Sloan.

7. RESOLVED that these amendments 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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

Upon roll call...

Supervisor	
Meyers	Voting AYE
Councilmen:	
Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
Wegner	Voting AYE
Rogowski	Voting AYE

AYES: 6
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 4, 1981, 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 4th day of May, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: May 7, 1981

Item No. 7 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 18th day of May, 1981 at 7:00 P.M. 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 7th day of May, 1981; 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 18th day of May, 1981 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. Stop intersections designated shall be amended by adding thereto the following:

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
GREMLIN COURT	East-West	WYNDMOOR COURT	Eastbound	S.W. Corner

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 or one-side parking:

JOANNE LANE	East and South side	from the east curbline of VERN LANE to the south curbline of DENNIS LANE

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

Dated: May 4, 1981

RICHARD M. MOLESKI
Town Clerk

* *

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

AFFIDAVIT-NEXT PAGE

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

Gladys M. Leclaire, 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 7, 1981; last publication May 7, 1981; and that no more than six days intervened between publications.

Gladys M. Leclaire

Sworn to before me this 8th day of May, 1981

Nardine 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, 1983

No. 12

No. 13

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 18th day of May, 1981 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. Stop intersections designated shall be amended by adding thereto the following:

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street, GREMLIN COURT; **Direction**, East-West; **Entrance Street**, WYNDMOOR COURT; **Traffic Stops**, Eastbound; **Sign Location**, S.W. Corner

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 or one-side parking:

JOANNE LANE, East and South side, from the east curbline of VERN LANE to the south curbline of DENNIS LANE

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 4, 1981
PUBLISHED: May 7, 1981

No. 12

No. 13

Item No. 8 Advertise for bids for furnishing of material and labor for signalization of Dick Road and North Creek Drive.

Item Withdrawn.

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 16, 1981 for the furnishing of two (2) street sweepers for the Highway Department as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bids be awarded to P.D. Service, Inc., 3813 Broadway, Cheektowaga, New York 14225, said bidder meeting specifications as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof, and BE IT FURTHER

RESOLVED that the above equipment is to be purchased on an approved bond issue.

*See next page for copy of Report.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: ~~xx8x3xx4x7x5x~~
686 3450
ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

April 29, 1981

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

Gentlemen:

Re: Award of bid for two sweepers for Highway Department

Bids were received by the Honorable Body for sweepers at the meeting of March 16, 1981.

After careful review of said bids, I recommend that the Honorable Body award the contract to P.D. SERVICE INC. of 3813 Broadway, Cheektowaga, New York 14225, as being the lowest responsible bidder, at the following price quotation:

L.P.	TWO (2) ELGIN WHIRLWIND II VACUUM SWEEPERS	$134,190.00
	Trade in allowance for four (4) used sweepers	$ 21,626.00
	Net bid price for two (2) WHIRLWIND II VAC SWEEPERS	$112,564.00

I trust the above recommendation will meet with your Honorable approval, and moneys for the above sweepers is to be provided from the Bond Issue. Thank you for your kind attention and consideration. I remain,

Respectfully yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

RECEIVED
APR 29 1981
Richard M. Moleski, Town Clerk

AFW/bg
cc: Town Clerk
Town Atty.
Eng. Dept.
Council office
file

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

Item No. 9 Cont'd.

Upon Roll Call....

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

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

WHEREAS, the north reaches of Kennedy Road, Milsom Avenue and Patricia Lane are subjected to frequent street flooding and sanitary sewer overloading, which conditions contribute to basement flooding in this area located in the Town's Sanitary Sewer District No. 3, AND

WHEREAS, there is need to extend the St. Felix Drainage System so as to intercept waters contributing to the flooding problem, NOW, THEREFORE, BE IT

RESOLVED, that the proposal submitted by the consulting firm of Nussbaumer and Clarke, Inc. in their letter of April 22, 1981 to the Town Engineer be and hereby is accepted, and said consulting engineering firm is to provide the engineering services as proposed, and, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is authorized and directed to sign the agreement with Nussbaumer and Clarke, Inc. for said drainage and sanitary sewer relief, and, BE IT FURTHER

RESOLVED, that the cost for these engineering services are to be charged to the Sanitary Sewer District No. 3 Remedial Program, code 8323.493, which charge appears to be permissible as a means of controlling storm water inflow and infiltration into the sanitary sewer system.

*See next two pages for copy of letter.

Nussbaumer & Clarke, Inc.
Consulting Engineers Surveyors
310 Delaware Avenue Buffalo, New York 14202
(716) 853-7582

DANIEL J. HURLEY, Chairman
VITO J. CARUSO, President
RICHARD E. VANDERBROOK, Vice President
WALTER E. ROEDER, Secretary-Treasurer

OSWEGO OFFICE
147 W. 1st St
Oswego, N.Y. 13126
(315) 342-3010

Associates
SIEGFRIED BARBASCH
PAUL J. BECKER
MICHAEL J. MIRANDA
CHARLES R. PETTIT
RAYMOND D. SULLIVAN
JOHN TRIANDA

April 22, 1981

Re: Town of Cheektowaga, New York
Sanitary Sewer District #3 Flooding
St. Felix Area - Proposal
NCI File No. 81-900/26

Chester L. Bryan, P. E.
Cheektowaga Town Engineer
Town Hall
Broadway and Union Road
Cheektowaga, New York 14227

RECEIVED
MAY 6 1981
Richard M. Moleski, Town Clerk

RECEIVED
APR 2 3 1981
C.L. BRYAN

Dear Mr. Bryan:

In response to your request for proposal, we are pleased to submit our proposal for engineering services to design flood relief facilities for the streets indicated on your storm sewer drawings 11B and 11C as furnished to our office April 8, 1981.

Engineering Services:

We propose to furnish investigative and final design engineering services as follows:

1. Field investigation of problem areas.
2. Study of various solutions to determine most cost effective installation.
3. Preparation of plan and profiles of the proposed work (basin and pipes) along the railroad tracks and streets.
4. Design of manhole, catch basins, control structures, and miscellaneous details.
5. Design of trench details.
6. Survey of design area.
7. Preparation of final estimates of cost based on completed design.
8. Indication of any required easements on the design drawings. All easements are to be obtained by the Town. We will provide easement maps and descriptions.
9. Assistance in obtaining the necessary approvals from the highway department, power company, and the railroad.

No. 12
No. 13

Our charges for the above nine items of work would be on a per diem basis. The total cost of items 1 through 9 inclusive would not exceed $9,300.

The per diem rate used is our 1981 rate and the upset figure is based upon the assumption that all work will be completed within 1981. We reserve the right to renegotiate the upset figure should the time frame be exceeded for reasons beyond our control.

Monthly or periodic statements regarding payments will be submitted on the actual direct wages times a multiplier of 2.76. The multiplier consists of fringe benefits, overhead and fee. Mileage will be billed at 23¢ per mile and other expenses will be at cost.

We will proceed with the work immediately upon receipt of your written authorization to proceed and would estimate that plans would be completed within eight work weeks.

We wish to thank you for giving us the opportunity to submit this proposal. We are hopeful that we will be favorably considered for this work. If you have any questions relative to this proposal, please contact us.

Acceptance of this proposal can be made by signing and returning the original of this letter to our office. The duplicate is for your file.

Yours truly,

NUSSBAUMER & CLARKE, INC.

Richard E. Vanderbrook

Richard E. Vanderbrook, P. E.
Vice President

CRP/b

Accepted by:

Kenneth J. Meyer

Supervisor
Title

May 4, 1981
Date

No. 12

No. 13

Item No. 10 Cont'd.

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

Item No. 11 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Town has requested an easement agreement between Clara Doyle of #4938 Genesee Street and William M. Tadio and Wife of #4821 Genesee Street with the Town of Cheektowaga for the purpose of extending the sanitary sewer of Sewer District No. 8 to service a building on the Tadio property, AND

WHEREAS, said easement description and map has been prepared by the consulting engineers, Nussbaumer and Clarke, Inc., and accepted by the Town Engineering Department, AND

WHEREAS, the owners of the two (2) properties have verbally indicated agreement for the easement, NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney be directed to prepare said agreements, and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute said easement agreements on behalf of the Town of Cheektowaga.

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

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

WHEREAS, the U.S. Army Corps of Engineers Scajaquada Creek Flood Control Project, in the Town of Cheektowaga, requires various temporary and permanent easements throughout the full length of the creek to accomplish said flood control project, AND

WHEREAS, twenty-five (25) permanent and sixty-two (62) temporary easement parcels were previously approved in a resolution dated September 15, 1980, AND

WHEREAS, one (1) additional temporary easement in the area of the Mildred Drive bridge, as shown and legally described as parcel #407 on Map No. 388, prepared by the New York State Department of Environmental Conservation is on file in the Engineering Department, AND

WHEREAS, the New York State Department of Environmental Conservation is requesting said easements from the Town in return for one dollar ($1.00), payment waived, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board accepts these conditions of the agreement for the temporary easements, and BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, execute the necessary agreement of adjustment with the New York State Department of Environmental Conservation.

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

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

WHEREAS, the existing street numbering of developed properties fronting on Losson Road falls out of sequence in twelve separate locations, AND

WHEREAS, it is in the public interest to reassign twelve street numbers in order to assure an orderly numbering sequence now, and upon future development, AND

WHEREAS, under Town law, this Town Board has the authority to change street numbers, NOW, THEREFORE, BE IT

RESOLVED, that the twelve street numbers outlined on the attached letter dated April 28, 1981 from the Town Assessor, considered part of this resolution, be reassigned in proper sequence, and BE IT FURTHER

RESOLVED, that the Town Clerk shall within ten (10) days notify the respective property owners, the Town Board of Assessors, Town Planning Board, Erie County Clerk, Erie County Engineer and the Unites States Postal Service of the street numbering changes.

*See next page for copy of letter.

ANDREW H. SCHWENK
SOLE ASSESSOR

CASIMIR A. KOZMINSKI
Real Property Appraiser

OFFICE OF THE ASSESSOR
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

TOWN HALL, BROADWAY AND UNION ROAD
CHEEKTOWAGA, NEW YORK 14227
686-3440

April 28, 1981

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

Gentlemen:

I have reviewed the changes of house numbers on Losson Road in the Town of Cheektowaga, New York and I concur that the changes should be made to put the house numbers on said avenue in the proper sequence. The old numbers are very confusing and conflicting when an emergency arises. These new numbers will be inconvenient to the property owners at first but will be for the betterment of everybody in the future.

The numbers to be changed are as follows:

Present #	Proposed #
475	545
805	841
737	849
1007	927
947	1051
1215	1251
1384	1363
1396	1367
1046	1066
1080	1092
1156	1166
1379	1356

Very truly yours,

Andrew H. Schwenk
Sole Assessor

AHS/mss
cc: Town Board Members
Mr. Richard Moleski - Town Clerk
Mr. Bill Pugh - Engineering Dept.

Item No. 13 Cont'd.

Upon Roll Call....

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

Item No. 14 Motion by Councilman Dux, seconded by Supervisor Meyers

RESOLVED that the Town of Cheektowaga hereby approves the agreement as attached between the Town of Cheektowaga and the Cheektowaga Police Club; and authorizes the Supervisor to execute the agreement on behalf of the Town of Cheektowaga.

*See next twenty-nine (29) pages for copy of Agreement.

AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA, NEW YORK

AND

THE TOWN OF CHEEKTOWAGA POLICE CLUB, INC.

1981 - 1982

DIXON AND DE MARIE, P.C.
Attorneys for THE TOWN OF
CHEEKTOWAGA POLICE CLUB
Office & P.O. Address
930 Convention Tower
Buffalo, New York 14202

COLLINS, COLLINS & DiNARDO, P.C.
Attorneys for THE TOWN OF
CHEEKTOWAGA, NEW YORK
Office & P.O. Address
415 Franklin Street
Buffalo, New York 14202

No. 12
No. 13

AGREEMENT

between

THE TOWN OF CHEEKTOWAGA, NEW YORK

and

THE TOWN OF CHEEKTOWAGA POLICE CLUB, INC.

THIS AGREEMENT, entered into the 4th day of May, 1981, by and between the TOWN OF CHEEKTOWAGA, NEW YORK, hereinafter referred to as the "Town" and the TOWN OF CHEEKTOWAGA POLICE CLUB, INC., hereinafter referred to as the "Club".

ARTICLE I

SECTION 1.01 PURPOSE OF AGREEMENT

The parties hereto desire to provide, through this Agreement: methods for orderly collective bargaining between the Town and the Club; to secure prompt and equitable disposition of grievances that may arise; to establish fair wages, fringe benefits and working conditions for police personnel in the negotiating unit; and to promote, to the highest degree, efficiency in providing service to the public.

In consideration of the mutual covenants and agreements, herein contained, the Town and the Club, through their authorized representatives, agree as follows:

SECTION 1.02 APPLICABLE LAW

This Agreement has been negotiated pursuant to the provisions of the Public Employees Fair Employment Act and is governed by the provisions of the New York State Law and also non-conflicting local laws of the Town.

SECTION 1.03 LEGISLATIVE REQUIREMENTS

IT IS AGREED BY AND BETWEEN THE PARTIES THAT ANY PROVISION OF THIS AGREEMENT REQUIRING LEGISLATIVE ACTION TO PERMIT ITS IMPLEMENTATION BY AMENDMENT OF LAW OR BY PROVIDING THE ADDITIONAL FUNDS THEREFORE, SHALL NOT BECOME EFFECTIVE UNTIL THE APPROPRIATE LEGISLATIVE BODY HAS GIVEN APPROVAL.

No. 12
No. 13

ARTICLE II

SECTION 2.01 RECOGNITION

The Town recognizes the Club as the sole and exclusive representative and collective bargaining agent for all police personnel in the negotiating unit who are hereinafter referred to, individually as "police officer" and collectively as "police officers".

The negotiating unit is defined as: all police officers, employed in the Town of Cheektowaga, New York, pursuant to the New York State Civil Service Law, excepting police officers holding the rank of Chief of Police, Assistant Chief of Police, Captain or Lieutenant.

This recognition shall extend for the maximum period of time allowed by law and until the expiration of this Agreement, according to its terms. The Town shall not negotiate, during this Agreement, with any organization, on behalf of the police officers, defined herein, other than the Club and, unless notified by the Town, the Club will undertake to negotiate and represent the same unit for a successive agreement.

ARTICLE III

SECTION 3.01 DUES CHECKOFF

Upon written authorization from a police officer, on a form provided by the Club, the Town will deduct from the salary of such police officer, from the first pay-period of each month, membership dues as the police officer may specify, and the Town will transmit said sums, promptly to the Club, within five (5) days after the deduction has been made.

The Town agrees to deduct from the wage or salary of police officers, represented by the Club, who are not members of the Club, an amount equivalent to the dues levied by the Club on its members, and such sums shall be transmitted by the Town to the President or Treasurer of the Club.

The Club, pursuant to such deductions, agrees to establish and maintain a procedure providing for the refund of any non-member police officer demanding the return of any part of such agency fee deduction which represents his pro rata share of the expenditures by the Club in aid of activities or causes of a political or idealogical nature, only incidentally related to terms and conditions of employment.

No.12 No.13

SECTION 3.02 NEW JOB CLASSIFICATIONS

The Town agrees that in the event it establishes any new classifications, recognized within the negotiating unit, the Town will furnish the Club with the new job description and will confer and negotiate with the Club the basic annual salaries for each such position.

SECTION 3.03 NON-COMPETITIVE JOB CLASSIFICATIONS

In the event the Town decides to fill a vacancy, falling under this Section, assignment shall be made by the Town from the five (5) most senior officers, requesting assignment and providing that the officer(s) involved is (are) fully qualified as determined by the Town.

(a) A non-competitive job classification is defined as: the assignment to duties not ordinarily performed by patrol officers, within the Department, on a regular or routine basis.

(b) When a vacancy exists in a non-competitive job classification or a temporary assignment as Detective Sergeant, Detective, Juvenile Detective or K-9, notice of the existence of such vacancy shall be conspicuously posted on a bulletin board in the police station for a period of twenty (20) days and police officers of qualified rank may affix their name thereto, indicating their desire to be considered for the filling of such vacancies.

(c) For sporadic, reoccurring assignments, the Town shall maintain and utilize a list of police officers and the date they have indicated their preference for radar, accident investigation, motorcycle, polygraph operator, accident records, parking violations, dispatcher, airport patrol, central police services, telephone and desk assignments. The Town will be given seven (7) calendar days notice before being required to consider such preference in job assignment.

(d) Vacancies filled to date will not be disturbed by this Agreement.

No.12 No.13

SECTION 3.04 MOVEMENT OF DETECTIVES

When a vacancy exists in a position of Detective, in any of the following units: General Unit (Detective Bureau), Juvenile Unit, Identification Unit or Gambling, Vice, Narcotics Division, an assignment to such vacancy shall be based upon seniority pursuant to Section 3.03, as a Detective, so that an officer assigned to one of these divisions will have the right to be assigned to a vacancy, in any other of these divisions, before a uniformed officer can be considered. If no officer, so eligible, requests to be so assigned, the position shall be filled in accordance with Section 3.03(b).

ARTICLE IV

SECTION 4.01 UNIFORM ALLOWANCE

Each police officer shall be paid the sum of $335.00 for the year 1981, for the purchase and maintenance of police clothing, uniforms and equipment and for the maintenance and cleaning of the same.

Each police officer shall be paid the sum of $370.00 for the year 1982, for the purchase and maintenance of police clothing, uniforms and equipment and for the maintenance and cleaning of the same.

Officers assigned to motorcycle and as K-9 officers shall be paid an additional $25.00 per year.

Uniform allowance will be paid by January 30th of each year.

Each officer will be responsible for maintenance of his uniforms and equipment and failure to reasonably maintain the same may be the subject of disciplinary action.

The Town will negotiate with the Club, regarding the impact of changes in articles of clothing or equipment.

ARTICLE V

SECTION 5.01 SENIORITY

Seniority shall be based entirely upon a police officer's uninterrupted service in the department and shall be broken if he leaves active service, for any period of time, for any reason, except authorized sick leave, military leave or authorized leave of absence.

No.12 No.13

Seniority shall be within rank and based upon date of appointment and position on the Civil Service List, where more than one (1) appointment was made on the same date. An up-to-date seniority list, showing the officer's rank and date of appointment to such position on the Civil Service List, shall be made available to all police officers. Seniority in the Detective Division shall be based upon the time of appointment to the Detective Division. The Detective Division shall include the General Unit of the Detective Bureau, the Juvenile Unit, the Identification Unit and the Vice-Gambling-Narcotics Unit.

When a tie exists because two officers, or more, have the same position on the Civil Service List, seniority shall be determined by badge number with the lower badge number constituting the senior officer for purposes of seniority within this Agreement.

SECTION 5.02 SHIFT PREFERENCE

Each police officer shall have the right to choose his own shift, based upon seniority. Shift changes must be requested in writing, to the commanding officer of the platoon, shift or bureau, at least three (3) weeks prior to shift change. Shift change meetings will be held with two (2) representatives of the Club, selected by its members, every twenty-four (24) weeks and notice of said meetings will be posted at least fifty (50) days prior to the meeting. Each police officer shall remain on an assigned shift for the twenty-four (24) week shift schedule.

The results of shift change meetings must be posted at least ten (10) days prior to the effective date of changes resulting from the meeting.

ARTICLE VI

SECTION 6.01 SALARIES

Each police oficer shall be paid pursuant to the following salary schedule:

RANK	SERVICE	Jan. 1, 1981	Jan. 1, 1982
Patrolman	First Year	$15,646.34	$16,929.34
Patrolman	Second Year	19,015.05	20,574.28
Patrolman	Third Year	19,560.16	21,164.09
Patrolman	Fourth Year	20,670.75	22,365.75
Detective	First Year	21,982.58	23,785.15
Detective	Second Year	22,312.85	24,142.50
Detective Sgt.	First Year	22,420.69	24,259.19
Sergeant	First Year	23,058.87	24,949.70

SECTION 6.02 OUT OF RANK PAY

When a police officer is required to perform the duties of higher paid job classification, for two (2) hours or more, he shall be paid the salary for the higher paid job, for the hours worked.

Such higher salary shall apply to all authorized time-off, of any kind, except sick bank time pursuant to Section 13.07.

If an absent Lieutenant is replaced, he will be replaced by the most senior officer on that shift who is working in that unit.

SECTION 6.03 RATE OF PAY

The hourly rate of pay shall be obtained by dividing the annual salary by 2080.

SECTION 6.04 OVERTIME PAY

Overtime shall be all work beyond a normally scheduled eight-hour tour of duty and any work beyond a normally scheduled forty (40) hour work week.

All overtime work shall be paid at the rate of time and one-half.

SECTION 6.05 CALL-IN PAY

If an officer is requested to report to the police station for duty or ordered to report for duty, during other than regularly scheduled hours (except for reasons of his own neglect) and more than two (2) hours prior to the beginning of his regularly scheduled work shift, he shall be paid a minimum of three (3) hours pay at the rate of time and one-half. Court appearances and training schedules will not be considered call-in, and this Section will not apply in those instances.

In the event police officers are called to duty because of personnel shortage, call-in will be accomplished on a seniority basis for each shift, and in the event of a general call to duty, on a seniority basis, based upon seniority within the Department.

SECTION 6.06 LONGEVITY PAY

Each police officer shall be paid the following, cumulative, longevity increments, each year:

After 6 years of service	$150.00
After 12 years of service	225.00
After 18 years of service	325.00

Beginning January 1, 1982 each step will be increased $25.00.

Longevity pay will be paid within thirty (30) days after an officer's anniversary date and will be included in salary for all purposes, including retirement purposes.

SECTION 6.07 K-9 OFFICERS

Each police officer, assigned to K-9 duty, shall be paid the sum of $100.00 per month, for the care, maintenance and feeding of the K-9 dog assigned to him. The Town will pay all medical expenses for the dog and will install a dog-run on the premises of the K-9 officer, and will post reasonable and necessary warning signs on the premises, concerning the dog.

SECTION 6.08 FILLING OF VACANCIES

When the Town declares a vacancy, the same must be filled within thirty (30) days after the vacancy exists.

SECTION 6.09 PROBATIONARY OFFICERS

When a police officer is assigned to a job classification, which is not a temporary classification, assignment to such classification shall be made permanent at the end of 6 months.

All appointments shall be probationary for the aforementioned 6 month period.

SECTION 6.10 OFF-DUTY ARRESTS

An officer will be paid for the time spent for booking and court time for necessary court appearances for arrests made during other employment, unless he is paid by another employer, or the arrest is solely related to the other employer's business and no additional, unrelated charges flow from the original arrest.

SECTION 6.11 REDEMPTION OF ACCUMULATED TIME

The Town will have the right to buy back compensatory time on the books for all officers, or a portion of such compensatory time over 120 hours. If an officer has over 120 hours accumulated, the Chief may at his option, order the officer to take the time off or pay the officer for all or a portion of the hours over 120. The Chief will exercise this option right from November 15th to December 15th of each year.

SECTION 6.12 EDUCATION INCENTIVE PAY

Each police officer who attends, or has attended, approved Police Science Courses shall receive educational incentive payments annually as follows:

1. One Hundred Dollars ($100.00) a year to a police officer who has an Associate Art and Science Degree (two (2) year program); or

2. Three Hundred Dollars ($300.00) to a police officer who has a Bachelor of Science or a Bachelor of Arts Degree (four (4) year program).

ARTICLE VII

SECTION 7.01 WORK DAY AND WORK WEEK

The standard work day shall be eight (8) hours and the standard work week shall be forty (40) hours. The work day and work week shall be pursuant to existing New York State Law. Whenever practicable, two (2) consecutive days-off shall be provided within a seven (7) day calendar period. Each officer shall be entitled to a thirty (30) minute lunch period in each eight (8) hour tour of duty. When practicable, each police officer shall work a three (3) platoon system.

Each police officer shall sign-in at the start of his tour of duty and sign-out at the end of his tour of duty in order to be compensated. A daily record shall be kept by the department head or his agent, which record shall be collected, daily, and be made part of the officer's personnel record. Each officer shall observe the scheduled work hours that are posted in all reports of duty, according to the posted time and date.

In the event Captains and Lieutenants are granted a reduced work week, providing for four (4) days of work and two (2) days off, the Town will negotiate with the Club, for this benefit, upon thirty (30) days notice.

No.12 No.13

SECTION 7.02 INTERRUPTED LUNCH

In the event an officer is precluded from eating his meal by headquarters or as a result of an offense being committed in the officer's presence, which requires the officer's action, said officer shall be compensated at the rate of time and one-half for the unused part of the officer's thirty (30) minute lunch period.

SECTION 7.03 SPECIAL LUNCH LEAVE

An officer assigned to duty at a facility without food preparation facilities shall be permitted to leave said facility to secure food at a location of his choice, within the Town limits, provided said officer is properly relieved. An officer so assigned will be granted forty-five (45) minutes for lunch leave.

ARTICLE VIII

SECTION 8.01 COURT PAY

When a police officer is required to make a court appearance, within the Town of Cheektowaga, at any time other than his regularly scheduled work hours, he shall be paid a minimum of three (3) hours salary at his regular hourly rate. If an officer is required to appear outside of the Town of Cheektowaga, he shall be paid a minimum of four (4) hours pay at his regular hourly rate of pay. If the appearance exceeds the minimum standards set, the officer shall be entitled to payment for all actual time spent at this regular hourly rate of pay.

An officer scheduled to appear will be paid the minimum appearance time in the event of an adjournment, unless he is given notice of the adjournment, at least ten (10) hours prior to the scheduled appearance.

The Town will provide verification court appearance forms, to be signed by the presiding judge, justice, administrative officer, court clerk, or other appropriate personnel and the Town will make reasonable efforts to pay court pay in the pay period immediately following the period during which it was earned.

SECTION 8.02 RANGE OFFICER

The officer assigned as range officer, during such assignment, shall be paid the same rate of salary as a Detective, first year.

SECTION 8.03 CROSSING GUARD OFFICER

The officer assigned in charge of the crossing guards shall be paid the same rate of pay as a Detective, first year.

SECTION 8.04 FIELD TRAINING OFFICER

An officer assigned as a field training officer shall be paid the same rate of salary as a Detective, first year.

SECTION 8.05 RADIO DISPATCHER

The Town agrees to employ only civil service police officers to do police work, in any capacity, except routine clerical work, now being performed by clerks in the Town Board. The Town agrees that it will not enter into any private contracts that eliminate police connected services or work now being performed by members of the police department, except as hereinafter set forth.

The Town will phase-out police officer radio dispatchers and the Town agrees that there will be no decrease in the number of police officers employed as a result of such phasing-out. Police officers assigned as police radio dispatcher will be paid at the same rate of pay as a Detective, first year.

As an officer leaves the department (for reasons other than lay-off) a police officer dispatcher may be moved into other duties and be replaced by a civilian dispatcher. When there are no police officers assigned to a shift as radio dispatcher, a sergeant will be assigned to supervise that shift of civilian radio dispatchers. No sergeant will be required if there is at least one (1) police officer assigned as a dispatcher.

The position of the sergeant is to be a civil service position by competitive examination. A police officer must have three (3) years of service before he is qualified to take the sergeants' examination. The officer's three (3) years of service must be completed prior to the date of the sergeants' examination.

ARTICLE IX

SECTION 9.01 HOLIDAYS

Each police officer shall be given compensatory time-off or be paid the value of the following holidays, whether he works the holiday or not:

New Year's Day	Columbus Day
Lincoln's Birthday	Veteran's Day
Washington's Birthday	Election Day
Good Friday	Thanksgiving Day
Memorial Day	December 24th
Independence Day	Christmas Day
Labor Day	January 2nd

Each police officer shall notify the Chief of Police, or his designee, by December 1, as to the holidays he elects to be paid for and the holidays he elects for compensatory time-off, during the following year.

In addition to the above holidays, each police officer shall be given compensatory time-off for any holiday granted to other employees of the Town of Cheektowaga, by resolution of the Town Board or declaration of the Town Supervisor. An officer who elects to be paid for a holiday may be granted the day off which shall be charged against the officer's accumulated compensatory time-off, without loss of the holiday pay.

ARTICLE X

SECTION 10.01 VACATIONS

Each police officer shall be entitled to an annual vacation, with pay, during each calendar years as follows:

After 1 year	12 working days
After 5 years	18 working days
After 10 years	21 working days
After 15 years	25 working days
After 20 years	28 working days

Vacation periods will be divided into the following:

Winter	December to February
Spring	March to May
Summer	June to September
Fall	October to November

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A police officer shall not be entitled to more than twelve (12) consecutive work days of vacation, during any of the above vacation periods, unless, in the opinion of the commanding officer, additional vacation days, during any such period, will not interfere with the smooth operation of the department. The commanding officer shall have the sole right to designate the number of police officers who will be on vacation at any time, but a minimum of four (4) police officers will be permitted vacation during any vacation period.

Vacation schedules shall be posted for ninety (90) days prior to the beginning of a vacation period, and during the first forty-five (45) days, vacation scheduling shall be determined based upon seniority, within each shift of bureau concerned. At the end of the said forty-five (45) days, vacation scheduling shall be determined in order of date of request and not by seniority. The choice of vacations, during the first forty-five (45) days for each vacation period will be based strictly upon seniority.

Police officers shall not be permitted to split vacations during any of the vacation periods, for periods of time of less than one (1) calendar week.

In the event an officer is not able to take the vacation time he selected, notice will be given to less senior offices and they will be entitled to take the vacation time not used and selection will be based on seniority for that shift.

Nothing contained herein shall prevent the granting of vacations one day at a time.

Except as herein provided, no police officer will be permitted to carry-over or to accumulate more than one-half of one-year's annual vacation.

SECTION 10.02 UNUSED VACATION

Each police officer shall be paid, at the time of retirement, the monetary value of any unused vacation time and overtime, standing to his credit, on the date of retirement. In the event of death, the value of such time, standing to his credit, will be paid to his estate or his heirs at law.

Police officers intending to retire may notify the Town two (2) years in advance and will be permitted to accumulate time-off and vacations for one and one-half years, the value of which will be paid as salary during the final year of employment and included as wages for pension purposes.

Upon termination of employment, for any reason, an officer will be paid the value of all accumulated vacation or other time-off, including sick leave, pursuant to Appendix B. However, in the event termination is by discharge or dismissal, there would be no payment for accumulated sick leave.

SECTION 10.03 VACATION PAY ADVANCE

Upon written request, at least two (2) weeks prior to vacation time, a police officer will be paid the estimated amount due him for his vacation period, not later than the Friday before he begins his vacation.

ARTICLE XI

SECTION 11.01 BEREAVEMENT LEAVE

Upon request of a police officer, a leave of absence, not to exceed five (5) days shall be granted, because of death in his immediate family. Such leave shall be taken, without loss of pay or other benefits, and shall begin on the date of death. Immediate family, for the purposes of this Section, shall mean: mother, father, spouse, child, grandchild, grandparent, brother, sister, father-in-law, mother-in-law, daughter-in-law and son-in-law.

In the event of the death of a police officer's brother-in-law or sister-in-law, and upon request, he shall be granted two (2) days off, without loss of pay or other benefits. In the event of death of a relative, not included above, the police officer, upon request, shall be granted time-off without loss of pay or other benefits, for the day of the funeral, which time shall be charged against accumulated time-off or sick leave, at the officer's choice.

ARTICLE XII

SECTION 12.01 PERSONAL LEAVE

Each police officer shall be entitled to five (5) non-cumulative personal leave days. Personal leave shall be used at the police officer's discretion, except, that personal leave shall not be taken on a Sunday or a holiday, except in case of emergency. In order to enable the department to maintain necessary manpower requirements, personal leave must be requested at least twenty-four (24) hours in advance of the requested time-off. This will not preclude the granting of personal leave on less than twenty-four (24) hours notice, upon the approval of the commanding officer. Personal leave will not be granted if the granting of such leave will seriously hamper or impead the operation of the police department. Personal leave requested in case of emergency, however, will not be denied.

Personal leave will not be used in less than one-half day increments.

Personal leave will be granted based upon the priority of the emergency and if no emergency exists, upon the chronological time requested.

Unused personal leave days shall be added to accumulated sick leave.

SECTION 12.02 PROBATIONARY POLICE OFFICERS

During civil service probation, police officers will accumulate sick leave and personal leave on a pro-rata basis, per month, which leave cannot be used during the probationary period.

At the end of probation, police officers will continue to accumulate sick leave at the same rate for the balance of that calendar year and will be granted such leave in the same manner as is granted to other police officers.

Newly appointed police officers will be granted the uniform allowance, herein provided, immediately, upon appointment.

Probationary police officers shall be provided life insurance benefits effective one hundred twenty (120) days after the date of appointment of said officer.

ARTICLE XIII

SECTION 13.01 SICK LEAVE

Each police officer, except as otherwise provided, shall be entitled to accumulate one and one-half sick days per month to a maximum accumulation of 298 days.

A female police officer who is incapable of performing her duties because of maternity disability may utilize accumulated sick leave credits and continue all other benefits under this Agreement during such absence.

Maternity leave shall be considered to commence on the date that the officer is no longer capable or performing her duties and shall end on the date the officer can resume the performance of her regular duties. The officer will be requested or required to bring in a doctor's note to verify the date when she is not capable of performing her duties or when she is capable of returning to work. In addition, she may be required to submit to a physical examination by a doctor of the Town's choice to verify the starting and ending date of such maternity leave.

SECTION 13.02 NOTIFICATION

A police officer will not be granted sick leave, unless he notifies his commanding officer that he will be absent and the reason for the same, at least one (1) hour prior to the time he is scheduled to report for duty. In cases of emergency, the one (1) hour notice requirements will be waived.

SECTION 13.03 SICK BANK

In order to aid police officers who have suffered a prolonged illness and whose regular sick leave has been exhausted, a sick bank will be established, effective upon the signing of this Agreement.

1. Each officer who wishes to participate in the sick bank will contribute two (2) accumulated sick-leave days from his current accumulated sick-leave, within 30 days of the time such officer becomes eligible to participate. An officer who elects not to participate will not be allowed to enter the sick bank, except between Janaury 1 and January 30 each year.

2. The Town will add to the sick bank twenty-five (25) sick-leave days.

3. Each year, officers will contribute one (1) additional sick-day to the bank, between January 1 and January 30, in order to continue as a participant in the sick leave bank.

4. If at any time, the accumulated number of sick days in the sick bank falls below seventy-five (75) the Town will contribute a sufficient number of days to bring the total number of sick-days, in the sick bank, to seventy-five (75) days.

5. Each officer who elects to participate and who is otherwise qualified, must consent, in writing, between January 1 and January 30 each year. Officers who become qualified after January 30, in any year, must submit their intention in writing, within 30 days after the time they become qualified to participate and thereafter will submit their intention, in writing, between January 1 and January 30, each year.

6. Officers who enter the sick bank after January 1, 1981, and who have been previously qualified to participate, will be required to contribute the same number of accumulated sick-days as they would have contributed had they become a participant when first qualified to enter the sick-leave-bank.

7. An officer who is a participant in the sick bank and who has exhausted all of his accumulated sick-leave and any other accumulated time, may apply for additional sick-leave from the sick bank, created herein, to a committee consisting of the President of the Police Club and the Supervisor of the Town of Cheektowaga, or their designees.

8. An applicant may be allowed sick-leave of absence, debited from the sick bank, provided the committee consents to the application.

9. In the event both members of the committee cannot agree to accept or reject the granting of such sick leave, then, in that event, the committee shall select a third person, in accordance with the procedure for the selection of an arbitrator, as provided in the Grievance Procedure in this Agreement. The decision of the sick leave bank committee shall be final and binding upon the Town and the applicant.

10. The Town will provide the Club with an accounting of the number of accumulated sick-days in the sick-leave bank by March 1, of each year.

11. If the sick-leave bank is discontinued, unused sick days shall be equally distributed to those members of the sick-leave bank, who are members at the time, equally.

SECTION 13.04 WORKER'S COMPENSATION BENEFITS

A police officer, who is entitled to receive Worker's Compensation Benefits, shall be paid full pay and the benefits under Worker's Compensation, to which he is entitled, shall be assigned to the Town. Absence from duty in this event will not be chargeable against sick leave and no other benefits, provided by this Agreement, will be lost during that period of time. Absence from duty for work-related disability will not be chargeable against sick leave and no other benefits, provided by this Agreement, will be lost during such absence.

SECTION 13.05 SICK LEAVE RECORDS

Each police officer will be provided with a record of his accumulated sick leave within sixty (60) days after the beginning of each calendar year.

SECTION 13.06 ILLNESS OF FAMILY MEMBERS

Sick leave shall apply to absence due to illness of a police officer's immediate family, residing in his household.

SECTION 13.07 SICK LEAVE UPON RETIREMENT

1. One year prior to retirement, a police officer may convert his accumulated sick leave days into value by written application signifying his intention, on a form provided by the Town.

2. Upon receipt of such notification, the Town will convert such accumulated sick leave into value by taking the actual cash value of the accumulated sick days and multiplying by the rate of 15%. Beginning January 1, 1982, such accumulated sick days shall be multiplied by the rate of 25%. The resulting sum shall be paid to the officer at his option exercised in writing in the following manner:

(a) The sum shall be paid to the officer as part of his final year's average salary by dividing the sum by the number of pay periods so as to allow for equal distribution over his last year of employment, or

(b) The sum shall be paid to the officer on the date of his retirement.

3. If an officer shall notify the Town of his intention to retire and such notice is given less than one year prior to the date of retirement, the Town will have the option of making a one-time lump sum payment or of dividing the sum by the number of pay periods, remaining, so as to allow for equal distribution during the remaining time of employment.

(c) If the notice exceeds six months, the conversion shall be in accordance with Paragraph 2(a), above;

(d) If the notice shall be for a period of six months or less, the officer's accumulated sick leave shall be converted into value in accordance with Paragraph 2(b), above.

ARTICLE XIV

SECTION 14.01 EXPENSES

A police officer, who is required to leave the Town, by reason of his employment or as part of his official duty, shall be reimbursed for all actual, reasonable and necessary expenses incurred, including meals, if he is absent from the Town during normal meal time.

A police officer on official police business will be provided with transportation by the Town and if he is required to use his own vehicle on police business, the officer shall be paid at the current rate per mile for each mile driven. In no event will a police officer be required to use his own motor vehicle during the normal course of his employment.

ARTICLE XV

SECTION 15.01 LIFE INSURANCE

The Town will continue to provide a $20,000 life insurance policy insuring each policy officer at no cost to the officer.

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SECTION 15.02 HEALTH INSURANCE

The Town will provide, at its own expense, Blue Cross and Blue Shield Insurance at least equivalent to the 50-51 Plan, together with the $250,000 Major Medical with $50 deductible and $1.00 co-pay prescription rider.

Beginning January 1, 1982, the Town will provide, without cost to the officer, Blue Cross and Blue Shield dental coverage of the high level rider A, B, C, D and No.8. However, if the rates for such coverage are increased after January 1, 1982 the parties will negotiate concerning the increase.

Beginning July 1, 1982, in addition to the above coverages, the Town will provide optical coverage afforded under the Blue Cross and Blue Shield plans commonly referred to as the Vision Care Benefits.

Beginning December 31, 1982, the Town will continue to provide health insurance for officers who retire, thereafter, up to age 65 years. Officers who retire before that date shall have the option of participating in the health insurance coverage plan at their own expense.

SECTION 15.03 INDEMNIFICATION

The Town will indemnify each police officer for claims made against him based upon false arrest, false imprisonment, civil rights violations and other torts within indemnification coverage pursuant to the provisions of Section 50-j of the General Municipal Law and Section 1983 et seq of the United States Code.

ARTICLE XVI

SECTION 16.01 RETIREMENT BENEFITS

The Town will provide and maintain a non-contributory retirement plan of benefits for police officers, pursuant to the following provisions of the New York State Retirement and Social Security Law:

The benefits provided in Section 384 f, g and h to provide what is commonly known as the 1/60th, 25-year retirement plan;

The benefits pursuant to Section 375(i), more commonly known as the Improved Retirement Benefits;

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The benefits pursuant to Section 302, 9-d, more commonly referred to as the Final Average Salary, and Section 360-b, Death Benefit; and

The benefits pursuant to Section 384-d, more commonly known as the 20-Year Retirement Plan.

ARTICLE XVII

SECTION 17.01 CLUB REPRESENTATIVES

Police officers, who are designated by the Club as representatives, for the purpose of adjusting grievances or assisting in the negotiation or administration of this or future agreements, shall be permitted a reasonable amount of time from their regular duty to fulfill these obligations, when and if so required; however, not more than two officers will be named per shift and not more than one officer may investigate a specific grievance at any one time. Reasonable advance notice shall be given to the head of the department, or his representative, stating, in brief, the reason for such absence. The President of the Club shall be allowed eight (8) hours per week for these purposes.

The Club agrees that no more than seven (7) members of the Executive Board, plus the President, will request time-off, with pay, to conduct the affairs of the Club, including attendance at Executive Board and Club meetings.

Whenever possible, a request for time-off shall be submitted at least five (5) days prior to the required date, but the parties agree that circumstances may arise which will not permit such notice and in that event time-off will be granted upon reasonable request.

Police officers who are designated by the Club, may attend statewide conventions and meetings of the Police Conference of New York, Inc., Western New York Police Association and the International Conference of Police Association, in pursuance of their profession as police officers. Attendance at these affairs shall be without loss of time or salary. This privilege will be extended to officers of the Western New York Police Association and the New York State Police Conference, Inc. Not more than seven (7) officers covered by this Agreement, plus the President, may be relieved from duty to attend these meetings. Up to three (3) additional officers may be granted the privilege to attend, by the Town, without pay, if the functioning of the Police Department is not placed in jeopardy and if approval is granted by the head of the department.

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SECTION 17.02 CLUB OFFICE

The Town will allow the Club to install its own telephone at its own expense, which telephone will not be connected, in any manner, with present police telephone communication system.

ARTICLE XVIII

SECTION 18.01 DISCIPLINARY ACTIONS

A police officer will be given a copy of any warning, reprimand, suspension or disciplinary action entered into his personnel record within two (2) weeks of the action taken.

SECTION 18.02 RECORD OF COMPLAINTS

No record or reference to a complaint, either departmental or external, lodged against a police officer, will be entered into his record if after investigation the complaint is decided, by the Town, to be unfounded.

SECTION 18.03 SUBSTANCE OF COMPLAINTS

A police officer who has a complaint lodged against him by a citizen shall have the substance of the complaint presented to him in writing.

ARTICLE XIX

SECTION 19.01 IN-SERVICE TRAINING

Any police officer required to attend in-service training on his off-duty time, shall be compensated for such time at his regular rate of pay with a minimum pay of two (2) hours.

The Town will notify all police officers, by posting, of law enforcement educational and training opportunities being offered by other departments or other police or educational agencies, so that police officers who are eligible and who desire to attend may notify their superiors of their interest or desire. The Town will provide the same notice and opportunity as to training opportunities being offered by the Town Police Department.

SECTION 19.02 TUITION

The Town will pay the full costs of all tuition, books and other fees for all police officers, authorized by the Town, who attend school or seminars relating to Police Science courses.

SECTION 19.03 CIVIL SERVICE EXAMINATIONS

The Town may request from the Civil Service Commission a new examination to be held after the expiration date of each promotional list. All existing promotional vacancies are to be filled within a reasonable time after the vacancy occurs and the promotional list is available.

SECTION 19.04 TABLE OF ORGANIZATION

The Town agrees to establish a Table of Organization, which will include a job description of each job within the department, copies of which will be available for examination by police officers.

ARTICLE XX

SECTION 20.01 BULLETIN BOARD

The Town will provide one bulletin board at the police station which will be used exclusively for Police Club notices.

SECTION 20.02 MEETING ROOM

The Town will continue to provide a meeting room in the police station for use by the Club, without cost, where the Club may transact business and engage in other activities and also store its records and equipment. The meeting room will be furnished by the Club and the location of the same will be mutually agreed upon by the Town and the Club.

SECTION 20.03 FUND RAISING

The Club may engage in fund raising activities, provided, that said activities do not interfere with the efficient operation of the department and do not violate any law, rule or regulation.

The Club may purchase and maintain vending machines, to be installed and used, in the section of the building frequented solely by police officers and the revenues derived therefrom shall be funds of the Police Benevolent Fund and will not be used for union purposes.

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No. 13

The Club will indemnify the Town against any claims arising out of installation or use of such machines.

SECTION 20.04 SAFETY

After officers are assigned to duty singly to each of six (6) patrol vehicles and two (2) officers are assigned to duty in an accident car, additional officers, on duty, will be assigned so that patrol vehicles, including the first six (6) patrol vehicles, are manned by two (2) patrol officers.

ARTICLE XXI

SECTION 21.01 GRIEVANCE PROCEDURE

A grievance shall mean any difference or dispute, between the parties hereto, as to the interpretation or application of any portion of this Agreement or any administrative act affecting general working conditions.

Step 1 - Any police officer may present a grievance, orally or in writing, to his immediate supervisor within thirty (30) days of the occurrence and attempt to adjust the matter. If the matter is not satisfactorily adjusted the police officer may request a representative of the Club meet with him and his immediate supervisor for the purpose of adjusting the grievance.

Step 2 - If the grievance is not satisfactorily settled, under Step 1, the Club representative may forward the grievance to the Club's Grievance Committee. After review of the grievance the Club will forward a copy of the grievance to the Chief of Police, within five (5) calendar days or receipt by the committee. The Chief of Police will, within five (5) calendar days of presentation to him, discuss the matter with the Club Grievance Committee in an attempt to settle the grievance.

Step 3 - In the event the grievance is not settled under Step 2, above, a report of the grievance will be made by the Club Grievance Committee and by the Chief of Police and each will furnish their report, within five (5) days, to the Town Supervisor or his representative. The Town Supervisor, or his representative, will discuss the grievance with the Grievance Committee within fifteen (15) calendar days after receipt of the written report.

No.12 No.13

Step 4 - In the event the matter is not satisfactorily settled, either party may take the matter to arbitration, upon service of written notice to the other party of intention to do so. The notice must be served within thirty (30) calendar days after the close of discussion and in the event a notice of intention to arbitrate is not filed within thirty (30) days, the matter will be considered closed and not subject to further prosection.

The arbitration proceeding shall be conducted by an arbitrator to be selected by the Town and the Club within thirty (30) days after notice has been given and from a panel of arbitrators supplied by the New York State Public Employment Relations Board.

The decision of the arbitrator shall be final and binding on the parties and the arbitrator shall issue his decision within thirty (30) calendar days after the conclusion of testimony and argument unless such time is mutually extended. The arbitrator shall not have the power to amend, modify or delete any provision of this Agreement.

Expenses for arbitration shall be born equally by the Town and the Club. However, each party shall be responsible for compensating its own representatives who appear. Police officers who appear during their work hours will not suffer any loss of salary or other benefits. If either party desires a recording of the proceedings it must pay for the cost of the same and make a copy of the same available, without charge, to the other party and to the arbitrator.

SECTION 21.02 GRIEVANCE COMMITTEE

The Grievance Committee shall consist of nine (9) members selected by the Club who shall be permitted to leave work after reasonable notice to their respective supervisors, for the purpose of adjusting grievances and to attend required meetings or arbitrations in connection with the same.

ARTICLE XXII BILL OF RIGHTS

The provisions of this Article shall not apply to criminal investigations or investigations of possible criminal activity or violations.

SECTION 22.01 TIME OF INTERROGATION

The interrogation of police officers shall be conducted at reasonable hours, preferably, when the officer is on duty and if not on duty during daylight hours, unless the exigencies of the investigation dictate otherwise.

SECTION 22.02 IDENTIFICATION OF INVESTIGATING OFFICERS

A police officer who is under investigation for a matter, which would not constitute a crime, must be informed of the name of the officer in charge of the investigation and the names of the officers who will be conducting any portion of interrogation or investigation.

SECTION 22.03 INFORMATION REGARDING INVESTIGATION

An officer must be informed of the nature of an investigation before any interrogation begins. The information must be sufficient to reasonably inform him of the investigation which is being conducted.

SECTION 22.04 LENGTH OF INTERROGATION

Interrogation shall be completed with reasonable dispatch. Reasonable rest periods will be allowed and time will be provided for personal necessities, meals, telephone calls and rest periods as reasonably required.

SECTION 22.05 COERCION

A police officer shall not be subjected to offensive language and shall not be threatened with transfer, dismissal or other disciplinary punishment. No promise or reward shall be made as an inducement to answering questions. Nothing herein is to be construed as to prohibit the investigating from informing an officer that his conduct may be subject to other disciplinary action with resultant disciplinary punishment.

SECTION 22.06 RIGHT TO COUNSEL

A police officer who is under investigation has the right to have a representative of the Police Club present and also has the right to the presence of an attorney, with him, during any questioning, hearing or interrogation.

SECTION 22.07 RECORDING OF INTERROGATION

Interrogation of a police officer for any disciplinary investigation will be recorded, either mechanically or by a stenographer, and there will be no off-the-record statements.

SECTION 22.08 ADVICE OF CONSTITUTIONAL RIGHTS

If a police officer is the subject or target of a disciplinary investigation he shall be advised of his constitutional rights.

SECTION 22.09 FURNISHING OF COPIES

A police officer under investigation will be furnished with a copy of any statement he has signed or made or of any proceedings that have been recorded, in any manner.

SECTION 22.10 POLYGRAPH

Police officers will not be given polygraphic examinations.

SECTION 22.11 NON-WAIVER OF CONSTITUTIONAL RIGHTS

No police officer will be required to or requested to waive constitutional rights granted under the United States or the New York State Constitution.

SECTION 22.12 HEARING OFFICER

In the event the Town elects to select a hearing officer, pursuant to Section 75 of the Civil Service Law, who is not either a Town employee or Town Official, then, in that event, the hearing officer will be mutually selected by the Town and by the police officer who is charged. If the parties are unable to agree upon a hearing officer or if the hearing officer agreed upon is, or becomes unable to or unwilling to act, then the parties shall mutually apply to Special Term of the New York State Supreme Court for the appointment of a hearing officer.

ARTICLE XXIII

SECTION 23.01 LEAVE OF ABSENCE

Police officers may be granted leave of absence, with or without pay, as provided for in the Civil Service Law of the State of New York.

SECTION 23.02 NON-DISCRIMINATION

There will be no discrimination with respect to the race, color, creed, sex, political persuasion or because of police officer is engaged in Police Club activities. All police officers shall receive the full protection of all of the provisions herein.

SECTION 23.03 PAYROLL DEDUCTIONS

The Town will provide a payroll savings and U.S. Savings Bond deduction plan and make it available for all police officers who desire the same.

ARTICLE XXIV

SECTION 24.01 MANAGEMENT RIGHTS

All of the authority, right and responsibilities possessed by the Board and not covered by this Agreement are retained by it, including, but not limited to, the right to determine the mission, purposes, objectives and policies of the Board; to determine the facilities, methods, means and number of personnel required for conduct of Board programs; to administer the examination, selection, recruitment, hiring, appraisal, training, retention, promotions, assignments or transfer of employees, pursuant to law; to direct, deploy and utilize the work force; to establish specifications for each class of positions, and to classify or reclassify and to allocate or reallocate new or existing positions, in accordance with law; and to discipline or discharge employees, in accordance with law, and within the provisions of this Agreement.

SECTION 24.02 SAVINGS CLAUSE

If any section, sub-section, sentence, clause, phrase or any portion of this Agreement is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions of this Agreement.

SECTION 24.03 TERMS OF AGREEMENT

This Agreement, except as may be hereafter modified in writing, by both parties, shall become effective January 1, 1981 (retroactively) and remain in force until December 31, 1982, or until such time as a subsequent agreement becomes effective.

No.12

No.13

SECTION 24.04 RENEWAL OF AGREEMENT

The parties agree that negotiations for renewal of this Agreement shall commence on or about July 1, 1982, or on such other date as shall be mutually agreed upon.

SECTION 24.05 PAST PRACTICE

This Agreement shall supersede conflicting rules, regulations or practices heretofore existing. Established practices, not specifically covered herein, shall continue in force and effect.

SECTION 24.06 ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 4th day of May, 1981.

Kenneth J. Meyer
Town Supervisor

Frank E. Smith
Town Councilman

Allan P. Pogorzelski
Town Councilman

Frank Perry
Town Councilman

Donald J. Wegner
Town Councilman

Thomas M. Johnson
Town Councilman

Stanley L. Keller
President, Cheektowaga Police Club, Inc.

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Item No. 14 Cont'd.

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

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

WHEREAS, there is an opening at the Wastewater Treatment Plant No. 5 for the position of Senior Sewage Plant Operator, AND

WHEREAS, the job opening has been posted on bulletin boards in accordance with the Town of Cheektowaga Employees Association, AND

WHEREAS, the Erie County Personnel Department has submitted a current Erie County Civil Service list of eligibles for the position of Senior Sewage Plant Operator, NOW, THEREFORE, BE IT

RESOLVED, that Thomas D. Skowronski be and hereby is promoted to the position of Senior Sewage Plant Operator in accordance with the current bargaining agreement presently in effect between the Town of Cheektowaga and the Cheektowaga Employees Association, said appointment effective immediately.

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

Item No. 16 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, the Cheektowaga Facilities Department requires seasonal employees to augment its normal full-time employee work force due to seasonal duties which serve the public, NOW, THEREFORE, BE IT

RESOLVED that the following individual be hired in the Cheektowaga Facilities Department:

Seasonal Laborer - $3.10 per hour

John A. Kirisits

Cheektowaga, New York 14225

FUNDS FOR THIS ACTION ARE AVAILABLE FROM THE SOURCE AS STATED IN THE RESOLUTION AND HAVE BEEN APPROVED BY THE BOOKKEEPER TO THE SUPERVISOR.

WILLIAM L. WIELINSKI

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

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

WHEREAS, the Council Office is in need of additional staffing to help perform various secretarial duties, NOW, THEREFORE, BE IT

RESOLVED that Nancy Jaworowicz of 48 Poinciana Parkway, Cheektowaga, be and hereby is hired as a part-time secretary in the Council Office at an hourly rate of $3.75, effective May 5, 1981, and BE IT FURTHER

Item No. 17 Cont'd.

RESOLVED that said employee shall not work in excess of 20 hours per week.

FUNDS FOR THIS ACTION ARE AVAILABLE FROM THE SOURCE AS STATED IN THE RESOLUTION AND HAVE BEEN APPROVED BY THE BOOKKEEPER TO THE SUPERVISOR.

WILLIAM L. WIELINSKI

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

Item No. 18 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, the Cheektowaga Sanitation Department has seasonal employees to fill daily assignments to cover sickness, personal leave and vacations, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are hired in the Cheektowaga Sanitation Department as Seasonal Laborers, at an hourly rate of $3.10 per hour; said rate subject to 1981 hourly adjustment:

SEASONAL LABORERS:

Ronald Dux

Greg Gemerek

Frank Simmett

Kim Ring

Thomas Truax

Richard C. Slisz

Mitchell Lembke

Fred Mueller

Gary Kwiatkowski

John Bratek

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

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

WHEREAS, Mr. Walter Mika, employed in the Cheektowaga Wastewater Treatment Plant No. 5 is enrolled in the United States Army Reserve, HHC 4th BDE (CST) 98 Div. Unit, AND

WHEREAS, Mr. Mika has received orders to report for Active Duty Training effective May 14, 1981 through May 30, 1981, AND

WHEREAS, employees are eligible for benefits under Sections 242 and 243 of the Military Law of the State of New York; are guaranteed such benefits in full accordance with the law, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board approves said Military Leave for Mr. Walter Mika, Cheektowaga, New York for the period May 14 through May 30, 1981.

Item No. 19 Cont'd.

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

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that funds in the amount of $5,925.00 are transferred from Account No. A.3120.443 (Police-Equipment Repairs) to Account No. A.3120.200 (Police-Equipment).

FUNDS FOR THIS ACTION ARE AVAILABLE FROM THE SOURCE AS STATED IN THE RESOLUTION AND HAVE BEEN APPROVED BY THE BOOKKEEPER TO THE SUPERVISOR.

_____
WILLIAM L. WIELINSKI

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

Item No. 21 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants received by the TOWN OF CHEEKTOWAGA prior to May 4th, 1981 are hereby approved and the SUPERVISOR is ordered to pay same.

FUND	CHECK NO. FROM TO	AMOUNT
GENERAL FUND	11056-11235	$ 73,309.30
SPECIAL DISTRICT FUND	10350-10407	102,536.86
HIGHWAY FUND	10252-10277	6,986.31
FEDERAL REVENUE SHARING FUND	10158-10167	6,028.69
CAPITAL FUND	452-453	128,841.29
H.U.D.-C.D.B.G. FUND	332-334	28,979.07
PART TOWN FUND	437-439	1,302.51
SPECIAL ASSESSMENT FUND	2	1,599.00
DEBT SERVICE FUND	131-130	106,600.00
H.U.D.-N.P.P. FUND	146	5,700.00
		$ 461,883.03

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Building Permits.
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 23 New York State Department of Transportation - Amended "Signal Operations Specifications" re: Permit Traffic Signal 409P - F.N. Burt Co., Inc. Driveway Entrance to Walden Avenue.

Item referred to Supervisor Kenneth J. Meyers, Honorable Members of the Town Board, Captain Kempski-Cheektowaga Police Department and Cheektowaga Traffic Safety Commission; received and filed.

Item No. 24 Cheektowaga Fire Chief's Mutual Aid Association - Correspondence relative to Appointment of Disaster Coordinator for Town of Cheektowaga.

Item referred to Supervisor Kenneth J. Meyers and Honorable Members of the Town Board; received and filed.

Item No. 25 Alexander A. Zabawa, - Correspondence relative to unsatisfactory mail delivery due to one-side parking on street.

Item referred to Supervisor Kenneth J. Meyers, Honorable Members of the Town Board, Captain Kempski-Cheektowaga Police Department and Cheektowaga Traffic Safety Commission; received and filed.

* *

Motion by Councilman Swiatek, seconded by Councilman Wegner to Waive the Rules to include the following five (5) items.

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

* *

V. WAIVER OF RULES

Item No. 26 Authorization for Cheektowaga Youth Bureau to participate in College Work/Study Program.

Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the State University College at Buffalo participates in the College Work/Study Program as established under the Higher Education Act of 1965 by the United States Office of Higher Education, and

WHEREAS, the Cheektowaga Youth Bureau is a public agency eligible for participation in the program, and

WHEREAS, federal funds will pay up to 50% of the salary of students hired under the Work/Study Program, and

WHEREAS, the remaining 50% portion shall be budgeted to the Administrative Intern Line Item (A.7310.183) at a rate of $3.35 per hour, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to execute any and all documents with the State University College at Buffalo that may be necessary for participation in the College Work/Study Program.

FUNDS FOR THIS ACTION ARE AVAILABLE FROM THE SOURCE AS STATED IN THE RESOLUTION AND HAVE BEEN APPROVED BY THE BOOKKEEPER TO THE SUPERVISOR.

WILLIAM L. WIELINSKI

*See next few pages for copy of College Work/Study Agreement.

State University College at Buffalo

1300 Elmwood Avenue
Buffalo, New York 14222

COLLEGE WORK-STUDY PROGRAM
Of Financial Aid to Students

TERMS OF AGREEMENT

This agreement, effective this 1st day of June, 19 81, is entered into between State University College at Buffalo, hereinafter called *the Institution*, and The Town of Cheektowaga, hereinafter called *the Agency*, for the purpose of enabling qualified students to participate in the College Work-Study Program (hereinafter called *Program*) under the Higher Education Act of 1965 and any amendments thereto, through employment offered by the Agency under the terms stipulated hereinafter.

By entering into this agreement the Agency will receive the benefit of the services of the student or students employed and the Institution will benefit by expanding its abilities to enroll needy students as a result of the funds which such students will receive through this Program.

I. This agreement may be terminated at any time by mutual agreement or upon 30 days written notice by either party to the other. If not terminated, it will automatically renew itself as of July 1 each year for the ensuing fiscal year beginning on that date. If no students are hired under this agreement for a period of twelve consecutive months, the agreement shall be deemed terminated until renegotiated.

II. All terms used herein shall be interpreted in accordance with any definitions thereof contained in the Federal statutes and regulations (Title 45, Code of Federal Regulations, Part 175) governing the College Work-Study Program; and this agreement in its entirety shall be construed so as to effectuate the purposes of that Program.

III. This agreement shall supersede any and all prior agreements between the Institution and the Agency regarding the operation of a work-study program under the provisions of the College Work-Study Program.

IV. This agreement may be amended only by addendum hereto executed by authorized officials of both the Institution and the Agency.

V. The agency certifies that it is a (public) ~~(private non-profit)~~ *strike one* organization eligible to participate in this Program and that the work performed by students participating in this Program:

(1) will be work for which the Agency's funds are available;

(2) will not result in the displacement of the Agency's employed workers or impair its existing contracts for service;

(3) will be governed by such conditions of employment as will be appropriate and reasonable in light of such factors as type of work performed, geographical location, and educational level and proficiency of the student and any applicable federal, state or local legislation;

(4) will not involve the construction, operation, or maintenance of so much of any facility as is used or is to be used for sectarian instruction or as a place of religious worship;

(5) will not involve any partisan or nonpartisan political activity associated with a candidate, or contending faction or group, in an election for public or party office;

(6) will not be primarily for the benefit of the members of a limited membership organization, rather than the public;

(7) will, where possible, be related to each individual student's educational objectives and background.

VI. It is agreed that the Agency shall:

(1) provide orientation to the student with regard to hours of duty, place of duties, working conditions, briefing on safety, standards of conduct and a familiarization with Agency procedures. Such orientation shall be designed to aid the student in adjusting to the job situation;

(2) provide the student with an explanation of his duties, performance requirements in terms of quality, quantity, methods and priorities, and the necessary basic corrective and progressive training;

(3) provide on-site supervision of the employment activities of the students;

(4) establish and maintain such records, including time and attendance records, and submit such reports as may from time to time be required by the Institution,

(5) not permit any student to perform work on any project under this Program for more than 20 hours in any week in which classes in which he is enrolled are in session, or for more than 40 hours in any other week unless otherwise specified by the Institution. The Agency shall assume responsibility for payment of compensation to students for hours worked in excess of such maximum limitations.

VII. Students will be made available to the Agency in a manner prescribed by the Institution for performance of specified work assignments. Students may be removed from work on a particular assignment or from the Agency by the Institution, either on its own initiative or at the request of the Agency. The Agency agrees that no student will be denied work or subject to different treatment under this agreement on the grounds of race, color, or national origin, and that it will comply with the provisions of the Civil Rights Act of 1964 (P.L. 88-352; 78 Stat. 252) and Regulations of the Department of Health, Education and Welfare which implement that Act. Subject to this provision the Agency may, after a request for removal of a student has been denied by the Institution, remove the student from employment without the concurrence of the Institution.

VIII. The Agency shall have the right to control and direct the services of the student with regard to the work to be accomplished and the means by which it is to be accomplished. The Institution shall determine that the student meets the eligibility requirements for employment under the College Work-Study Program, assign students to work for the Agency, determine that the students do perform their work in fact and disperse the appropriate amounts to them. The Institution shall be deemed the employer in all cases.

IX. Compensation for work performed under this agreement will be paid to students by the Institution. All payments due as an employer's contribution under Federal Social Security laws, or under other applicable Federal or State laws, will be paid to the proper governmental authority by the Institution.

(1) At such time as specified by the Institution, the Agency shall pay to the Institution 50 % of the gross compensation paid to students employed under this Agreement. If this percentage is changed by Federal law, the Agency agrees to pay at the new rate.

(2) In addition to the payment specified in paragraph (1) above, at such times as specified, the Agency shall pay an amount equal to any and all payments made by the Institution under this paragraph with respect to Federal Social Security laws, or under any other applicable Federal or State laws.

X. The Institution shall have the right to control and direct this Program in accordance with institutional and Federal regulations. It shall establish appropriate policies with respect to such matters as the total number of students to be employed, the hourly rate of pay, and the total number of hours per week each student will be utilized. This paragraph shall not affect the right of the Agency to control and direct the activities as specified in the Eighth paragraph of this Agreement.

XI. It is understood that the signing of the Terms of Agreement by the Parties enables the Agency to commence employment of eligible students as of the date of this Agreement.

XII. The parties to this contract further agree to be bound by the provisions of Exhibit A, attached hereto.

No.12

No.13

EXHIBIT A

The parties to the attached contract further agree to be bound by the following, which are hereby made a part of said contract:

I. This contract may not be assigned by the contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or disposed of without the previous consent, in writing, of the State.

II. This contract shall be deemed executory only to the extent of money available to the State for the performance of the terms hereof and no liability on account thereof shall be incurred by the State of New York beyond moneys available for the purpose thereof.

III. During the performance of this contract, the contractor agrees as follows:

(a). The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status.

(b). If directed to do so by the Commissioner of Human Rights, the contractor will send to each labor union or representative of workers with which the contractor has or is bound by a collective bargaining or other agreement or understanding, a notice, to be provided by the State Commissioner of Human Rights, advising such labor union or representative of the contractor's agreement under clauses(a) through (g) (herinafter called "non-discrimination clauses"). If the contractor was directed to do so by the contracting agency as part of the bid or negotiation of this contract, the contractor shall request such labor union or representative to furnish a written statement that such labor union or representative will not discriminate because of race, creed, color, sex, national origin, age, disability or marital status, and that such labor union or representative will cooperate, within the limits of its legal and contractual authority, in the implementation of the policy and provisions of these non-discrimination clauses and that it consents and agrees that recruitment, employment and the terms and conditions of employment under this contract shall be in accordance with the purposes and provisions of these non-discrimination clauses. If such labor union or representative fails or refuses to comply with such a request that it furnish such a statement, the contractor shall promptly notify the State Commissioner of Human Rights of such failure or refusal.

(c). If directed to do so by the Commissioner of Human Rights, the contractor will post and keep posted in conspicuous places, available to employees and applicants for employment, notices to be provided by the State Commissioner of Human Rights setting forth the substance of the provisions of clauses (a) and (b) and such provisions of the State's laws against discrimination as the State Commissioner of Human Rights shall determine.

(d). The contractor will state, in all solicitations or advertisements for employees placed by or on behalf of the contractor, that all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, sex, national origin, age, disability or marital status.

(e). The contractor will comply with the provisions of Sections 290-299 of the Executive Law and with the Civil Rights Law, will furnish all information and reports deemed necessary by the State Commissioner of Human Rights under these non-discrimination clauses and such sections of the Executive Law, and will permit access to the contractor's books, records and accounts by the State Commissioner of Human Rights, the Attorney General and the Industrial Commissioner for the purposes of investigation to ascertain compliance with these non-discrimination clauses and such sections of the Executive Law and Civil Rights Law.

(f). This contract may be forthwith canceled, terminated or suspended, in whole or in part, by the contracting agency upon the basis of a finding made by the State Commissioner of Human Rights that the contractor has not complied with these non-discrimination clauses, and the contractor may be declared ineligible for future contracts made by or on behalf of the State or a public authority or agency of the State, until the contractor satisfies the State Commissioner of Human Rights that the contractor has established and is carrying out a program in conformity with the provisions of these non-discrimination clauses. Such finding shall be made by the State Commissioner of Human Rights after conciliation efforts by the Commissioner have failed to achieve compliance with these non-discrimination clauses and after a verified complaint has been filed with the Commissioner, notice thereof has been given to the contractor and an opportunity has been afforded the contractor to be heard publicly in accordance with the Executive Law. Such sanctions may be imposed and remedies invoked independently of or in addition to sanctions and remedies otherwise provided by law.

(g). The contractor will include the provisions of clauses (a) through (f) in every subcontract or purchase order in such a manner that such provisions will be binding upon each subcontractor or vendor as to operations to be performed within the State of New York. The contractor will take such action in enforcing such provisions of such subcontract or purchase order as the State Commissioner of Human Rights or the contracting agency may direct, including sanctions or remedies for non-compliance. If the contractor becomes involved in or is threatened with litigation with a subcontractor or vendor as a result of such direction by the State Commissioner of Human Rights or the contracting agency, the contractor shall promptly so notify the Attorney General requesting the Attorney General to intervene and protect the interests of the State of New York.

IV. The agreement shall be void and of no force and effect unless the contractor shall provide coverage for the benefit of, and keep covered during the life of this agreement, such employees as are required to be covered by the provisions of the Worker's Compensation Law.

No. 12

No. 13

IN WITNESS WHEREOF, the Agency has caused this instrument to be sealed and signed by its duly authorized officer, and the State University of New York has caused this instrument to be executed by its duly authorized officer.

THE PEOPLE OF THE STATE OF NEW YORK
Acting by and through the
STATE UNIVERSITY OF NEW YORK

By: James M. Caputi

James M. Caputi, Asso. Vice-President
Name and Title Finance and Management

* *

By: Kenneth J. Meyers
Agency (Signature of Representative)

SUPERVISOR, CHEEKTOWAGA, NEW YORK
Name and Title

Approved as to form
Date:

Attorney General

By:
Assistant Attorney General

Approved and filed
Date:

State Comptroller

By:
For the Comptroller

STATE OF NEW YORK }
COUNTY OF ERIE } ss:

On the 28TH day of April, 1981, before me personally came James M. Caputi, to me known, who being by me duly sworn, did depose and say that he resides at Buffalo, N.Y. that he is Associate V.P. for Finance & Management of State University of New York the corporation described in and which executed the above 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 Trustees of said corporation, and that he signed his name thereto by like order.

Stephanie P. LoCastro
Notary Public
STEPHANIE P. LoCASTRO
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19

STATE OF NEW YORK }
COUNTY OF } ss:

On the 11th day of May, 1981, 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 Supervisor of Town of Cheektowaga, New York, the organization described in and which executed the above instrument; that he signed his name thereto by like order of Cheektowaga Town Board.

Vickie L. Dankowski
Notary Public

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

Item No. 26 Cont'd.

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

Item No. 27 Authorization for Supervisor to execute easement agreements re: Acquisition of property for Rossler Avenue/Dingens Street intersection improvements.

Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, two parcels of property need to be acquired for road improvements at the intersection of Rossler Avenue and Dingens Street so as to facilitate traffic flow, one parcel owned by the Cheektowaga Sloan Union Free School District, NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney is directed to take whatever steps are necessary to prepare and obtain the two parcels of property, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute said easement agreements on behalf of the Town of Cheektowaga.

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

Item No. 28 Authorization for Supervisor to execute easement agreement re: Madeira-Borden Drainage System.

Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Engineering Department has requested a drainage easement along the rear of sublots 53 through 58, MC 2255, said sublots fronting on Jeffrey Drive, with said easement required as part of the Madeira-Borden Drainage System, and

WHEREAS, the owner of said property has verbally indicated agreement for the easement, NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney is directed to prepare said easement agreement, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute said easement agreements on behalf of the Town of Cheektowaga.

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

Item No. 29 Authorization for Supervisor to execute easement agreement re: Drainage Easement at 147 Oehman Boulevard.

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Engineering Department has requested a drainage easement from David Derenda and Wife of No. 147 Oehman Boulevard, and

WHEREAS, the owners of said property have verbally indicated agreement for the easement, NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney is directed to prepare said

Item No. 29 Cont'd.

easement agreement, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute said easement agreements on behalf of the Town of Cheektowaga.

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

Item No. 30 Decision on Rezoning - 146 BENNETT ROAD.

Motion by Councilman Johnson, seconded Unanimously

WHEREAS, Herbert S. Chason, Renewal Housing Corporation has applied for a rezoning from R-Residential District to RA-Apartment District, Senior Citizen Housing, for property owned by it and located at 146 BENNETT ROAD, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing was held before this Town Board on the 4th day of May, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance of the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, provided that a landscaping installation schedule be submitted by the applicant prior to the installation of any building permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 146 BENNETT ROAD and has rendered a determination that the rezoning will not have a significant effect on the environment, and

WHEREAS, it appears that all abutting property owners have no objection to the rezoning of the applicant's property for the proposed use of Senior Citizen Housing, NOW, THEREFORE, BE IT

RESOLVED that the application of Herbert S. Chason, Renewal Housing Corporation for the rezoning of 146 BENNETT ROAD, Cheektowaga, New York from R-Residential District to Senior Citizen Housing District be and the same is hereby granted, provided that a landscaping installation schedule be submitted by the applicant prior to the issuance of any building permit, and BE IT FURTHER

RESOLVED that the Zoning Map and Zoning Ordinance be amended in accordance with the above.

*See next page for copy of legal description of property.

No.12 No.13

GRIMM AND GRIMM -- ATTORNEYS AT LAW -- LIBERTY BANK BUILDING, BUFFALO, N. Y. 14202

Legal Description of Land

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

BEGINNING at a point at the intersection of the easterly northerly line of Bennett Road as widened at its intersection with the west line of a subdivision map filed in the Erie County Clerk's Office under Cover No. 483; thence westerly along the said northerly line of Bennett Road to a point where said northerly line of Bennett Road intersects with the east line of the lands described in Liber 2209 at Pg. 88; thence northerly along the east line of said lands described in Liber 2209 at Pg. 88, 140.54 feet, more or less, to the northeast corner of the said lands; thence westerly along the north line of said lands of Liber 2209, Pg. 88, 213.27 feet, more or less, to a point on the west line of the lands of the Como Mall; thence northerly along the westerly line of said Como Mall's lands, 658 feet to a point; thence easterly at right angles to the last mentioned course to the west line of said Map Cover 483; thence southerly along the west line of said Map Cover 483 to the point or place of beginning. said above described parcel containing 9.2 acres, more or less.

Item No. 30 Cont'd.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
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 May 7, 1981; last publication May 7, 1981; and that no more than six days intervened between publications.

Gladys M. Gedatus

Sworn to before me this 8th day of May, 1981

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, 1983

No. 12

No. 13

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 4th day of May, 1981 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Johnson
Seconded by Unanimously

WHEREAS, Herbert S. Chason, Renewal Housing Corp. has applied for a rezoning from R-Residential District to RA-Apartment District, Senior Citizen Housing, for property owned by it and located at 146 BENNETT ROAD, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing was held before this Town Board on the 4th day of May, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance of the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, provided that a lanscaping installation schedule be submitted by the applicant prior to the installation of any building permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 146 BENNETT ROAD and has rendered a determination that the rezoning will not have a significant effect on the environment, and

WHEREAS, it appears that all abutting property owners have no objection to the rezoning of the applicant's property for the proposed use of Senior Citizen Housing,

NOW, THEREFORE, BE IT RESOLVED that the application of Herbert S. Chason, Renewal Housing Corp. for the rezoning of 146 BENNETT ROAD, Cheektowaga, New York from R-Residential District to Senior Citizen Housing District be and the same is hereby granted, provided that a landscaping installation schedule be submitted by the applicant prior to the issuance of any building permit, and

BE IT FURTHER RESOLVED that the Zoning Map and Zoning Ordinance be amended in accordance with the above.

Upon roll call...

Supervisor		
Meyers	Voting	AYE
Councilmen:		
Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	AYE

AYES: 6
NAYES: 0
ABSENT: 0

Legal Description of Land

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

BEGINNING at a point at the intersection of the current northerly line of Bennett Road as widened at its intersection with the west line of a subdivision map filed in the Erie County Clerk's Office under Cover No. 483; thence westerly along the said northerly line of Bennett Road to a point where said northerly line of Bennett Road intersects with the east line of the lands described in Liber 2209 at Pg. 88; thence northerly along the east line of said lands described in Liber 2209 at Pg. 88, 149.54 feet, more or less, to the northeast corner of the said lands; thence westerly along the north line of said lands of Liber 2209, Pg. 88, 213.27 feet, more or less, to a point on the west line of the lands of the Como Mall; thence northerly along the westerly line of said Como Mall's lands, 658 feet to a point; thence easterly at right angles to the last mentioned course to the west line of said Map Cover 483; thence southerly along the west line of said Map Cover 483; to the point or place of beginning; said above described parcel containing 9.2 acres, more or less.

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 4, 1981, 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. 30, 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 5th day of May, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: May 7, 1981

No. 12

No. 13

Item No. 31 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

MEETING NO. 12

CHEEKTOWAGA, NEW YORK
May 18, 1981

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of May, 1981 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
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Don Merritt, Deputy Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; George Burst, Working Foreman in the Central Garage; Ron Zoeller, Working Foreman in the Sanitation Department; T. DeFedericis, Chief of Police; Pat Wojcik, Recreation Supervisor-Senior Citizens; Ron Marten, Building and Plumbing Inspector; Chester Bryan, Town Engineer; Julia Reinstein, Town Historian; Alfred Wnek, Highway Superintendent; Mike Miecznikowski, Recreation Supervisor; Dr. Louis Vendetti, Town Health Officer.

I. BIDS

Item No. 2 Three (3) or four (4) garbage trucks with twenty-five cubic yard packer bodies
Referred to Chester Bryan, Town Engineer.

II. PUBLIC HEARINGS

Item No. 3 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 amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
GREMLIN COURT	East-West	WYNDMOOR COURT	Eastbound	S.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

Item No. 3 cont'd

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

A. No parking this side or one-side parking:

JOANNE LANE	East and South side	from th- east curbline of VERN LANE to the south curbline of DENNIS LANE

* *

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. 4 Decision on Rezoning - 1335-1371 French Road
This item was withdrawn.

Item No. 5 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Michael Sebastiano has applied for a rezoning from R-Residential District to RC-Restricted Business District for the property located at 4042 Union Road, Cheektowaga, New York; which property is more particularly described in the attached copy of the face of the deed thereto, 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 this Town Board on the 16th day of March, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 4042 Union Road and has rendered a determination the rezoning will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of Michael Sebastiano for the rezoning of 4042 Union Road, Cheektowaga, New York from R-Residential District to RC-Restricted Business District be and the same is hereby granted, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

See next page for description.

101-DEED ... with lien covenant (Individual)

... Publishers
Prudential Bldg., Buffalo, N.Y. 14202

This Indenture,

Made the 16TH *day of*

January *Nineteen Hundred and* Eighty-One

Between

EMILE HABIB, 5447 Main Street, Village of Williamsville, County of Erie and State of New York

MARIE G. SEBASTIANO h/w *party of the first part, and*
MICHAEL F. SEBASTIANO, /322 Zoerb Avenue, Town of Cheektowaga, County of Erie and State of New York

part ies *of the second part,*

Witnesseth, *that the party of the first part, in consideration of*
ONE AND MORE----------DOLLARS ($1.00 and More)
lawful money of the United States,
paid by the part ies *of the second part, does hereby grant and release unto the part* ies *of the second part,* their heirs *and assigns forever,*

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. 17, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot No. 1, as shown on map filed in The Erie County Clerk's Office under Cover No. 962 and as Subdivision Lots Nos. 140 and 141, as shown on map filed in the Erie County Clerk's Office under Cover No. 963, situate on the west side of Union Road.

RECEIVED
$ 49.50
REAL ESTATE
JAN 19 1981
TRANSFER TAX
ERIE
11385 COUNTY

LIBER 8980 PAGE 676

Item No. 5 cont'd

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Hulbert, 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 21, 1981; last publication May 21, 1981; and that no more than six days intervened between publications.

Gladys M. Hulbert

Sworn to before me this 22nd day of May, 19 81

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, 1983

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 18th day of May, 1981 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, Michael Sebastiano has applied for a rezoning from R-Residential District to RC-Restricted Business District for the property located at 4042 Union Road, Cheektowaga, New York; which property is more particularly described in the attached copy of the face of the deed thereto, 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 this Town Board on the 16th day of March, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaa Planning Board has reviewed said application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 4042 Union Road and has rendered a determination the rezoning will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of Michael Sebastiano for the rezoning of 4042 Union Road, Cheektowaga, New York from R-Residential District to RC-Restricted Business District be and the same is hereby granted, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

Upon roll call...

Supervisor		
Meyers	Voting	AYE
Councilmen:		
Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	AYE

AYES: 6
NAYES: 0
ABSENT: 0

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. 17, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot No. 1, as shown on map filed in The Erie County Clerk's Office under Cover No. 962 and as Subdivision Lots Nos. 140 and 141, as shown on map filed in the Erie County Clerk's Office under Cover No. 963, situate on the west side of Union Road.

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 18, 1981, 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. 5, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 18th day of May, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: May 21, 1981

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

WHEREAS, Frederick E. Strasser has applied for a rezoning from R-Residential District to RC-Restricted Business District for the property located at 1317 Harlem Road, Cheektowaga, New York, which property is 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 as shown upon a certain amended map filed in Erie County Clerk's Office November 20, 1907 under Cover Number 799, and further distinguished as being subdivision Lots Numbers 9, 10, 11, 12 and 13 in Block No. 4 being together 155 ft. front and rear by 114 ft. in depth, situate on the east side of Harlem Avenue, beginning 114 ft. south of Parker Street,

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 this Town Board on the 2nd day of February, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 1317 Harlem Road and has rendered a determination the rezoning will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of Frederick E. Strasser for the rezoning of 1317 Harlem Road, Cheektowaga, New York from R-Residential District to RC-Restricted Business District be and the same is hereby granted, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Lashlee, 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 21, 1981; last publication May 21, 1981; and that no more than six days intervened between publications.

Gladys M. Lashlee

Sworn to before me this 22nd day of May, 1981

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, 1983

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 18th day of May, 1981 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilmen:
Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Upon roll call...

Supervisor		
Meyers	Voting	AYE
Councilmen:		
Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	AYE

AYES: 6
NAYES: 0
ABSENT: 0

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, Frederick E. Strasser has applied for a rezoning from R-Residential District to RC-Restricted Business District for the property located at 1317 Harlem Road, Cheektowaga, New York, which property is 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 as shown upon a certain amended map filed in Erie County Clerk's Office November 20, 1907 under Cover Number 799, and further distinguished as being Subdivision Lots Numbers 9, 10, 11, 12 and 13 in Block No. 4 being together 155 ft. front and rear by 114 ft. in depth, situate on the east side of Harlem Avenue, beginning 114 ft. south of Parker Street, 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 this Town Board on the 2nd day of February, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law, and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 1317 Harlem Road and has rendered a determination the rezoning will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the application of Frederick E. Strasser for the rezoning of 1317 Harlem Road, Cheektowaga, New York from R-Residential District to RC-Restricted Business District be and the same is hereby granted, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

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 18, 1981, 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. 5, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 18th day of May, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: May 21, 1981

NO. 13

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

WHEREAS, the Buffalo Slag Co., Inc. a Subsidiary of Koppers Company, Inc. has made application and requested the rezoning of property located at 500 Como Park Blvd. 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 June 1, 1981 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, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

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 May 21, 1981; last publication May 21, 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 22nd day of May, 19 81

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, 1983

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 1st day of June 1981, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of The Buffalo Slag Co., Inc. to Rezone from R-Residential District to RC-Restricted Business District on property located at 500 Como Park Blvd. and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the dividing line between lands of The Lehigh Valley Rail Way Company and lands now or formerly of Nathaniel Illingworth and/or Robert Watt, said point being distant Three Hundred Forty-one and Nineteen Hundredths (341.19) feet on a course South four (4) degrees thirty-three (33) minutes west, measured along said dividing line, extended, from its intersection with the center line between the main tracks of The Lehigh Valley Rail Way, said point of intersection being five thousand six hundred forty-eight (5,648) feet more or less westerly, measured along said center line, from its intersection with the center line of the bridge carrying said railway over the tracks of The New York Central Railroad; thence (1) South four (4) degrees thirty-three (33) minutes west, along said dividing line, a distance of two thousand three hundred twenty-five and twenty-four hundredths (2,325.24) feet to a point; thence (2) south seventy-eight (78) degrees nine (9) minutes west a distance of seventeen and sixteen hundredths (17.16) feet to a point; thence (3) south two (2) degrees thirty-three (33) minutes thirty (30) seconds east a distance of twenty-five and eight hundredths (25.08) feet to a point in the center line of William Street; thence (4) south seventy-eight degrees (78) nine (9) minutes west along said center line of William Street distance of seven hundred ninety-five and twenty-four hundredths (795.24) feet to a point; thence along the dividing line between lands of The Lehigh Valley Rail Way Company and lands now or formerly of Jacob Hiemenz, the two following courses and distances: (5) north four (4) degrees thirty-three (33) minutes east, a distance of one thousand eight hundred seventy and twenty-four hundredths (1,870.24) feet to a point; (6) northwesterly on a curve to the left, having a radius of four hundred ninety-four and thirty-eight hundredths (494.38) feet, a distance of four hundred eight and six hundredths (408.06) feet (chord bearing and distance being north nineteen (19) degrees five (5) minutes forty-five (45) seconds west, three hundred ninety-six and fifty-seven hundredth (396.57) feet) to a point distant three hundred twenty (320) feet southerly, measured at right angles, from the aforesaid center line between the tracks of The Lehigh Valley Rail Way Company; thence (7) north seventy-four degrees fifteen minutes east through the lands of The Lehigh Valley Rail Way Company, parallel to and three hundred twenty (320) feet southerly, measured at right angles, from the aforesaid center line, a distance of nine hundred ninety-seven and twenty-three hundredths (997.23) feet to the point or place of beginning. CONTAINING forty-one and eight hundred eighty-one thousandths (41.881) acres of land, more or less, and shown outlined in green on the map attached and made a part hereof, entitled: "Lehigh Valley Railroad Buffalo Div. Main Line Prop. Sale of Land to Mark Kyler, Hugh M. McNabb & Seymour F. Clough. Town of Cheektowaga Office of Div. Eng's. Buffalo, N.Y. Scale 1"-400' April 30th, 1928, F-3-38".

Being part of the same premises conveyed to the Lehigh Valley Railway Company by William McCabe and Ruth McCabe, his wife, by deed dated January 31st, 1885, and recorded June 4th, 1885, in the Office of the Clerk of the County of Erie in Book 485, page 576; The Lehigh Valley Rail Way Company being by merger and consolidation the successor to the Lehigh Valley Railway Company.

UNDER AND SUBJECT to the rights of the public, if any, in and to all that part of the land hereinabove described, lying within the limits of William Street.

EXCEPTING AND RESERVING unto the parties of the first part from the premises hereinabove described all railroad tracks and track materials now located thereon, together with the right of the said parties of the first part to remove the same.

EXCEPTING AND RESERVING ALSO unto the said parties of the first part, their successors and assigns, the eight-inch cast iron pipe crossing the premises hereinabove described, the fire hydrant and six-inch pipe leading thereto, and the meter box, all as shown in yellow on the map attached hereinbefore referred to; together with the right, liberty and privilege forever to maintain the said eight-inch pipe, fire hydrant and six-inch pipe leading thereto, and meter box in their present locations; provided, however, that in case the said eight inch pipe, fire hydrant and six-inch pipe leading thereto, and meter box, or any of them, interfere with the use of the land by the party of the second part, the said party of the second part may relocate the same or any of them at its own sole cost and expense, in a manner satisfactory to and under the supervision of the parties of the first part.

It being hereby intended to sell and convey all of the lands and premises described in a certain deed from the Lehigh Valley Railway Company and Lehigh Valley Railroad Company to Mark Kyler, Hugh M. McNabb and Seymour F. Clough which deed bears date June 5th, 1928, and which said deed was recorded in the Office of the Clerk of the County of Erie, New York, on July 2nd, 1928, at 2:40 o'clock P.M. in Liber 2016 of Deeds at Page 145.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 2, Township 11, Range 7 of the Holland Land Company's Survey, bounded as follows:

BEGINNING at the southeast corner of land deeded by Johnathan Scutt and wife to Nathaniel Illingworth by deed dated February 23, 1852, recorded in Erie County Clerk's office in Liber 122 of Deeds, page 639; thence southerly and nearly if not quite parallel with the easterly boundary line of said lot No. 2 twenty-five (25) chains, fifty-seven (57) links to the center of Bennett Road; thence westerly along the center of said road three (3) chains; thence northerly and parallel with said easterly boundary line of lot No. 2 twenty-five (25) chains, fifty-seven (57) links to lands formerly conveyed as aforesaid to said Nathaniel Illingworth; thence easterly and along the southern boundary line of said land so conveyed to Nathaniel Illingworth three (3) chains to the point or place of beginning, containing seven (7) acres and two (2) rods, be the same more or less.

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

Councilmen:

Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: May 21, 1981

Item No. 8 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, this Town Board desires to proceed with the reconstruction of Rossler Avenue, which project is to be funded under a recently enacted bond issue, and

WHEREAS, plans and specifications are completed, and

WHEREAS, prior to bidding it is necessary to obtain a permit from the County of Erie for the reconstruction of the Rossler-Dingens traffic signal, NOW, THEREFORE BE IT

RESOLVED that this Town Board requests that the County of Erie, Department of Public Works, issue a permit for the reconstruction of the Rossler-Dingens traffic signal so that the Town can proceed expeditiously in the bidding of the necessary work for the reconstruction of Rossler Avenue.

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

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

WHEREAS, this Town Board desires to proceed with the reconstruction of Rossler Avenue, which project is to be funded under a recently enacted bond issue, and

WHEREAS, plans and specifications are completed, and

WHEREAS, prior to bidding it is necessary to obtain an Occupancy Permit from the New York State Thruway Authority, NOW, THEREFORE, BE IT

RESOLVED that this Town Board directs and authorizes the Supervisor to sign the Occupancy Permit Application for the reconstruction of the Rossler Avenue Project.

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

Item No. 10 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, in 1954, the Town of Cheektowaga, to commemorate its 125th birthday, designated the Town Seal to be gold, black and green, featuring a flowering crabapple tree encircled by small Indian arrowheads, and

WHEREAS, a resolution adopted by the Town Board on the 3rd day of April, 1967, changed the Town Seal to a four quadrant, multi-colored seal incorporating various symbols significant to the Town, and

WHEREAS, the present Town Board is desirous of reinstating the original seal,

NOW, THEREFORE, BE IT RESOLVED, that the seal of gold, black and green featuring a flowering crabapple tree encircled by small Indian arrowheads, be and hereby is adopted as the seal of the Town of Cheektowaga.

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

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the Town Attorney's Office be and hereby is authorized to Appeal the Decision of Honorable Henry R. Gabryszak, Cheektowaga Town Justice, with reference to the lawsuit entitled:

PEOPLE OF THE TOWN OF CHEEKTOWAGA

-against-

MICHAEL ZYLKA, et al.

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

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

WHEREAS, this Town Board authorized a Pilot Project, the purpose of which was to select several residences in Sanitary Sewer District #5 subjected to sanitary sewer back-up and to undertake corrective work to determine if such corrective work will solve the inflow problems on such lateral sewers, and

WHEREAS, the Town Engineer was required to make recommendations to this Town Board on a select number of properties subjected to the worse conditions of sewer surcharging, which report was submitted to this Town Board in the memorandum dated February 24, 1981, NOW, THEREFORE, BE IT

RESOLVED that the eight (8) residences cited as requiring corrective work in Sanitary Sewer District #5 are hereby approved by this Town Board for such remedial Pilot Project work, and BE IT FURTHER

RESOLVED that the amount of $400 expenditure is authorized for each of the eight (8) listed residences under funding approved and authorized by the Town Board resolution dated February 15, 1980, and BE IT FURTHER

RESOLVED that the Town Engineer is directed to assign said remedial work to the plumbing contractors that had made the investigative work under the Engineering Department's guidance.

The above resoution was called for an amendment by Councilman Wegner, seconded by Councilman Johnson and the vote on the amendment was as follows:

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

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board authorized a Pilot Project, the purpose of which was to select several residences in Sanitary Sewer District No. 5 subjected to sanitary sewer back-up and to undertake corrective work to determine if such corrective work will solve the inflow problems on such lateral sewers, and

WHEREAS, the Town Engineer was required to make recommendations to this Town Board on a select number of properties subjected to the worse conditions of sewer surcharging, which report was submitted to this Town Board in the memorandum dated February 24, 1981, NOW, THEREFORE, BE IT

RESOLVED that the eight (8) residences cited as requiring corrective work in Sanitary Sewer District No. 5 are hereby approved by this Town Board for such remedial Pilot Project work, and BE IT FURTHER

Item No. 12 cont'd

RESOLVED that the amount of $400 expenditure is authorized for each of the eight (8) listed residences under funding approved and authorized by the Town Board resolution dated September 15, 1980, and BE IT FURTHER

RESOLVED that the Town Engineer is directed to assign said remedial work to the plumbing contractors that made the investigative work under the Engineering Department's guidance, and BE IT FURTHER

RESOLVED that the two (2) residences of Sanitary Sewer District No. 7 shall be added to this pilot demonstration project, said residences being 117 Goering Avenue and 148 Diane Drive.

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

Item No. 13 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Williamstowne Senior Citizens have chosen June 5, 6 and 7, 1981 as the weekend to celebrate their annual gala event with this year's theme being "A Spring Festival," and

WHEREAS, the Williamstowne Senior Citizens, as part of their celebration, will be sponsoring a parade, commencing at 9:30 A.M., on Saturday, June 6, 1981, and

WHEREAS, the parade route will begin at the parking lot of the Como Mall, proceed west on Como Park Boulevard to Union Road, continue south on Union Road to William Street, turn west on William Street and end at the Williamstowne Complex,

NOW, THEREFORE, BE IT RESOLVED, for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services and to insure compliance with the Vehicle and Traffic Law by providing conspicuous detour signs to prevent traffic delay on Union Road.

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

No. 13

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

WHEREAS, the Town is desirous of continuing its physical improvements Program in the Windwood Court area of Cedargrove Heights, and

WHEREAS, the area has been programmed for landscaping improvements in order to improve the use and the appearance of the Windwood Court area, and

WHEREAS, several owners of property in the Windwood Court area have signed an Agreement with the Town for the purpose of granting to the Town the use of their property, free of charge, for landscaping and beautification improvements, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign said Agreements on behalf of the Cheektowaga Town Board.

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

Item No. 15 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Town desires to continue its program of improvements in the Windwood Court area of Cedargrove Heights, and

WHEREAS, the area has been programmed for landscaping improvements which will improve the use and appearance of the Windwood court area, and

WHEREAS, funds for the project have been allocated in previous Community Development Block Grant applications, and

WHEREAS, the Town's planning consultant, Stuart Alexander and Associates, has prepared the necessary plans and specifications for the Windwood Court Open-Space Corridor Project, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders in connection with said project, said notice to be published in the Buffalo Evening News, the Cheektowaga Times and the Buffalo Criterion, and BE IT FURTHER

RESOLVED that the Town Board meet on the 15th day of June, 1981 at 7:00 P.M., for the purpose of receiving sealed bids at which time they will be publicly opened at the public meeting.

* *

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

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 15th day of June until 7:00 P.M., local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of the Windwood Court Recreation Corridor in Cedargrove Heights, Stage I, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates-1152 Main Street, Buffalo, New York 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 10 days following the taking of bids, will be refunded said sum of $20.00.

The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts be designated as "Bid for Windwood Court Recreation Corridor, Cedargrove Heights, Stage I."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board, and in the amount of not less than 100% of the Contract price, will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provision of the Specification and Contract Documents, and may waive any informalities in, and make an award to, other than the low bidder, should it be in the best interests of the Town, or to reject any and all bids.

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

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

DATED: May 21, 1981

5/18/81

Item No. 15 cont'd

Upon Roll Call....

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

AFFIDAVITS - NEXT PAGE

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

Gladys M. Sechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication May 21, 1981; last publication May 21, 1981; and that no more than six days intervened between publications.

Gladys M. Sechter

Sworn to before me this 22nd

day of May, 1981

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, 1983

NO. 13

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 15th day of June until 7:00 p.m. local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of the Windwood Court Recreation Corridor in Cedargrove Heights, Stage 1, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York, 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00.

The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for Windwood Court Recreation Corridor, Cedargrove Heights, Stage 1."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10 percent) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board, and in the amount of not less than 100 percent of the Contract price, will be required of the successful bidder.

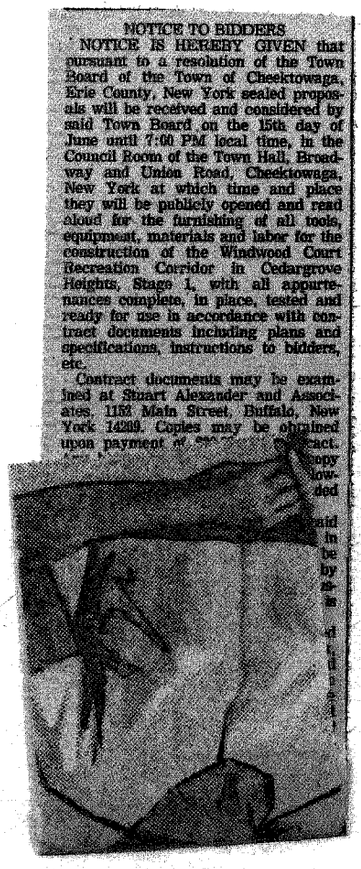
The Town Board reserves the right to consider informal, any bid not prepared and submitted in accordance with the provision of the Specification and Contract Documents, and may waive any informalities in, and make an award to, other than the low bidder, should it be in the best interests of the Town, or to reject any and all bids.

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

Town of Cheektowaga, New York
RICHARD M. MOLESKI
Town Clerk

DATED & PUBLISHED: May 21, 1981

State of New York
ERIE COUNTY
CITY OF BUFFALO } ss.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 15th day of June until 7:00 PM local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of the Windwood Court Recreation Corridor in Cedargrove Heights, Stage 1, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York 14209. Copies may be obtained upon payment of [illegible] contract. [illegible] copy [illegible] dowded [illegible] said [illegible] to be by [illegible] in [illegible]

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 ~~xxxxxxx~~ ~~weeks, the first~~ insertion being on the 21st day of May 19 81 and ~~the last~~ ~~insertion being on the xxx day of xxxxx 19xx~~

D. Eileen Perry

Sworn to before me this 22nd day of May 19 81

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

Notary Public, Erie County, N. Y.

State of New York

ERIE COUNTY
CITY OF BUFFALO } ss.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 15th day of June until 7:00 PM local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of the Windwood Court Recreation Corridor in Cedargrove Heights, Stage 1, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00.

The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for Windwood Court Recreation Corridor, Cedargrove Heights, Stage 1."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board, and in the amount of not less than 100% of the Contract price, will be required of the successful bidder.

The Town Board reserves the right to consider informal, any bid not prepared and submitted in accordance with the provision of the Specification and Contract Documents, and may waive any informalities in, and make an award to, other than the low bidder, should it be in the best interests of the Town, or to reject any and all bids.

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

DATED: May 21, 1981

Town of Cheektowaga,
New York
RICHARD M. MOLESKI
Town Clerk

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 ~~xxxxxxxx~~ ~~week, the first~~ insertion being on the 21st day of May 19 81 ~~and the last insertion being on the xxxx day of xxxxx 19xx~~

D. Eileen Perry

Sworn ~~to~~ before me this 22nd day of May 19 81

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

STATE OF NEW YORK

Erie County, City of Buffalo ss.

The BUFFALO CRITERION

623-25 WILLIAM ST. BUFFALO 6, N. Y.

Frank E. Merriweather

of the City of Buffalo, being duly sworn deposes and says, that ...he is Editor-Publisher... of The Buffalo Criterion, a weekly 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 one weeks, the first insertion being on the 20th day of May, 19 81 and the last insertion being on the ..... day of ..... 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 22nd day of May, 19 81

Arthur K. Posluszny

NOTARY PUBLIC, No.

ARTHUR K. POSLUSZNY
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30 19 83

Notice To Bidders

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 15th day of June until 7:00 p.m., local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York, at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of the Windwood Court Recreation Corridor in Cedargrove Heights, Stage 1, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York, 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00.

The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for Windwood Court Recreation Cooridor, Cedargrove Heights, Stage 1."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent [10%] of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board, and in the amount of not less than 100% of the Contract price, will be required of the successful bidder.

The Town Board reserves the right to consider informal, any bid not prepared and submitted in accordance with the provision of the Specification and Contract Documents, and may waive any informalities in, and make an award to, other than the low bidder, should it be in the best interests of the Town, or to reject any and all bids.

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

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

DATED: May 21, 1981

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

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for furnishing of Football Equipment to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 o'clock P.M., Eastern Daylight Savings Time on June 1, 1981 for the purpose of properly opening and reading the sealed bids.

* *

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

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 1, 1981 at 7:00 p.m., Daylight Savings Time at the Town Hall, corner of Broadway and Union Road for football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in sixty (60) days or less from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the items originally designated.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications 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.

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

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 May 21, 1981; last publication May 21, 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 22nd day of May, 1981

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, 1983

No. 13

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 1, 1981 at 7:00 p.m. Daylight Savings Time at the Town Hall, corner of Broadway and Union Road for football equipment.

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

The Bidder agrees to make every attempt to deliver all contracted items in sixty (60) days or less from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the items originally designated.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications 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.

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

RICHARD MOLESKI
Town Clerk

PUBLISHED: May 21, 1981

No. 13

Item No. 17 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, it is in order that bids be advertised to cover the purchase of signs, sign posts and brackets for the year of July 1, 1981 to June 30, 1982, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of signs, sign posts and brackets for the year of July 1, 1981 to June 30, 1982, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 1st day of June, 1981 at 7:00 P.M., Dastern 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 1, 1981 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, sign posts and brackets for the year of July 1, 1981 to June 30, 1982.

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 18, 1981

* *

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Dechter, 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 21, 1981; last publication May 21, 1981; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 22nd day of May, 19 81.

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 83

No. 13

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 1, 1981 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, sign posts and brackets for the year of July 1, 1981 to June 30, 1982.

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 18, 1981
PUBLISHED: May 21, 1981

No. 13

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) truck cab and chassis for the Sewer Maintenance Department, which bids were duly received and opened at this meeting, and

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

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

RESOLVED that the contract for the furnishing of one (1) 1981 truck cab and chassis be awarded to Mernan Chevrolet, Inc., 2751 Bailey Avenue, Buffalo, New York 14215 for their bid in the amount of $11,017.00 for the truck, said bid being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that $3,672.00 be charged against the Sanitary Sewer District #3 Remedial Budget, Account No. 8323.493, and $7,345.00 be charged against the Sanitary Sewer District #5 Remedial Budget, Account No. 8525.4933.

* 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—686-3448

May 14, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid Award - 1981 Truck
Cab and Chassis

Gentlemen:

At the Regular Town Board Meeting on May 4, 1981 bids were received and opened for the furnishing of one 1981 truck cab and chassis for the Sewer Maintenance Department. Four bidders submitted bids as follows:

BIDDER	NET BID	DELIVERY (DAYS)
Mernan Chevrolet	$11,017.00	60
Bison Ford	$11,440.00	90
Maier Schule	$11,500.00	60
International Truck	$11.524.00	60

The bids were reviewed by Mr. George Burst, Central Garage Foreman. It is, therefore, recommended that the bid for one truck cab and chassis for the Sewer Maintenance Department be awarded to Mernan Chevrolet Inc., 2751 Bailey Avenue, Buffalo, New York 14215 for their 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

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

May 14, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 5
Contract No. 3A
Main Pump Station
Treatment Plant No. 5

Gentlemen:

The consulting firm of Nussbaumer & Clarke, Inc. has submitted one Change Order on the above project and recommend its approval.

Change Order No. 5 - Add $25,531.00

This Change Order consists of seventeen different changes of which eleven are either no charge or under a cost of $1,000. There are six changes over $1,000 and these are described as follows. All changes are described in Change Order No. 5 and are on file in the Engineering Department.

1)	Remove a 48" diameter concrete masonry buckhead at the northeast interceptor chamber.	$9,350.00
2)	Provide additional hand rails around bar screen floor opening on two floors.	$2,162.00
3)	Provide additional sidewalks for ease of egress and removal of screening from wet well.	$2,427.00
4)	Relocate several motor support beams to accommodate changes in piping and equipment.	$1,173.00
5)	Provide additional painting for protection of piping and ductwork.	$2,787.00

6) Provide additional parking space pavement as requested by the owner. $3,300.00

Attached is a resolution for your consideration.

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, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the consulting engineering firm of Nussbaumer & Clarke, Inc. has submitted Change Order #1 and Change Order #2 on the Town of Cheektowaga Sanitary Sewer District #8 Collector Sewer Project, EPA No. C-36-323, for Town Board approval, and

WHEREAS, the reason for each change, description and cost are defined in a letter from the Town Engineer dated May 14, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED That Change Order #1 in the amount of $46,798.80 as an addition to the contract of Marin Excavating, Inc., 3198 Union Road, Cheektowaga, New York be approved, and BE IT FURTHER

RESOLVED that Change Order #2 in the amount of $35,312.80 as a decrease to the contract of Marin Excavating, Inc. be approved with a net increase of $11,468.00 to the contract for Change Orders #1 and #2, and BE IT FURTHER

RESOLVED that this Town Board, acting as the Board of Managers of Sanitary Sewer District #8, directs and authorizes the Supervisor to sign said Change Orders #1 and #2 on behalf of the Town's Sewer District #8.

* See next two (2) pages for letter

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

May 14, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order #1 and #2
Sanitary Sewer District #8
Collector Sewer Project

Gentlemen:

The consulting engineering firm of Nussbaumer & Clarke, Inc. submitted two Change Orders on the above project and recommend their approval.

Change Order #1 - Additional $46,798.80

This Change Order was to revise alignments along Erie County Highways, Sugg Road and Aero Drive as follows:

1) Eliminate Sugg Road 8" crossing.
2) Realign Aero Drive 8" crossing west of Sugg Road.
3) Realign, bore and jack Aero Drive 8" crossing east of Sugg Road.
4) Eliminate 6" lateral crossing, Sugg Road.
5) Eliminate 6" lateral crossing, Aero Drive.
6) Additional 8" sanitary sewer along Aero Drive.

The reason for the modification or extra work and material was because the original design called for open cut construction across Sugg Road and Aero Drive. The Erie County Highway Department changed its requirements and responded after bidding by requiring all three highway crossings and laterals to be bored and jacked. An agreement was reached with the Erie County Highway Department to eliminate one crossing and two lateral crossings, open cut one crossing and two lateral crossings, and bore and jack one crossing.

Change Order #2 - Decrease of $35,312.80

This Change Order was to revise alignment of an 18" sewer along the Conrail tracks from the northside to the southside as follows:

1) Relocate connection to the interceptor to the southside of the railroad tracks.

No. 13

2) Revise and shorten the Sonwil Drive connection.
3) Relocate the 18" sewer to the southside of the railroad tracks.

The reason for the modification or deleation of work and material was because the revised alignment will reduce the required quantities of pipe, manholes, select fill, pavement, and length of bore for a savings to the contract. The realignment will improve system hydraulics. Service will still be provided for the businesses along Genesee Street because the existing sanitary sewer will remain in service.

Attached is a resolution for your consideration.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

No. 13

Item No. 20 cont'd

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

Item No. 21 Motion by Supervisor Meyers, seconded by unanimous

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Personnel Department for the creation of a Natural Disaster Services Coordinator, part-time, position, and

WHEREAS, the Erie County Personnel Department has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the part-time position of Natural Disaster Services Coordinator, in the Town of Cheektowaga, be and hereby is created.

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

Item No. 22 Motion by Councilman Rogowski, seconded by Councilman Johnson

WHEREAS, the Cheektowaga Sanitation Department has two (2) vacancies in the Motor Equipment Operator classification, and

WHEREAS, said vacancies have been duly posted for bid in the various Town Departments as per Collective Bargaining Agreement, NOW, THEREFORE, BE IT

RESOLVED that Harold Campbell Jr., and Ronald Wdowik, are hereby appointed to the position of Motor Equipment Operator in the Sanitation Department at a salary in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment effective May 18, 1981.

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

Item No. 23a Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, the Cheektowaga Sanitation Department has seasonal employees to fill daily assignments to cover sickness, personal leave and vacations, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are hired in the Cheektowaga Sanitation Department effective May 8, 1981, as Seasonal Laborers, at an hourly rate of $3.10 per hour, said rate subject to 1981 hourly adjustment:

SEASONAL LABORERS

Kirk Chirico
James Bessing
Ronald Kmiotek, Jr.
Eileen Christopher
Mitchell Lembke
Thomas J. Kolbert
Joseph Poturalski
Michael Bobeck

No. 13

Item No. 23a cont'd

Timothy Glowny
Michael Ickowski
Christopher Kowal
Fred Mueller
Gary Kwiatkowski
Christopher Kist
Jerome Skulski, Jr.
Mark Bessing
Ken Wojtkowski
Kevin Fertguson
Kenneth Liszewski
Gary Garbacz
Thomas Boris
Dan Meller
Jeffrey Chmielewski
Donald Szalasny
Kenneth Jeffords
William Bannister
Frank Maurin
Gregory White
Dennis Marszalkowski
James Gabryszak
Timothy Palka
David Martin
Jerome Czajka
Richard Majtyka
Scott R. Slade
Robert J. Patterson
John Choinski
Mike Serio
David Szeluga
Mark Wegner

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

Item No. 23b Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the following be hired by the Recreation Department to supervise and instruct the summer tennis program:

TENNIS DIRECTOR - $1,650.00 - 10 weeks

April Zolczer

TENNIS INSTRUCTORS - $1,200.00 - 10 weeks

Patrick Hickey
Laura Lageman
Sue Pella
Jeffrey Smith
Randy Syracuse
Matthew Thormahlen

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

Item No. 23c Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town Attorney's Office has been provided with seasonal Law Clerks for the past several summers, and

No. 13

Item No. 23c cont'd

WHEREAS, various colleges and universities, if any, are providing work-study programs wherein a portion of the wages paid for such Law Clerk Assistants are partially reimbursed by federal or state funds, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired to work as Law Clerks in the Law Department during the summer season at the rate of $5.00 per hour:

Michael T. Glascott

Cheektowaga, New York

Michael Marszalkowski

Cheektowaga, New York

effective June 1, 1981.

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

Item No. 23d Motion by Councilman Rogowski, seconded by Councilman Johnson

BE IT RESOLVED that the following be hired in the Cheektowaga Justice Court effective May 26, 1981 as a seasonal clerk-typist at an hourly rate of $3.10:

SEASONAL CLERK/TYPIST

Maria A. Sisti

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

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

WHEREAS, a resolution was passed on October 6, 1981 hiring:

Kevin Schenk

Cheektowaga, New York

to work in the Town Attorney's Office, not in excess of twenty (20) hours per week, during the school year, and

WHEREAS, Kevin Schenk is presently available to work full-time, NOW, THEREFORE, BE IT

RESOLVED that the previous resolution of October 6, 1980 be amended to provide that said employee shall work full-time, seasonal, effective immediately.

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

Item No. 25 Motion by Councilman Swiatek, seconded by Supervisor Meyers

No. 13

Item No. 25 cont'd

BE IT RESOLVED that the individual listed below be hired as a Work Crew Supervisor for the Hometown Beautification Program (A.7310.186) at a salary rate of $4.25 per hour:

--Leonard Moskal

Cheektowaga, New York 14227

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

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

WHEREAS, the Cheektowaga Youth Bureau has been designated a recipient of federal funds to conduct a Youth Community Conservation and Improvement Project, (YCCIP), and

WHEREAS, the YCCIP is a Title IV program of the Manpower Administration, with the purpose of providing employment and training to young adults, ages 16 through 19, who are unemployed, economically disadvantaged and have dropped out of school, and

WHEREAS, funds for this action are available from the YCCIP budget line number A.6258.110, i.e. participant wages, NOW, THEREFORE, BE IT

RESOLVED that the below listed individuals be hired to participate in said program at the rate of $3.35 per hour, the current minimum wage:

--Edward Carey

Sloan, New York 14212

--Daniel Lerner

Cheektowaga, New York 14225

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

Item No. 27 Motion by Supervisor Meyers, seconded by Councilman Rogowski

WHEREAS, Frank Galaza, an employee in the Highway Department has been absent from work due to illness, and

WHEREAS, Frank Galaza has exhausted all of his accumulated sick leave, personal leave and vacation days, and still unable to return to work, and has requested extended sick leave, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Section 8.02 of the agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, Frank Galaza is hereby granted extended sick leave, for a period of fifteen (15) working days; said sick leave extension effective May 18, 1981.

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

Item No. 28 Motion by Councilman Johnson, seconded by unanimously

WHEREAS, the Cheektowaga Town Board has retained Frederick Marzak Architects to prepare preliminary design plans and cost estimates for a Senior Citizen Center through previous resolution dated January 5, 1981, and

WHEREAS, said design plans and cost estimates have been reviewed as being acceptable by the Town Board, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby instructs Frederick Marzak Architects, , Cheektowaga, New York, to prepare plans and specifications for a Senior Citizen Center located at the publicly owned site east of the Cheektowaga Town Hall, and BE IT FURTHER

RESOLVED that the scope of services and fees for said Senior Citizen Center shall not exceed the written quotation supplied by Frederick D. Marzak A.I.A. on January 19, 1981, and BE IT FURTHER

RESOLVED that funds for said fees are available in the Senior Citizen Center Capital Improvements Fund.

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

Item No. 29 Motion by Supervisor Meyers, seconded by unanimous

WHEREAS, the Cheektowaga Town Board has instructed Frederick Marzak Architects, , Cheektowaga, New York, to provide architectural and engineering services for a Senior Citizen Center at a site located east of Town Hall, and

WHEREAS, a topographical survey is a necessary requirement to prepare plans and specifications for said Senior Citizen Center, NOW, THEREFORE, BE IT

RESOLVED that Elwood D. Hummel, East Aurora, New York, is hereby authorized to conduct said topographical survey at a fee not to exceed $350.00, and BE IT FURTHER

RESOLVED that the funds for said fees are available in the Senior Citizen Center Capital Improvements Fund.

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

Item No. 30 WHEREAS, the Town of Cheektowaga has been awarded a Federal Grant of $209,685.00 from the Heritage Conservation and Recreation Service for Town Park Improvements, and

WHEREAS, said funding represents fifty percent (50%) of the total Town Park Improvements Project, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby instructs Frederick Marzak Architects, , Cheektowaga, New York to prepare plans and specifications relative to the Town Park Improvement Project, and BE IT FURTHER

RESOLVED that architect and engineering fees shall not exceed the stated quotation supplied by Frederick Marzak Architects as stated in the Heritage Conservation and Recreation Service approved application, and BE IT FURTHER

RESOLVED that funds are available for said fees in the Town Park Improvements, Capital Improvement Fund.

Item No. 30 cont'd

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

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

WHEREAS, the annual spring meeting of the New York Water Pollution Control Association will be held in Monticello, New York, on June 14th thru 17th, 1981,

WHEREAS, technical developments and updates in the wastewater field are included in the seminars, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is authorized to attend said New York Water Pollution Control Association meeting with all legal expenses to be reimbursed by the Town and chargeable to the Sanitary Sewer District No. 5 Wastewater Remedial budget with said expenses not to exceed $440.

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

Item No. 32 Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED that Niagara Mohawk Power Corporation be and hereby is authorized to install one (1) 175 mercury vapor lamp on Pole #428 on Dingens Street in the Town of Cheektowaga at an annual cost to the General Lighting District of $95.20, plus fuel adjustment and tax, in accordance with the attached proposal which is hereby made a part of this resolution.

* See next page for proposal

No. 13

NIAGARA MOHAWK

NIAGARA MOHAWK POWER CORPORATION/535 WASHINGTON STREET, BUFFALO, N. Y. 14203/TELEPHONE (716) 856-2424

May 5, 1981

Mr. Thomas Johnson, Councilman
Town of Cheektowaga
Town Hall
Broadway and Union Road
Cheektowaga, New York 14227

Dear Councilman Johnson:

To install a 175 Watt mercury vapor lamp on Pole 428 Dingens Street, the annual cost would be $95.20, plus fuel adjustment and tax.

If you have any questions, please contact me at 856-2424, Extension 235.

Very truly yours,

Clifford Reuter, Jr.

Clifford Reuter, Jr.
Consumer Representative

CR:cbf

Item No. 32 cont'd

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

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

BE IT RESOLVED that the following fund transfers are hereby approved and made a part hereof.

GENERAL FUND

From:	1450.443 (Election-Equipment Repairs)	$ 950.00
To:	1450.200 (Election-Voting Machine Purchase	$ 950.00
From:	510 (2680.000) (Estimated Revenues-Insurance Recovery)	$1,150.00
To:	1450.200 (Election-Voting Machine Purchase)	$1,150.00

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

Item No. 34 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 18th, 1981 are hereby approved and the SUPERVISOR is ordered to pay same.

FUND	CHECK NOS.	AMOUNT
GENERAL FUND	18883, 18886, 18888-18902, 11236-11450	$ 796,516.77
SPECIAL DISTRICT FUND	8227-8238, 10408-10463	315,111.97
HIGHWAY FUND	6100-6108, 10278-10318	150,771.92
FEDERAL REVENUE SHARING	10008, 10168-10177	205,348.75
CAPITAL FUND	454-456	3,899.34
TRUST AND AGENCY FUND	965-971	207,697.51
H.U.D.-C.D.B.G. FUND	330, 331, 335	37,083.45
PART TOWN FUND	421,436, 440, 444-450	14,055.81
		$1,730,485.52

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 35 Letter from H. Gabryszak, Town Justice regarding increase in Town Court fees
Received and Filed.

Item No. 36 Supervisor's Statement of Funds
Received and Filed.

No. 13

Item No. 37 Health report
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 38 E.C. Dept. of Public Works - list of signals on Erie County Highways
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Captain Kempski, Police Department; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 39 Temporary Restraining Order - Joseph Parco Sr., et al vs Town of Cheektowaga Town Board
Copies were sent to: James Kirisits, Town Attorney; Kenneth J. Meyers, Supervisor.
Received and Filed.

Item No. 40 NOTICE OF CLAIM - Daniel Gruga vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 41 SUMMONS & NOTICE - Dennis Maciuba, William Kuczkowski, Ronald P. Rydzynski vs Town of Cheektowaga.
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; T. DeFedericis, Chief of Police; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 42 Notice of Hearing in Small Claims Ct. - Edmund V. Widomski vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; E.T. Clauss, Insurance Company.
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Johnson to suspend the rules to include the following item.

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

Item No. 43 Authorization for Bldg. & Plmg. Inspector and two (2) Engineering employees to attend SEQR workshop

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, this Town Board has established a State Environmental Quality Review Act Advisory Committee to review applications for buildings and developments, and

WHEREAS, the New York Land Institute and the New York State Department of Environmental Conservation are co-sponsoring workshops on the State Environmental Quality Review Act with one of the workshops to be conducted in Buffalo on June 4, 1981, and

No. 13

Item No. 43 cont'd

WHEREAS, it is essential that the Town take advantage of the workshop, NOW, THEREFORE, BE IT

RESOLVED that a representative of the Building and Plumbing Department and two representatives of the Town Engineering Department be and hereby are authorized to attend said SEQR workshop, and BE IT FURTHER

RESOLVED that the registration fee of $45.00 per person be paid for by the Town.

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

Item No. 44 Motion by Councilman Dux, seconded by Councilman Swiatek to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

No. 13

MEETING NO. 13

CHEEKTOWAGA, NEW YORK
JUNE 1st, 1981

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 first day of June, 1981 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
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; James Kirisits, Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; Ronald Marten, Building & Plumbing Inspector; Mike Miecznikowski, Temporary Director of Recreation; Julia Reinstein, Town Historian; Dr. Louis Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent; Ronald Zoeller, Working Foreman-Sanitation Department.

I. BIDS

Item No. 2 Furnishing of traffic control signs, sign posts and brackets for the year of July 1, 1981 to June 30, 1982.
Bids referred to Chester L. Bryan, Town Engineer.

Item No. 3 Football equipment.
Bids referred to Mike Miecznikowski, Temporary Director of Recreation.

II. RESOLUTIONS

Item No. 4 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 18th day of May, 1981 at 7:00 P.M., Eastern Daylight Saving Time 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

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Item No. 4 Cont'd.

Street	Direction	Entrance Street	Traffic Stops	Sign Location
GREMLIN COURT	East-west	WYNDMOOR COURT	Eastbound	S.W. Corner

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 or one-side parking:

JOANNE LANE	East and south side	from the east curbline of VERN LANE to the south curbline of DENNIS LANE.

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time 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.

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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

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

AFFIDAVIT-NEXT PAGE

Councilmen:
Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux

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

Gladys M. Deshler, 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 4, 1981; last publication June 4, 1981; and that no more than six days intervened between publications.

Gladys M. Deshler

Sworn to before me this 5th

day of June, 19 81.

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 83

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 June, 1981 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 18th day of May, 1981 at 7:00 P.M., Eastern Daylight Saving Time 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

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Street, GREMLIN COURT; **Direction,** East-west; **Entrance Street,** WYNDMOOR COURT; **Traffic Stops,** Eastbound; **Sign Location,** S.W. Corner

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 or one-side parking:

JOANNE LANE, East and south side, from the east curbline of VERN LANE to the south curbline of DENNIS LANE

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time 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.

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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

Upon roll call...

Supervisor		
Meyers	Voting	AYE
Councilmen:		
Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	AYE

AYES: 6

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 1, 1981, 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 1st day of June, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: June 4, 1981

Item No. 5 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Mr. Robert Wahl has made application and requested a Special Permit for property located on the east side of Kennedy Road near Gruner Road (next to 485 Kennedy Road), for the purpose of storing automobiles; 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 15, 1981 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, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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 June 1981, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Robert Wahl for a Special Permit to store automobiles on property located at East side of Kennedy Road near Gruner Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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. 23, Township 11, Range 7 of the Holland Land Company's survey more particularly bounded and described as follows:

COMMENCING at the intersection of the southerly line of Broadway (as a 99 foot wide right of way) and the easterly line of Kennedy (formerly Houdaille) Road (as a 49.5 foot right of way); thence southerly along said easterly line of Kennedy Road for a distance of 1929.56 feet to the principal point of beginning; thence continuing southerly along said easterly line of Kennedy Road for a distance of 515.40 feet to a point in the northerly line of lands conveyed under Liber 1382 of Deeds at page 28 as filed in the Erie County Clerk's Office; thence northeasterly along said northerly line of lands conveyed under Liber 1382 of Deeds at page 28, for a distance of 732.37 feet to a point in the westerly line of lands conveyed under Liber 281 of Deeds at page 573; thence northerly along said westerly line of lands conveyed under the last aforesaid deed a distance of 461.86 feet to the southerly line of lands conveyed to Wimco Steel Corporation by deed recorded in Liber 7274 of Deeds at page 375; thence westerly along the southerly line of lands so conveyed to Wimco Steel Corporation by deed aforesaid, 198.39 feet; thence southerly parallel with the easterly line of Kennedy Road, 175 feet; thence westerly at an exterior angle of 89 degrees 57'01", 500 feet to the point or place of beginning.

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

Councilmen:

Frank E. Swiatek

William P. Rogowski

Thomas M. Johnson, Jr.

Frank J. Dux

Donald J. Wegner

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: June 4, 1981

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

WHEREAS, the Code Review Committee of the Town of Cheektowaga has recommended that the Town of Cheektowaga adopt an AMUSEMENT ARCADE ORDINANCE,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of Town Law of the State of New York, a public hearing be held on the 15th day of June, 1981 at 7:00 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an AMUSEMENT ARCADE ORDINANCE shall be enacted; and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of the said hearing.

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

NOTICE OF HEARING ON PROPOSAL

TO ENACT

AMUSEMENT ARCADE ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 1st day of June, 1981, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 15th day of June, 1981 at 7:00 o'clock P.M. Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an "AMUSEMENT ARCADE ORDINANCE" shall be adopted and enacted, which ordinance provides for the licensing and regulation of amusement arcades with the Town of Cheektowaga. A copy of the proposed "AMUSEMENT ARCADE ORDINANCE" is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

Dated: June 1, 1981

RICHARD M. MOLESKI
TOWN CLERK

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

*See next few pages for copy of proposed "AMUSEMENT ARCADE ORDINANCE".

AMUSEMENT ARCADE ORDINANCE

The Town of Cheektowaga hereby adopts an AMUSEMENT ARCADE ORDINANCE of the Town of Cheektowaga, which ordinance shall apply to and effect only such part of the Town of Cheektowaga as is outside the Villages of Sloan and Depew.

1. DEFINITIONS.

As used in this ordinance, the following terms shall have the meanings indicated:

(a) "Amusement arcade" means a building or place which provides entertainment by means of amusement devices and which contains more than five (5) such devices.

(b) "Amusement Device" means any mechanical or electronic device or contrivance which, by means of the insertion of a coin, token, slug, disk or other article into a slot, crevice, opening or attachment connected with or forming a part of any such devices or contrivances, effects the operation thereof for use as a game, contest or amusement by one or more persons, singularly or collectively, or which may be so used. The term "amusement device" includes but is not necessarily limited to pinball machines, bagatelle, pool tables, foosball tables, electronic games, and similar devices. The term "amusement device" does not include jukeboxes.

(c) "Person" includes individuals, natural persons, partnerships, joint ventures, societies, associations, clubs, corporations or unincorporated groups or any members, officers, directors or stockholders or any kind of personal representative thereof, in

any capacity, acting for himself or for any other person, under either personal appointment or pursuant to law.

(d) "Premises" shall mean any public or quasi-public place or building where the public may enter.

2. PERMIT REQUIRED.

No person shall operate, conduct or maintain an Amusement Arcade, as defined herein, on any premises in the town without having obtained and having in force and effect a license therefor.

3. APPLICATION FOR LICENSE.

(a) Any person desiring to operate, conduct or maintain an amusement arcade shall file an application with the Town Clerk.

(b) The application shall contain, at a minimum, the following information:

(1) Name and address of the applicant.

(2) If the applicant is not the owner of the premises, the name and address of the owner of the premises.

(3) The number and type of devices and proposed location.

(4) Serial number of seal attached to device or other identifying information.

(5) A description of the saize and location of said premises.

4. FEES.

Upon the approval of the Town Clerk, a license shall be issued for an amusement arcade license upon payment of a fee of Five hundred dollars ($500.00) per annum.

5. RESTRICTIONS ON ISSUANCE OF LICENSE.

(a) No license shall be granted for any premises to be used as an amusement arcade if such premises is located within five hundred

(500) feet of the lot line of a public or private school or any R District Boundary.

(b) No License shall be issued to any person who has been convicted of a crime or of any gambling offense against the laws of New York State or ordinances of the Town of Cheektowaga, and in the event of any such conviction subsequent to the issuance of said license, said license shall be immediately revoked.

6. ISSUANCE OF LICENSE: EXPIRATION AND RENEWAL.

(a) Upon proper application and submission of the appropriate fees, the Clerk shall issue a license.

(b) Licenses issued under the provisions of this chapter shall expire on June 30 of each year and will be renewed by the Town Clerk upon receipt of a renewal fee in the same amount as the original application. The license fee for any license obtained during the calendar year shall be pro-rated on a monthly basis and the fee reduced accordingly.

7. USE AND OPERATION RESTRICTIONS.

(a) No minor under thirteen (13) years of age shall be allowed in an amusement arcade unless such minor is accompanied by his or her parent or guardian, or other responsible adult.

(b) No cash awards shall be made in any contest, tournament, league or individual play on any amusement device maintained or operated in any premises and no device shall be permitted to operate if said device delivers to the player coins or slugs or metal tokens on certain scores, if such delivery of coins, slugs

metal tokens is or is held to be contrary to the laws of the State of New York or any other law or ordinance or if said device may be readily converted to deliver to the player such coins, slugs, or metal tokens if such delivery of coins, slugs or metal tokens is or is held to be contrary to the laws of the State of New York or any other law or ordinance.

(c) An amusement arcade shall not be permitted more than twenty-five (25) machines or devices as mentioned, except for those amusement arcades having a greater number of such devices prior to the effective date of this ordinance.

(d) An amusement arcade shall not open prior to 10:00 a.m. and shall close by 10:00 p.m. each day of the week.

(e) Compliance with ordinances required. Every person, firm or corporation which or who maintains, operates or conducts an amusement arcade shall comply with all applicable ordinances of the Town of Cheektowaga.

8. SUPERVISION.

An amusement arcade, whenever operated or used, shall be supervised by a person eighteen (18) years of age or older. Such person shall enforce the age requirements contained in this section and ensure that the premises are used or operated in an orderly manner.

9. SUSPENSION OR REVOCATION OF LICENSE.

Any license issued under the provisions of this chapter may be suspended or revoked by the Town Board if the applicant has violated the provisions of this chapter or made a false statement on the application

for license, or if the use and operation of the device constitutes a breach of the peace or a menace to the health, safety or general welfare of the public.

10. DENIAL

Upon disapproval of any application hereunder by the Town Clerk, the applicant shall be afforded a hearing by the Town Board, if requested, within ten (10) days of notification of the denial of the application. The applicant shall be afforded the opportunity to present evidence and witnesses on his behalf. Said hearing shall be conducted by the Town Board or a committee thereof.

11. PENALTIES FOR OFFENSES.

Any person committing an offense against any provision of this ordinance shall be guilty of a violation punishable by a fine of at least Ten dollars ($10.00), but not exceeding Two hundred fifty dollars ($250.00) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this ordinance shall constitute, for each day the offense is continued a separate and distinct offense hereunder.

The provisions of this ordinance shall be administered and enforced by the Town of Cheektowaga Police Department.

12. SEVERABILITY.

Should any section or provision of this ordinance be held to be unconstitutional or invalid by any court, the same shall be severed from this chapter and its invalidity shall not affect any other section or provision of this ordinance, which shall remain in full force and effect.

Item No. 6 Cont'd.

Upon Roll Call....

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

AFFIDAVIT-NEXT PAGE

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

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 June 4, 1981; last publication June 4 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 5th

day of June, 1981

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, 1983

NOTICE OF HEARING ON PROPOSAL TO ENACT AMUSEMENT ARCADE ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 1st day of June, 1981 and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 15th day of June, 1981 at 7:00 O'clock, P.M. Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an "AMUSEMENT ARCADE ORDINANCE" shall be adopted and enacted, which ordinance provides for the licensing and regulation of amusement arcades with the Town of Cheektowaga. A copy of the proposed "AMUSEMENT ARCADE ORDINANCE" is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 1, 1981
PUBLISHED: June 4, 1981

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

WHEREAS, this Town Board authorized McFarland-Johnson Engineers, Inc. to prepare plans and specifications for the reconstruction of Rossler Avenue, AND

WHEREAS, the Town Engineer advises that plans and specifications have been completed and bidding should proceed at this time in order to assure enough time for completion of the road before the winter season, AND

WHEREAS, easements, New York State Thruway Permit and the Erie County Traffic Signal Permit are in the process of being obtained, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board agrees that time is of the essence in assuring completion of the project this year, and, BE IT FURTHER

RESOLVED, that the Town Clerk is directed to publish a Notice to Bidders for the reconstruction of a portion of Rossler Avenue between Griswold Street and Dingens Street, notice to be published in the CHEEKTOWAGA TIMES and the BUFFALO EVENING NEWS, and, BE IT FURTHER

RESOLVED, that the Town Board meet on the 15th day of June, 1981 at 7:00 P.M., Local 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 opened by the Town Board at a public meeting held for that purpose.

* *

INVITATION FOR BIDS

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, at 7:00 P.M. Local Time on Monday, the 15th day of June, 1981 at which time and place they will be publicly opened and read aloud for the following work; "Reconstruction of a Portion of Rossler Avenue between Griswold Street and Dingens Street".

The work to be accomplished under this proposal consists of the construction of widening Rossler Avenue between Griswold Street and Dingens Street either side of the bridge, related drainage improvements, and signalization at the intersections of Rossler/Griswold and Rossler/Dingens.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of $50.00 per set of documents.

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers, and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($25.00) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government Bonds (at par value), or a satisfactory bid bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total Bid shall be submitted with each Bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

Item No. 7 Cont'd.

The Town of Cheektowaga reserves the right to reject any or all Bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the day of the opening of Bids for the purpose of reviewing the Bids and investigating the qualifications of the Bidder, prior to awarding the Contract.

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

DATED: June 1, 1981

* *

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

AFFIDAVIT-NEXT PAGE

State of New York
ERIE COUNTY } ss.
CITY OF BUFFALO

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, at 7:00 PM Local time on Monday, the 15th of June, 1981 at which time and place they will be publicly opened and read aloud for the following work; "Reconstruction of a Portion of Rossler Avenue between Griswold Street and Dingens Street."

The work to be accomplished under this proposal consists of the construction of widening Rossler Avenue between Griswold Street and Dingens Street either side of the bridge, related drainage improvements, and signalization at the intersections of Rossler/Griswold and Rossler/Dingens.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of $50.00 per set of documents.

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers, and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($25.00) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government Bonds (at par value), or a satisfactory bid bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total Bid shall be submitted with each Bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

The Town of Cheektowaga reserves the right to reject any or all Bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the day of the opening of Bids for the purpose of reviewing the Bids and investigating the qualifications of the Bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga, N.Y.

Date June 1, 1981

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that ~~s~~he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~a week for xxxxxxxxx xxxxxxxx weeks, the first~~ insertion being on the 4th day of June 1981 ~~and the last insertion being on the xxxx day of xxxxxxxx~~

D. Eileen Perry

Sworn to before me this 5th day of June 1981

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

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

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 June 4, 1981; last publication June 4, 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 5th

day of June, 1981

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, 1983

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS:

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, at 7:00 P.M. Local time on Monday, the 15th of June, 1981 at which time and place they will be publicly opened and read aloud for the following work; "Reconstruction of a Portion of Rossler Avenue between Griswold Street and Dingens Street."

The work to be accomplished under this proposal consists of the construction of widening Rossler Avenue between Griswold Street and Dingens Street either side of the bridge, related drainage improvements, and signalization at the intersections of Rossler/Griswold and Rossler/Dingens.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of $50.00 per set of documents.

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers, and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($25.00) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government Bonds (at par value), or a satisfactory bid bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5 percent) of the total Bid shall be submitted with each Bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

The Town of Cheektowaga reserves the right to reject any or all Bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the day of the opening of Bids for the purpose of reviewing the Bids and investigating the qualifications of the Bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga, New York
DATED: June 1, 1981
PUBLISHED: June 4, 1981

Item No. 8 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, bids were duly received and opened at the regular Town Board Meeting of May 18, 1981 as a result of advertisement for the purchase of trucks with refuse packers, 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 May 28, 1981, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the purchase of four (4) trucks with refuse packers for the Sanitation Department, as recommended by the Town Engineer, be and the same is hereby awarded to Buffalo Truck Sales & Service Inc., 85 Michigan Avenue, Buffalo, New York 14204 for their bid in the amount of $251,548.00, said bid being the lowest bid meeting specifications.

*See next two (2) pages for analysis, tabulation and report.

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

May 28, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Refuse Packer Bids

Gentlemen:

At the regular Town Board meeting of May 18, 1981, bids were received and opened for the furnishing of 25 cubic yard truck packer units for the Sanitation Department. Three (3) truck manufacturers submitted bids. Each bidder specified their truck chassis together with various packer bodies.

The bids are as follows:

	3 UNITS	1 UNIT	TRADE IN PER UNIT
Buffalo Truck Inc. (White)			
With Pak-Mor	$188,661	$62,887	$ 750
With Loadmaster	189,171	63,057	750
International Harvester Company			
With Heil	208,212	69,404	3000
With E.Z. Pack	208,446	69,482	3000
With Loadmaster	208,551	69,517	3000
With Leach	211,086	70,362	3000
With Dempster	218,955	72,985	3000
Bison Ford Sales Inc.			
With Heil	216,870	72,290	1000
With E.Z. Pack	217,074	72,358	1000
With Loadmaster	217,623	72,541	1000
With Leach	219,096	73,032	1000
With Dempster	226,566	75,522	1000

The bid proposals were reviewed with Mr. George Burst, Town Garage Foreman, and Mr. Ron Zoeller, Sanitation Department Foreman, to determine compliance of all bidders with the specifications. Mr. Zoeller stated that adequate funds were budgeted for four (4) units at the low bid prices and desires the purchase of four (4) units. The bids were requested for three (3) units and one (1) unit to enable the Town to purchase the maximum units within the budget limit. It is also requested that the units submitted for trade-in be retained to be canabalized for parts as the trade-in value of $750 is well below parts value.

It is, therefore, recommended that the purchase be awarded to Buffalo Truck Sales and Service Inc., 85 Michigan Avenue, Buffalo, New York 14204 for their submission of the lowest responsible bid meeting the requirements of the specifications.

Attached for your consideration is a resolution to purchase four (4) 25 cubic yard Pak-Nor Refuse Packers mounted on White Diesel Chassis without a trade-in for a total cost of $251,548.

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. 8 Cont'd.

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

Item No. 9 Retention of firm to prepare plans and specifications for Phase I, Stiglmeier Park Improvements and Lighting Improvements to Town Hall Baseball Diamonds.

Item Withdrawn.

Item No. 10 Retain services of H. Szymanski relative to land acquisition for Madeira Park.

Item Withdrawn.

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

WHEREAS, Town Courts handle and dispose of criminal and civil cases involving violations of New York State laws, AND

WHEREAS, pursuant to General Municipal Law, Section 99-1, Towns are reimbursed by the State for handling such cases at the rate of $5.00 per case, AND

WHEREAS, since 1976, the State has assumed financing of courts of the Unified Court System, excepting Town and Village Courts, AND

WHEREAS, Town residents, through payment of property taxes and State income taxes, are bearing an inequitable burden in supporting the State of New York's Court System, AND

WHEREAS, the $5.00 per case reimbursement provided to Towns by the State has not been increased in over 40 years, NOW, THEREFORE, BE IT

RESOLVED, that the Governor of the State of New York, Hugh Carey, and State Assemblyman Dennis Gorski and State Senator Dale Volker be and hereby are memorialized to approve and sign into law legislation increasing said reimbursement to Towns to at least $15.00 per case, and BE IT FURTHER

RESOLVED, that certified copies of this Resolution be forwarded to Governor Hugh Carey, State Assemblyman Dennis Gorski and State Senator Dale Volker.

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

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

WHEREAS, this Town Board has awarded a contract for the construction of the Beach Road Storm Sewer, said contract awarded to Firstrhyme Construction Corporation, Inc., AND

WHEREAS, said contractor has requested an extension of contract completion due to wet ground conditions, AND

WHEREAS, McFarland-Johnson Engineers, Inc., Consulting Engineers, and the Town Project Engineer, recommend that said contract completion date be extended, NOW, THEREFORE, BE IT

RESOLVED, that the contract of Firstrhyme Construction Corporation, Inc. for the construction of the Beach Road Storm Sewer be extended to a completion date of July 1, 1981.

Item No. 12 Cont'd.

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

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

WHEREAS, the Town Engineer advises that there have been unavoidable delays in the completion of the Sanitary Sewer District No. 5 Main Pumping Station, AND

WHEREAS, the consulting firm of Nussbaumer & Clarke, Inc. and the Town Engineer recommend that the contract for said Main Pumping Station be extended, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board approves the extension of the Main Pumping Station Contract, as recommended by the engineers, for a completion date of October 31, 1981. The Main Pumping Station Contract being:

Contract 3A - General Construction	Frank L. Ciminelli Construction Company, Inc.
Contract 3B - Mechanical	Aquasan Corporation
Contract 3C - Plumbing	Frontier-Snyder Mechanical Contractors
Contract 3D - Heating, Ventilation & Air Conditioning	John W. Danforth Company
Contract 3E - Electrical	Ferguson Electric Construction Company, Inc.
Contract 3F - Instrumentation	Ferguson Electric Construction Company, Inc.

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

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

WHEREAS, the consulting engineering firm of McFarland-Johnson Engineers, Inc., in a letter dated May 18, 1981, reported that the signalization of French Road and Towers Boulevard is now complete, AND

WHEREAS, Change Order #2 has been submitted to cover the adjustment of final quantities used on the project as an addition to the contract with Tri-City Electric Company, Inc., 1346 South Park Avenue, Buffalo, New York 14220 in the amount of $32.10, AND

WHEREAS, the original contract with the addition of Change Orders #1 and #2 amounted to $28,286.60, of which $24,260.04 has been previously authorized for payment, NOW, THEREFORE, BE IT

RESOLVED, that the voucher in the amount of $1,197.90, which includes Change Order #2 and full payment except the 10% retention of the total contract, be authorized for payment.

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

Item No. 15 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the consulting engineering firm of McFarland-Johnson Engineers, Inc., in a letter dated May 18, 1981, reported that the signalization of French Road and Towers Boulevard has been complete for sometime now, AND

WHEREAS, this Town Board, in a resolution dated February 2, 1981 resolved that it may exercise the penalty clause of the contract of $50.00 per day, if completion of the contract is not accomplished before the January 23, 1981 contract date, AND

WHEREAS, the consulting engineers, in their letter of May 18, 1981, requested the Town Board to reconsider assessing liquidating damages because the contractor completed the work satisfactorily after the Town Board's action, AND

WHEREAS, liquidating damages can only be assessed for the actual cost of actual damages suffered, which in their opinion is negligible and difficult to establish in this application, NOW, THEREFORE, BE IT

RESOLVED, that the voucher for $2,828.66, which represents the 10% retention of the total contract with Tri-City Electric Company, Inc., 1346 South Park Avenue, Buffalo, New York 14220 be approved for payment with no assessments for liquidation damages.

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

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

WHEREAS, the Town of Cheektowaga, with a population of 109,442, recognizes the intensity of the subsidized housing needs of its 14,000 Senior Citizens, AND

WHEREAS, the Town has supported a proposal by Renewal Housing Corporation to construct 230 units of elderly and handicapped housing on 9.5 acres of land on Bennett Road, AND

WHEREAS, the subject plot has been appropriately rezoned after public hearing and approved by the Town's SEQR Advisory Committee for this purpose, AND

WHEREAS, the Town of Cheektowaga has been previously underfunded relative to its needs and the funding needs of other localities for this type of housing, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby endorses the proposal submitted by Renewal Housing Corporation requesting the Buffalo Office of the United States Department of Housing & Urban Development for approval of the subject site and development plan for 230 units of elderly and handicapped housing located on 9.5 acres of land at 146 Bennett Road, in accordance with H.U.D. regulations relating to the Section 8 Housing Assistance Payments Program for new construction.

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

Item No. 17 Decision on Billboard Sign Permit - South side of Kensington Expressway, East of Union Road.
Item Withdrawn.

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Legislature of the State of New York has approved legislation which provides for the increase of fees for the issuance of a Marriage License to $5.00, and

WHEREAS, Section 14-A of the Domestic Relations Law of the State of New York was amended effective June 1, 1981, to provide for the issuance of a Certificate of Marriage Registration by the Town Clerk in an amount not to exceed $5.00, said amount to be fixed by the Town Board, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga, pursuant to the provisions of Section 14-A of the Domestic Relations Law of the State of New York, hereby fixes the fee to be charged within the Town of Cheektowaga by the Town Clerk for a Certificate of Marriage Registration in the amount of $5.00, and BE IT FURTHER

RESOLVED that the cost of a Marriage License be set at $10.00. This fee is consistent with all other municipalities in Erie County who are adopting the same increase.

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

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

WHEREAS, due to the recent increases in the cost of fuel and gasoline it appears reasonable that the Town increase the amount per mile reimbursed to Town employees for the use of their own private vehicles while conducting Town business, NOW, THEREFORE, BE IT

RESOLVED that the amount per mile reimbursable to Town employees, due to the use of their private vehicle while conducting Town business, be and hereby is increased from $.20 to $.24, and

BE IT FURTHER RESOLVED, that the aforesaid increase in mileage allowance be effective on June 2, 1981.

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

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Facilities Department of the Town of Cheektowaga presently has a petty cash fund in the amount of $25.00 for the purchase of small items, AND

WHEREAS, the amount of $25.00 is not sufficient to handle these small purchases, NOW, THEREFORE, BE IT

RESOLVED that the petty cash fund for the Facilities Department be increased to $50.00 to accommodate such purchases.

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

Item No. 21 Create position of "Sign Maintenance Man" in Cheektowaga Police Department.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

Item No. 21 Cont'd.

to table this item until the next regular Town Board Meeting of June 15, 1981 at 7:00 P.M., Eastern Daylight Saving Time.

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

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

WHEREAS, the Cheektowaga Facilities Department, Parks Division, is in need of part-time employees to supplement the regular work force during seasonal departmental duties, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby hired in the Facilities Department, Parks Division, at the prescribed classification and rate of pay:

Part-Time Laborer at $3.10 per hour - Account A7110.149

Eugene A. Ruszkowski

Seasonal Maintenance Mechanic at $5.00 per hour - Beach & Pool Account A7181.149

Raymond Schieder

and BE IT FURTHER

RESOLVED, that the following individual is hereby hired retroactive to May 23, 1981 in the Facilities Department, Parks Division:

Part-Time Laborer at $3.10 per hour - Account A7110.149

Michael Ball

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

Item No. 22B Motion by Councilman Rogowski, seconded by Councilman Johnson

BE IT RESOLVED that the following be hired in the Cheektowaga Justice Court effective June 1, 1981, as seasonal clerk/typists at an hourly rate of $3.10:

SEASONAL CLERK/TYPISTS:

Cathy Rutkowski

Deborah Rozniak

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

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

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department to help conduct its 1981 Summer Program:

Item No. 22C Cont'd.

POOL DIRECTOR - $2,700.00 - 10 Weeks

Brian Hansen

SPECIAL EVENT SUPERVISOR - $2,000.00 - 10 Weeks

John Hartman

POOL SUPERVISORS - $1,750.00 - 10 Weeks

Deborah Binner
Charles Olday, Jr.

POOL SUPERVISORS - $1,650.00 - 10 Weeks

Michelle Buyea
Karen Conwell
Catherine Giles
Ronald Schenk
Peggy Anne State

LIFEGUARDS - $3.35 with WSI - $3.10 without WSI

Mark Angrisano
Debra Baumgardner
Patrick Berst
Diane Bohrer
Barbara Jo Borkowski
Lynn Brauer
Peter Catalfu
Deborah Chimes
Sharon Conwell
Candyce Costrine
John Eckel
Matt Fuerter
Thomas Gagola
Susanne Garbacz
Lynda Germann
Joyce Giglio
Linda Glasser
Deborah Healy
Robert Heary
Linda Jagodzinski
Susan Jagodzinski
Andrew Jerzewski
Robert Joyce
Julie Marie Kaleta
David Kawalerski
Allan Kellam
Christine Kellam
T.R. Keller
Mary Ann Kissel
Anna Klos
William Krieger
Ron Kubiak
Lisa Lageman
Michelle Leszczynski
Sandra Lyon
Kevin Maguire
Stephanie Michalski
Pamela Miller
Richard Mirando
Ann Marie McGee
Catherine Mederski
Susan Nicholson
Alan Pawlowski
Lori Peterson
Cynthia Ann Pilat
Gail Pleban

Item No. 22C Cont'd.

LIFEGUARDS CONT'D.:

Scott Pleban
Lynn Preischel
James Prowse
David Shalke
Walter Wilson
Diane Zablotny

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

Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department to supervise the 1981 Summer Programs:

PLAYGROUND SUPERVISORS - $1,650.00 - 10 Weeks

Mary Bilski
Thomas Block
Diane Catalfu
Douglas Conley
Barbara Fiorello
Dean Lach
Catherine Mirando
Peter Odrobina
Melissa Prorok
Paul Ruda
Ronald Zyglis

ARTS AND CRAFTS SUPERVISORS - $1,650.00 - 10 Weeks

Sharon Catalfu
Linda Anne Chadwell
Mary Ellen Eldridge
Patricia Herweg
Kathryn Paulus
Rosemary Ratajczyk
Joseph Wojcik

ASSISTANT ARTS AND CRAFTS SUPERVISOR - $5.00 per hour

Maureen Schneider

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

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

RESOLVED that the following individuals be and hereby are hired as Seasonal Laborers, in the Departments listed, at an hourly rate of $3.10:

ENGINEERING DEPARTMENT:

Mark J. Dolan
Paul S. Halicki

Item No. 22D Cont'd.

SEWER MAINTENANCE DEPT. & SEWAGE TREATMENT PLANT NO. 5:

Keith L. Baran
Paul Dorobiala
Todd J. Meyers
Mark T. Balmas
Michael J. Kirisits
Philip Bryan
Joseph Cherico
Beth Post
Albert Schanne
Kevin Harris
David Rusniak
Robert Rusniak
Bruce Blachowski
John Lesniak
Daniel Karpinski
James Anthon
Peter Bifaro, Jr.
Kenneth Pawlowski
David Szymanski
Craig Cygan
Richard Mrugalski
Paul Hockwater
Robert Sprada
Carl Staszak
Timothy Torgalski
Francis Norman, Jr.
Andrew Klimek
Frank Dachille
Michael Mongiovi
Jay Meyers
James Silvestri
Timothy Obstarczyk

and BE IT FURTHER RESOLVED that the following individual be and hereby is transferred from the Sanitation Department to the Sewer Maintenance Department as a Seasonal Laborer, at an hourly rate of $3.10:

John E. Choinski

and BE IT FURTHER RESOLVED that the following individuals be and hereby are hired as Seasonal Clerk Typists, in the Departments listed, at an hourly rate of $3.10:

TOWN CLERK'S OFFICE:

Michaelene Mahoney
Lori Lonczak
Mary Jane Kaczmarek

ASSESSOR'S OFFICE:

Kathleen C. Orr
Karen Green
Karen Reimers
Kathy Moleski

SEWER MAINTENANCE DEPARTMENT:

Colleen Carlin

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

Item No. 23 Motion by Councilman Swiatek, seconded by Councilman Wegner

RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, be hereby authorized to attend a meeting of the Western New York Association of Youth Boards and Youth Bureaus, June 24th and June 25th, 1981, at St. Bonaventure University, Olean, New York, and BE IT FURTHER

RESOLVED that Kenneth J. Kopacz be reimbursed for his necessary and reasonable travel expenses in connection with said trip not to exceed $85.00.

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

Item No. 24 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the U.S. Department of Housing and Urban Development is sponsoring a workshop entitled "Leveraging in the 80's" on June 10 and 11, 1981, at the Statler Hotel in Buffalo, New York, AND

WHEREAS, the workshop will provide participants with extensive knowledge and techniques for leveraging private resources in addressing and resolving housing and economic development problems, AND

WHEREAS, Jerome J. Gabryszak, Director of the Town's Community Development Block Grant Program, has requested authorization to attend said seminar, AND

WHEREAS, the fee for said two-day seminar is $65.00, an eligible expense under the Community Development Block Grant Program, NOW, THEREFORE, BE IT

RESOLVED, that Jerome J. Gabryszak, Director of Community Development, be and hereby is authorized to attend said seminar, sponsored by the U.S. Department of Housing and Urban Development on June 10 and 11, 1981, at the Statler Hotel in Buffalo, New York, and BE IT FURTHER

RESOLVED that the required $65.00 fee be paid through the Administration Account of the Community Development Block Grant Program.

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

Item No. 25 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers are hereby approved and made a part hereof.

G E N E R A L F U N D

FROM		AMOUNT	TO	
A.7310.493	(Youth-Mid Erie Mental Health Services, Inc.)	$10,000.00	A.7310.498	(Youth-Mid Erie Mental Health Services, Inc. - Contribution)
A.1110.137	(Justices-Clerical)	2,800.00	A.1110.139	(Justices-Part Time)
A.1110.137	(Justices-Clerical)	200.00	A.1110.139	(Justices-Part Time)
A.1110.135	(Justices-Sr.Clerks)	1,200.00	A.1110.139	(Justices-Part Time)
A.1110.459	(Justices-Juror Fees)	1,000.00	A.1110.139	(Justices-Part Time)

Item No. 25 Cont'd.

FROM	AMOUNT	TO
A.2036.000 (Estimated Revenues- Sr. Citizens -- Special Events)	$ 8,000.00	A.7620.418 (Sr. Citizens - Special Events)

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

Item No. 26 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 1st, 1981 are hereby approved and the SUPERVISOR is ordered to pay same.

FUND	CHECK NOS. FROM TO	AMOUNT
GENERAL FUND	11451-11620	$ 110,820.75
SPECIAL DISTRICT FUND	10464-10524	214,628.73
HIGHWAY FUND	10319-10359	18,919.20
FEDERAL REVENUE SHARING FUND	10178-10191	10,855.69
CAPITAL FUND	457	235.00
TRUST AND AGENCY FUND	976-977	1,470.00
H.U.D. - C.D.B.G. FUND	336-337	22,153.45
PART TOWN FUND	453-454	52.00
H.U.D. - N.P.P. FUND	147-149	4,417.00
		$ 383,551.82

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 27 Building Permits.
Item Received and Filed.

Item No. 28 Supervisor's Statement of Funds - April, 1981.
Item Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 29 Summons and Complaint - Elaine Niewiemski vs. David J. Przepiora and Town of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Theodore DeFedericis-Chief of Police, E.T. Clauss-Town Insurance Company; item received and filed.

Item No. 30 Erie County Board of Elections - Notification of Special Referendum Election to be held June 23, 1981 re: County Reapportionment Plan.
Item received and filed.

Item No. 31 Residents' Petition - Opposition to construction trucks and equipment being parked daily in the Rowley Road - Old Farm Road Neighborhood.
Item referred to Supervisor Kenneth J. Meyers, Captain Kempski-Police Department, Ron Marten-Building & Plumbing Inspector, Cheektowaga Traffic Safety Commission; item received and filed.

* *

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

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

* *

V. WAIVER OF RULES

Item No. 32 Decision on Rezoning - 1335-1371 French Road.

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, David J. Lueke has applied for a rezoning from RA-Apartment District to RC-Restricted Business District for the property owned by him and located at 1335-1371 French Road, Cheektowaga, New York; which property is more particularly described in the attached copy of the face of the deed thereto, AND

WHEREAS, a public hearing was held before this Town Board on the 16th day of March, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has presented no objection thereto provided that the Petitioner submit a Development Plan of the entire complex as required by Section 10-10 of the Zoning Ordinance, and provided further that any future additions to the Development Plan area be resubmitted to the Town Board to determine that the addition is substantially in agreement with the intent of the original amendment, AND

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 1335-1371 French Road and has rendered a determination that the rezoning will not have a significant effect on the environment, NOW, THEREFORE, BE IT

RESOLVED, that the rezoning is granted subject to the owner complying with the requirements set forth in the Development Plan and subject to the owner complying to the conditions set forth above, and BE IT FURTHER

RESOLVED, that the above described premises are rezoned from RA-Apartment District to RC-Restricted Business District, and BE IT FURTHER

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

*See next page for copy of deed description.

101—DEED—Warranty with lien covenant (Individual)

Sanders Legal Publishers
Prudential Bldg.,Buffalo,N.Y. 14202

This Indenture,

Made the 14th *day of* April *Nineteen Hundred and* Eighty

Between

DAVID J. LUEKE and JOSEPH A. LUEKE, residing at Alden, N.Y.

parties of the first part, and

DAVID J. LUEKE, residing at Alden, N.Y.

party of the second part,

Witnesseth, that the parties of the first part, in consideration of ONE AND NO MORE *Dollars ($ 1.00 & No More) lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, his heirs and assigns forever,*

"A" 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. Forty-two (42), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and further distinguished as being part of parcel known as Parcel V as shown on a map filed in Erie County Clerk's Office under Cover No. 2274, bounded and described as follows:

BEGINNING at a point in the south line of French Road, being ninety (90) foot right of way, said point being in the north line of said Parcel V, distant six hundred eighty-five (685) feet east from the northwest corner of said Parcel V; thence east along the south line of French Road, three hundred thirty-eight and four hundredths (338.04) feet to a point; thence south at right angles to said south line of French Road, three hundred eighty and sixteen hundredths (380.16) feet, more or less, to a point in the south line of said Parcel V, said line also being the north line of a map filed in the Erie County Clerk's Office entitled "Transit Heights Subdivision" having a Cover Number 2264, which said point is two hundred twenty-three and fourteen hundredths (223.14) feet, as measured along said north line of said Map Cover No. 2264, from its intersection with the west line of Slate Drive, a sixty (60) foot wide right of way; thence westerly three hundred thirty-eight and four hundredths (338.04) feet along the said south line of said Parcel V to a point, said point being the southeast corner of a parcel of land described in a deed recorded in the Erie County Clerk's Office in Liber 8220 of Deeds at page 439; thence northerly three hundred eighty and seventy-six hundredths (380.76) feet along the east line of lands described in a deed recorded in the Erie County Clerk's Office in Liber 8220 of Deeds at page 439 to the point of beginning.

PARCEL "B" - ALSO 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. forty-two (42), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and further distinguished as being part of parcel known as Parcel V as shown on a map filed in Erie County Clerk's Office under Cover No. 2274, bounded and described as follows:

BEGINNING at a point in the intersection of the south line of French Road and the west line of Slate Drive; thence south along the west line of Slate Drive, fifty (50) feet to the point of curve; thence continuing along the west line of Slate Drive on a curve to the left whose radius is two hundred ninety-four and one hundredths (294.01) feet, one hundred sixty-one and ninety-eight hundredths (161.98) feet to the point of reverse curve; thence continuing along the west line of Slate Drive on a curve to the right, whose radius is two hundred thirty-four and one hundredths (234.01) feet, one hundred twenty-eight and ninety-three hundredths (128.93)feet to a point; thence south along the west line of Slate Drive, fifty (50) feet to a point in the north line of Map Cover No. 2264; thence west along the north line of Map Cover No. 2264, two hundred twenty-three and fourteen hundredths (223.14) feet to a point; thence north on a line that forms a right angle with the south line of French Road, three hundred eighty and sixteen hundredths (380.16) feet to a point in the south line of French Road; thence east along the south side of French Road, one hundred forty-five (145) feet to the point of beginning.

EXCEPTING from the above described parcel the following parcel:

BEGINNING at a point in the intersection of the south line of French Road and the west line of Slate Drive; thence south along the west line of Slate Drive fifty (50) feet to a point of curve; thence continuing along the west line of Slate Drive on a curve to the left, whose radius is two hundred ninety-four and one hundredths (294.01) feet, ninety-one and forty-seven hundredths (91.47) feet to a point; thence west along a line parallel to the south line of French Road, one hundred fifty-nine and eleven hundredths (159.11) feet to a point; thence north along a line that forms a right angle with the last mentioned line, one hundred forty (140) feet to a point in the south line of French Road; thence east along the south line of French Road, one hundred forty-five (145) feet to the point of beginning.

Item No. 32 Cont'd.

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

AFFIDAVIT-NEXT PAGE

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

Gladys M. Seelster, 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 4, 1981; last publication June 4, 1981; and that no more than six days intervened between publications.

Gladys M. Seelster

Sworn to before me this 5th day of June, 1981

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, 1983

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 June, 1981 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, David J. Lueke has applied for a rezoning from RA-Apartment District to RC-Restricted Business District for the property owned by him and located at 1335-1371 French Road, Cheektowaga, New York; which property is more particularly described in the attached copy of the face of the deed thereto, and

WHEREAS, a public hearing was held before this Town Board on the 16th day of March, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has presented no objection thereto provided that the Petitioner submit a Development Plan of the entire complex as required by Section 10-10 of the Zoning Ordinance, and provided further that any future additions to the Development Plan area be resubmitted to the Town Board to determine that the addition is substantially in agreement with the intent of the original amendment, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 1335-1371 French Road and has rendered a determination that the rezoning will not have a significant effect on the environment, now, therefore, BE IT

RESOLVED, that the rezoning is granted subject to the owner complying with the requirements set forth in the Development Plan and subject to the owner complying to the conditions set forth above, and BE IT FURTHER

RESOLVED, that the above described premises are rezoned from RA-Apartment District to RC-Restricted Business District, and BE IT FURTHER

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

Upon roll call...

Supervisor	
Meyers	Voting AYE
Councilmen:	
Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
Wegner	Voting AYE
Rogowski	Voting AYE

AYES: 6
NAYES: 0
ABSENT: 0

Parcel "A"

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. Forty-two (42), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and further distinguished as being part of parcel known as Parcel V as shown on a map filed in Erie County Clerk's Office under Cover No. 2274, bounded and described as follows:

BEGINNING at a point in the intersection of the south line of French Road and the west line of Slate Drive; thence south along the west line of Slate Drive, fifty (50) feet to the point of curve; thence continuing along the west line of Slate Drive on a curve to the left whose radius is two hundred ninety-four and one hundredths (294.01) feet, one hundred sixty-one and ninety-eight hundredths (161.98) feet to the point of reverse curve; thence continuing along the west line of Slate Drive on a curve to the right, whose radius is two hundred thirty-four and one hundredths (234.01) feet, one hundred twenty-eight and ninety-three hundredths (128.93) feet to a point; thence south along the west line of Slate Drive, fifty (50) feet to a point in the north line of Map Cover No. 2264; thence west along the north line of Map Cover No. 2264, two hundred twenty-three and fourteen hundredths (223.14) feet to a point; thence north on a line that forms a right angle with the south line of French Road, three hundred eighty and sixteen hundredths (380.16) feet to a point in the south line of French Road; thence east along the south side of French Road, one hundred forty-five (145) feet to the point of beginning.

EXCEPTING from the above described parcel the following parcel:

BEGINNING at a point in the intersection of the south line of French Road and the west line of Slate Drive, thence south along the west line of Slate Drive fifty (50) feet to a point of curve; thence continuing along the west line of Slate/Drive on a curve to the left, whose radius is two hundred ninety-four and one hundredths (294.01) feet, ninety-one and forty-seven hundredths (91.47) feet to a point; thence west along a line parallel to the south line of French Road, one hundred fifty-nine and eleven hundredths (159.11) feet to a point; thence north along a line that forms a right angle with the last mentioned line, one hundred forty (140) feet to a point in the south line of French Road, thence east along the south line of French Road, three hundred eighty and sixteen hundredths (380.16) feet, more or less, to a point in the south line of said Parcel V, said line also being in the north line of a map filed in the Erie County Clerk's Office entitled "Transit Heights Subdivision" having a Cover Number 2264, which said point is two hundred twenty-three and fourteen hundredths (223.14) feet, as measured along said north line of said Map Cover No. 2264, from its intersection with the west line of Slate Drive, a sixty (60) foot wide right of way; thence westerly three hundred thirty-eight and four hundredths (338.04) feet along the said south line of said Parcel V to a point, said point being the southeast corner of a parcel of land described in a deed recorded in the Erie County Clerk's Office in Liber 8220 of Deeds at page 439; thence northerly three hundred eighty and seventy-six hundredths (380.76) feet along the east line of lands described in a deed recorded in the Erie County Clerk's Office in Liber 8220 of Deeds at page 439 to the point of beginning.

Parcel "B"

ALSO 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. forty-two (42), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and further distinguished as being part of parcel known as Parcel V as shown on a map filed in Erie County Clerk's Office under Cover No. 2274, bounded and described as follows:

BEGINNING at a point in the intersection of the south line of French Road and the west line of Slate Drive; thence south along the west line of Slate Drive, fifty (50) feet to the point of curve; thence continuing along the west line of Slate Drive on a curve to the left whose radius is two hundred ninety-four and one hundredths (294.01) feet, one hundred sixty-one and ninety-eight hundredths (161.98) feet to the point of reverse curve; thence continuing along the west line of Slate Drive on a curve to the right, whose radius is two hundred thirty-four and one hundredths (234.01) feet, one hundred twenty-eight and ninety-three hundredths (128.93) feet to a point; thence south along the west line of Slate Drive, fifty (50) feet to a point in the north line of Map Cover No. 2264; thence west along the north line of Map Cover No. 2264, two hundred twenty-three and fourteen hundredths (223.14) feet to a point; thence north on a line that forms a right angle with the south line of French Road, three hundred eighty and sixteen hundredths (380.16) feet to a point in the south line of French Road; thence east along the south side of French Road, one hundred forty-five (145) feet to the point of beginning.

EXCEPTING from the above described parcel the following parcel:

BEGINNING at a point in the intersection of the south line of French Road and the west line of Slate Drive, thence south along the west line of Slate Drive fifty (50) feet to a point of curve; thence continuing along the west line of Slate/Drive on a curve to the left, whose radius is two hundred ninety-four and one hundredths (294.01) feet, ninety-one and forty-seven hundredths (91.47) feet to a point; thence west along a line parallel to the south line of French Road, one hundred fifty-nine and eleven hundredths (159.11) feet to a point; thence north along a line that forms a right angle with the last mentioned line, one hundred forty (140) feet to a point in the south line of French Road, thence east along the south line of

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. 32, 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 June, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: June 4, 1981

Item No. 33 Retain services of Thomas Licata for acquisition of property in Madeira Drive Subdivision re: Improving drainage facilities.

Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, on numerous occasions this Town Board has expressed the commitment to the residents of the Town that, where feasible and necessary, it would act to protect their properties from floods, freshets and high waters by acquiring, improving and/or maintaining drainage facilities, and

WHEREAS, experience and investigation have demonstrated the need for drainage facilities in the Madeira Drive Subdivision, and

WHEREAS, the real properties necessary for a public drainage project in the area have heretofore been identified and appraised; and the amounts necessary for acquisition by the Town are available from previously authorized project bonding, NOW, THEREFORE, BE IT

RESOLVED that Mr. Thomas R. Licata of , Buffalo, New York be and he hereby is retained to act on behalf of the Town in negotiations with the various property owners for the conveyance of their land to the Town at a fair and reasonable price, and BE IT FURTHER

RESOLVED that a fair and reasonable fee for services rendered be paid to Mr. Licata for services rendered as aforesaid, and his reasonable expenses be reimbursed, all to be audited by the Town Engineer.

Upon Roll Call....

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

Item No. 34 Decision on Rezoning - 500 Como Park Boulevard.

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Buffalo Slag Co., Inc., a subsidiary of Koppers Company, Inc. has applied for a rezoning from R-Residential to RC-Restricted Business District for the property owned by it and located at 500 Como Park Boulevard, Cheektowaga, New York; which property is more particularly described in the attached copy of the face of the deed thereto, and

WHEREAS, a public hearing was held before this Town Board on the First day of June, 1981 at 6:30 o'clock P.M. after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has presented no objection thereto, and

WHEREAS, the Environmental Advisory Council of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga", has duly considered the said application and has rendered a determination that the requested rezoning will not have a significant impact upon the environment, NOW, THEREFORE, BE IT

RESOLVED that the application of The Buffalo Slag Company, Inc. for the rezoning of 500 Como Park Blvd., Cheektowaga, New York, from R-Residential District to RC-Restricted Business District be and the same is hereby granted, and

BE IT FURTHER RESOLVED that the Zoning Map and Zoning Ordinance be amended in accordance with the above.

*See next few pages for copy of deed descriptions.

This Indenture,

Made the 19th *day of* January *Nineteen Hundred and* Twenty-nine,

Between LARK KYLER and AVA PEER KYLER, his wife, both of the City of North Tonawanda, Niagara County, New York, HUGH H. McNABB and MAYBELLE A. McNABB, his wife, both of the Village of Kenmore, Erie County, New York, and SEYMOUR F. CLOUGH and ELSA F. CLOUGH, his wife, both of the City of Syracuse, Onondaga County, New York,

parties of the first part, and

CHEEKTOWAGA CRUSHED STONE CORPORATION, a corporation organized under and existing by virtue of the Laws of the State of New York and having its principal office and place of business in the Town of Cheektowaga, County of Erie and State of New York,

party of the second part,

Witnesseth, *that the part ies of the first part, in consideration of* One and more *Dollars* ($ 1.00 & more) *lawful money of the United States, paid by the party of the second part, do hereby grant and release unto the party of the second part,* its successors and *and assigns forever, all* THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the dividing line between lands of The Lehigh Valley Rail Way Company and lands now or formerly of Nathaniel Illingworth and/or Robert Watt, said point being distant Three Hundred Forty-one and Nineteen hundredths (341.19) feet on a course South four (4) degrees thirty-three (33) minutes west, measured along said dividing line, extended, from its intersection with the center line between the main tracks of The Lehigh Valley Rail Way, said point of intersection being five thousand six hundred forty-eight (5,648) feet more or less westerly, measured along said center line, from its intersection with the center line of the bridge carrying said railway over the tracks of The New York Central Railroad; thence (1) South four (4) degrees thirty-three (33) minutes west, along said dividing line, a distance of two thousand three hundred twenty-five and twenty-four hundredths (2,325.24) feet to a point; thence (2) south seventy-eight (78) degrees nine (9) minutes west a distance of seventeen and sixteen hundredths (17.16) feet to a point; thence (3) south two (2) degrees thirty-three (33) minutes thirty (30) seconds east a distance of twenty-five and eight hundredths (25.08) feet to a point in the center line of William Street; thence (4) south seventy-eight degrees (78) nine (9) minutes west along said center line of William Street a distance of seven hundred ninety-five and twenty-four hundredths (795.24) feet to a point; thence along the dividing line between lands of The Lehigh Valley Rail Way Company and lands now or formerly of Jacob Mickens, the two following courses and distances: (5) north four (4) degrees thirty-three (33) minutes east, a distance of one thousand eight hundred seventy and twenty-four hundredths (1,870.24) feet to a point; (6) northwesterly on a curve to the left, having a radius of four hundred ninety-four and thirty-eight hundredths (494.38) feet, a distance of four hundred eight and six hundredths (408.06) feet (chord bearing and distance being north nineteen (19)

degrees five (5) minutes forty-five (45) seconds west, three hundred ninety-six and fifty-seven hundredth (396.57) feet) to a point distant three hundred twenty (320) feet southerly, measured at right angles, from the aforesaid center line between the tracks of The Lehigh Valley Rail Way Company; thence (7) north seventy-four degrees fifteen minutes east through the lands of The Lehigh Valley Rail Way Company, parallel to and three hundred twenty (320) feet southerly, measured at right angles, from the aforesaid center line, a distance of nine hundred ninety-seven and twenty-three hundredths (997.23) feet to the point or place of beginning. CONTAINING forty-one and eight hundred eighty-one thousandths (41.881) acres of land, more or less, and shown outlined in green on the map attached and made a part hereof, entitled: "Lehigh Valley Railroad Buffalo Div. Main Line Prop. Sale of Land to Mark Kyler, Hugh M. McNabb & Seymour F. Clough. Town of Cheektowaga Office of Div. Eng's. Buffalo, N. Y. Scale 1"-400' April 30th, 1928, F-3-38".

Being part of the same premises conveyed to the Lehigh Valley Railway Company by William McCabe and Ruth McCabe, his wife, by deed dated January 31st, 1885, and recorded June 4th, 1885, in the Office of the Clerk of the County of Erie in Book 485, page 576; The Lehigh Valley Rail Way Company being by merger and consolidation the successor to the Lehigh Valley Railway Company.

UNDER AND SUBJECT to the rights of the public, if any, in and to all that part of the land hereinabove described, lying within the limits of William Street.

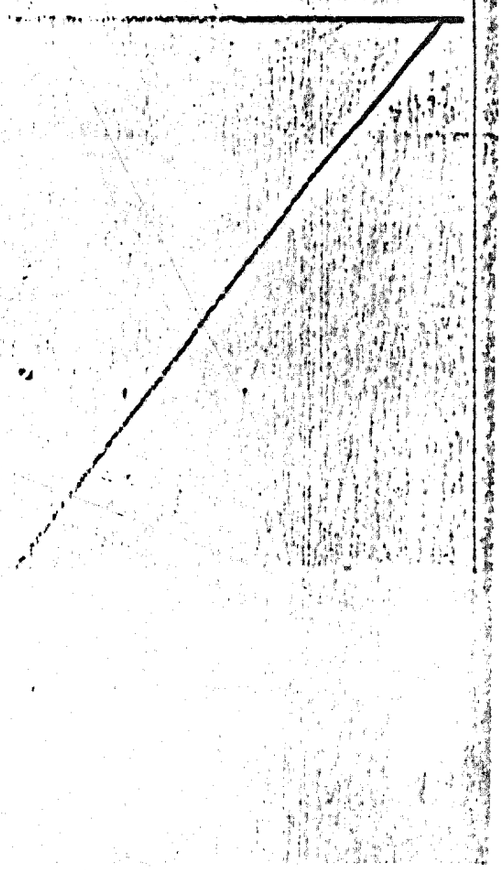
EXCEPTING AND RESERVING unto the parties of the first part from the premises hereinabove described all railroad tracks and track materials now located thereon, together with the right of the said parties of the first part to remove the same.

EXCEPTING AND RESERVING ALSO unto the said parties of the first part, their successors and assigns, the eight-inch cast iron pipe crossing the premises hereinabove described, the fire hydrant and six-inch pipe leading thereto, and the meter box, all as shown in yellow on the map attached hereinbefore referred to; together with the right, liberty and privilege forever to maintain the said eight-inch pipe, fire hydrant and six-inch pipe leading thereto, and meter box in their present locations; provided, however, that in case the said eight inch pipe, fire hydrant and six-inch pipe leading thereto, and meter box, or any of them, interfere with the use of the land by the party of the second part, the said party of the second part may relocate the same or any of them at its own sole cost and expense, in a manner satisfactory to and under the supervision of the parties of the first part.

It being hereby intended to sell and convey all of the lands and premises described in a certain deed from the Lehigh Valley Railway Company and Lehigh Valley Railroad Company to Mark Kyler, Hugh M. McNabb and Seymour F. Clough which deed bears date June 5th, 1928, and which saiddeed was recorded in the Office of the Clerk of the County of Erie, New York, on July 2nd, 1928, at 2:40 o'clock P. M. in Liber 2016 of Deeds at Page 145.

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 2, Township 11, Range 7 of the Holland Land Company's Survey, bounded as follows:

BEGINNING at the southeast corner of land deeded by Johnathan Scutt and wife to Nathaniel Illingworth by deed dated February 23, 1852, recorded in Erie County Clerk's Office in Liber 122 of Deeds, page 639; thence southerly and nearly if not quite parallel with the easterly boundary line of said lot No. 2 twenty-five (25) chains, fifty-seven (57) links to the center of Bennett Road; thence westerly along the center of said road three (3) chains; thence northerly and parallel with said easterly boundary line of lot No. 2 twenty-five (25) chains, fifty-seven (57) links to lands formerly conveyed as aforesaid to said Nathaniel Illingworth; thence easterly and along the southern boundary line of said land so conveyed to Nathaniel Illingworth three (3) chains to the point or place of beginning, containing seven (7) acres and two (2) rods, be the same more or less.



Item No. 34 Cont'd.

Upon Roll Call....

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

AFFIDAVIT-NEXT PAGE



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

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 June 4, 1981; last publication June 4, 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 5th day of June, 1981

Nadine C. Williams

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

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

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 June, 1981 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilmen:
Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, the Buffalo Slag Co., Inc., a subsidiary of Koppers Company, Inc., has applied for a rezoning from R-Residential to RC- Restricted Business District for the property owned by it and located at 500 Como Park Blvd., Cheektowaga, New York; which property is more particularly described in the attached copy of the face of the deed thereto, and

WHEREAS, a public hearing was held before this Town Board on the 1st day of June, 1981 at 6:30 o'clock P.M. after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has presented no objection thereto, and

WHEREAS, the Environmental Advisory Council of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga", has duly considered the said application and has rendered a determination that the requested rezoning will not have a significant impact upon the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of The Buffalo Slag Co., Inc. for the rezoning of 500 Como Park Blvd., Cheektowaga, New York from R-Residential District to RC-Restricted Business District be and the same is hereby granted, and

BE IT FURTHER RESOLVED that the Zoning Map and Zoning Ordinance be amended in accordance with the above.

Upon roll call...

Supervisor		
Meyers	Voting	AYE
Councilmen:		
Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	AYE

AYES: 6
NAYES: 0
ABSENT: 0

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the dividing line between lands of The Lehigh Valley Rail Way Company and lands now or formerly of Nathaniel Illingworth and/or Robert Watt, said point being distant Three Hundred Forty-one and Nineteen Hundredths (341.19) feet on a course South four (4) degrees thirty-three (33) minutes west, measured along said dividing line, extended, from its intersection with the center line between the main tracks of The Lehigh Valley Rail Way, said point of intersection being five thousand six hundred forty-eight (5,648) feet more or less westerly, measured along said center line, from its intersection with the center line of the bridge carrying said railway over the tracks of The New York Central Railroad; thence (1) South four (4) degrees thirty-three (33) minutes west, along said dividing line, a distance of two thousand three hundred twenty-five and twenty-four hundredths (2,325.24) feet to a point; thence (2) south seventy-eight (78) degrees nine (9) minutes west a distance of seventeen and sixteen hundredths (17.16) feet to a point; thence (3) south two (2) degrees thirty-three (33) minutes thirty (30) seconds east a distance of twenty-five and eight hundredths (25.08) feet to a point in the center line of William Street; thence (4) south seventy-eight degrees (78) nine (9) minutes west along said center line of William Street distance of seven hundred ninety-five and twenty-four hundredths (795.24) feet to a point; thence along the dividing line between lands of The Lehigh Valley Rail Way Company and lands now or formerly of Jacob Hiemenz, the two following courses and distances: (5) north four (4) degrees thirty-three (33) minutes east, a distance of one thousand eight hundred seventy and twenty-four hundredths (1,870.24) feet to a point; (6) northwesterly on a curve to the left, having a radius of four hundred ninety-four and thirty-eight hundredths (494.38) feet, a distance of four hundred eight and six hundredths (408.06) feet (chord bearing and distance being north nineteen (19) degrees five (5) minutes forty-five (45) seconds west, three hundred ninety-six and fifty-seven hundredth (396.57) feet) to a point distant three hundred twenty (320) feet southerly, measured at right angles, from the aforesaid center line between the tracks of The Lehigh Valley Rail Way Company; thence (7) north seventy-four degrees fifteen minutes east through the lands of The Lehigh Valley Rail Way Company, parallel to and three hundred twenty (320) feet southerly, measured at right angles, from the aforesaid center line, a distance of nine hundred ninety-seven and twenty-three hundredths (997.23) feet to the point or place of beginning, CONTAINING forty-one and eight hundred eighty-one thousandths (41.881) acres of land, more or less, and shown outlined in green on the map attached and made a part hereof, entitled: "Lehigh Valley Railroad Buffalo Div. Main Line Prop. Sale of Land to Mark Kyler, Hugh M. McNabb & Seymour F. Clough. Town of Cheektowaga Office of Div. Eng's Buffalo, N.Y. Scale 1" 400'

to all that part of the land hereinabove described, lying within the limits of William Street.

EXCEPTING AND RESERVING unto the parties of the first part from the premises hereinabove described all railroad tracks and track materials now located thereon, together with the right of the said parties of the first part to remove the same.

EXCEPTING AND RESERVING ALSO unto the said parties of the first part, their successors and assigns, the eight-inch cast iron pipe crossing the premises hereinabove described, the fire hydrant and six-inch pipe leading thereto, and the meter box, all as shown in yellow on the map attached hereinbefore referred to; together with the right, liberty and privilege forever to maintain the said eight-inch pipe, fire hydrant and six-inch pipe leading thereto, and meter box in their present locations; provided, however, that in case the said eight inch pipe, fire hydrant and six-inch pipe leading thereto, and meter box, or any of them, interfere with the use of the land by the party of the second part, the said party of the second part may relocate the same or any of them at its own sole cost and expense, in a manner satisfactory to and under the supervision of the parties of the first part.

It being hereby intended to sell and convey all of the lands and premises described in a certain deed from the Lehigh Valley Railway Company and Lehigh Valley Railroad Company to Mark Kyler, Hugh M. McNabb and Seymour F. Clough which deed bears date June 5th, 1928, and which said deed was recorded in the Office of the Clerk of the County of Erie, New York, on July 2nd, 1928, at 2:40 o'clock P.M. in Liber 2016 of Deeds at Page 145.

ALL, THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 2, Township 11, Range 7 of the Holland Land Company's Survey, bounded as follows:

BEGINNING at the southeast corner of land deeded by Johnathan Scutt and wife to Nathaniel Illingworth by deed dated February 23, 1852, recorded in Erie County Clerk's office in Liber 122 of Deeds, page 639; thence southerly and nearly if not quite parallel with the easterly boundary line of said lot No. 2 twenty-five (25) chains, fifty-seven (57) links to the center of Bennett Road; thence westerly along the center of said road three (3) chains; thence northerly and parallel with said easterly boundary line of lot No. 2 twenty-five (25) chains, fifty-seven (57) links to lands formerly conveyed as aforesaid to said Nathaniel Illingworth; thence easterly and along the southern boundary line of said land so conveyed to Nathaniel Illingworth three (3) chains to the point or place of beginning.

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 1, 1981, 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. 34, 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

Item No. 35 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

* * * *

BIDS

* * * *

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MEETING NO. 14

CHEEKTOWAGA, NEW YORK
June 15, 1981

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 April, 1981 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
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Pat Wojcik, Recreation Supervisor - Senior Citizens; Ron Marten, Building and Plumbing Inspector; Alfred Wnek, Highway Superintendent; Dr. Louis Vendetti, Town Health Officer; T. DeFedericis, Chief of Police; Steve Marczynski, Engineering Assistant; Mike Miecznikowski, Recreation Supervisor; Sal LaGreca, Assistant Manpower Program Director I; George Burst, Working Foreman in the Central Garage; Ron Zoeller, Working Foreman in the Sanitation Department.

I. BIDS

Item No. 2 Construction of Windwood Ct. Recreation Corridor in Cedargrove Heights, Phase I
Referred to Stuart Alexander & Assoc.

Item No. 3 Reconstruction of portion of Rossler Avenue between Griswold and Dingens Street
Referred to Chester Bryan, Town Engineer

II. PUBLIC HEARINGS

Item No. 4 Unsafe Buildings & Collapsed Structures Ordinance with respect to 4100 Union Road
This hearing was called for by Ron Marten, Building and Plumbing Inspector. Ron Marten spoke regarding above address indicating it was taken care of. This item was then withdrawn.

Item No. 5 This being the time and place advertised for a public hearing to consider the advisability of adopting and enacting an "AMUSEMENT ARCADE ORDINANCE", which ordinance provides for the licensing and regulation of amusement arcades with the Town of Cheektowaga, 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 ordinance being as follows:

* See next five (5) pages for copy of proposed "AMUSEMENT ARCADE ORDINANCE"

AMUSEMENT ARCADE ORDINANCE

The Town of Cheektowaga hereby adopts an AMUSEMENT ARCADE ORDINANCE of the Town of Cheektowaga, which ordinance shall apply to and effect only such part of the Town of Cheektowaga as is outside the Villages of Sloan and Depew.

1. DEFINITIONS.

As used in this ordinance, the following terms shall have the meanings indicated:

(a) "Amusement arcade" means a building or place which provides entertainment by means of amusement devices and which contains more than five (5) such devices.

(b) "Amusement Device" means any mechanical or electronic device or contrivance which, by means of the insertion of a coin, token, slug, disk or other article into a slot, crevice, opening or attachment connected with or forming a part of any such devices or contrivances, effects the operation thereof for use as a game, contest or amusement by one or more persons, singularly or collectively, or which may be so used. The term "amusement device" includes but is not necessarily limited to pinball machines, bagatelle, pool tables, foosball tables, electronic games, and similar devices. The term "amusement device" does not include jukeboxes.

(c) "Person" includes individuals, natural persons, partnerships, joint ventures, societies, associations, clubs, corporations or unincorporated groups or any members, officers, directors or stockholders or any kind of personal representative thereof, in

any capacity, acting for himself or for any other person, under either personal appointment or pursuant to law.

(d) "Premises" shall mean any public or quasi-public place or building where the public may enter.

2. PERMIT REQUIRED.

No person shall operate, conduct or maintain an Amusement Arcade, as defined herein, on any premises in the town without having obtained and having in force and effect a license therefor.

3. APPLICATION FOR LICENSE.

(a) Any person desiring to operate, conduct or maintain an amusement arcade shall file an application with the Town Clerk.

(b) The application shall contain, at a minimum, the following information:

(1) Name and address of the applicant.

(2) If the applicant is not the owner of the premises, the name and address of the owner of the premises.

(3) The number and type of devices and proposed location.

(4) Serial number of seal attached to device or other identifying information.

(5) A description of the saize and location of said premises.

4. FEES.

Upon the approval of the Town Clerk, a license shall be issued for an amusement arcade license upon payment of a fee of Five hundred dollars ($500.00) per annum.

5. RESTRICTIONS ON ISSUANCE OF LICENSE.

(a) No license shall be granted for any premises to be used as an amusement arcade if such premises is located within five hundred

(500) feet of the lot line of a public or private school or any R District Boundary.

(b) No License shall be issued to any person who has been convicted of a crime or of any gambling offense against the laws of New York State or ordinances of the Town of Cheektowaga, and in the event of any such conviction subsequent to the issuance of said license, said license shall be immediately revoked.

6. ISSUANCE OF LICENSE: EXPIRATION AND RENEWAL.

(a) Upon proper application and submission of the appropriate fees, the Clerk shall issue a license.

(b) Licenses issued under the provisions of this chapter shall expire on June 30 of each year and will be renewed by the Town Clerk upon receipt of a renewal fee in the same amount as the original application. The license fee for any license obtained during the calendar year shall be pro-rated on a monthly basis and the fee reduced accordingly.

7. USE AND OPERATION RESTRICTIONS.

(a) No minor under thirteen (13) years of age shall be allowed in an amusement arcade unless such minor is accompanied by his or her parent or guardian, or other responsible adult.

(b) No cash awards shall be made in any contest, tournament, league or individual play on any amusement device maintained or operated in any premises and no device shall be permitted to operate if said device delivers to the player coins or slugs or metal tokens on certain scores, if such delivery of coins, slugs

metal tokens is or is held to be contrary to the laws of the State of New York or any other law or ordinance or if said device may be readily converted to deliver to the player such coins, slugs, or metal tokens if such delivery of coins, slugs or metal tokens is or is held to be contrary to the laws of the State of New York or any other law or ordinance.

(c) An amusement arcade shall not be permitted more than twenty-five (25) machines or devices as mentioned, except for those amusement arcades having a greater number of such devices prior to the effective date of this ordinance.

(d) An amusement arcade shall not open prior to 10:00 a.m. and shall close by 10:00 p.m. each day of the week.

(e) Compliance with ordinances required. Every person, firm or corporation which or who maintains, operates or conducts an amusement arcade shall comply with all applicable ordinances of the Town of Cheektowaga.

8. SUPERVISION.

An amusement arcade, whenever operated or used, shall be supervised by a person eighteen (18) years of age or older. Such person shall enforce the age requirements contained in this section and ensure that the premises are used or operated in an orderly manner.

9. SUSPENSION OR REVOCATION OF LICENSE.

Any license issued under the provisions of this chapter may be suspended or revoked by the Town Board if the applicant has violated the provisions of this chapter or made a false statement on the application

for license, or if the use and operation of the device constitutes a breach of the peace or a menace to the health, safety or general welfare of the public.

10. DENIAL

Upon disapproval of any application hereunder by the Town Clerk, the applicant shall be afforded a hearing by the Town Board, if requested, within ten (10) days of notification of the denial of the application. The applicant shall be afforded the opportunity to present evidence and witnesses on his behalf. Said hearing shall be conducted by the Town Board or a committee thereof.

11. PENALTIES FOR OFFENSES.

Any person committing an offense against any provision of this ordinance shall be guilty of a violation punishable by a fine of at least Ten dollars ($10.00), but not exceeding Two hundred fifty dollars ($250.00) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this ordinance shall constitute, for each day the offense is continued a separate and distinct offense hereunder.

The provisions of this ordinance shall be administered and enforced by the Town of Cheektowaga Police Department.

12. SEVERABILITY.

Should any section or provision of this ordinance be held to be unconstitutional or invalid by any court, the same shall be severed from this chapter and its invalidity shall not affect any other section or provision of this ordinance, which shall remain in full force and effect.

Item No. 5 cont'd

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. 6 Motion by Councilman Wegner, seconded by Councilman Johnson

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

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Section 264 of the Town Law of the State of New York, a public hearing be held on the 6th day of July, 1981 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of said Hearing.

* *

NOTICE OF HEARING

ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 15th day of June, 1981, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 6th day of July, 1981 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. RESOLVED THAT ARTICLE III - BUSINESS DISTRICT REGULATIONS, Section 3-10, A.9. which pertains to the Interpretation of Permitted Uses shall be amended by the inclusion therein, after the words "Amusement enterprises", the words "and amusement arcades" so that said subsection shall read as follows:

> 9. Amusement enterprises and amusement arcades, provided that are conducted within a completely enclosed building.

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

DATED: June 15, 1981

RICHARD M. MOLESKI
Town Clerk

* *

Item No. 6 cont'd

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deakter, 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 18, 1981; last publication June 18, 1981; and that no more than six days intervened between publications.

Gladys M. Deakter

Sworn to before me this 19th

day of June, 19 81.

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, 1983

No. 15

No. 16

No. 17

NOTICE OF HEARING ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 15th day of June, 1981, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 6th day of July, 1981 at 7:00 o'clock P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. RESOLVED THAT ARTICLE III - BUSINESS DISTRICT REGULATIONS, Section 3-10. A. 9. which pertains to the Interpretation of Permitted Uses shall be amended by the inclusion therein, after the words "Amusement enterprises", the words "and amusement arcades" so that said subsection shall read as follows:

9. Amusement enterprises and amusement arcades, provided that are conducted within a completely enclosed building.

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 15, 1982
PUBLISHED: June 18, 1981

Item No. 7 Motion by Councilman Johnson, 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 6th day of July, 1981 at 7:00 P.M. 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 18th day of June, 1981; said 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 6th day of July, 1981 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 103 is amended by adding thereto the following:

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

B. Standing prohibited in designated areas:

DONLEN DRIVE	East side	from the south terminus to the north terminus
IDLEBROOK DRIVE	East side	from the south terminus to the north terminus
WINDCREST COURT	East side	from the south terminus to the north terminus
SHIRLEY DRIVE	East side	from the south terminus to the north terminus
PRIMROSE DRIVE	East side	from the south terminus to the north terminus
SIMSBURY DRIVE	East side	from the south terminus to the north terminus

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

DATED: June 15, 1981

RICHARD M. MOLESKI, Town Clerk

* *

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deshler, 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 18, 1981; last publication June 18, 1981; and that no more than six days intervened between publications.

Gladys M. Deshler

Sworn to before me this 19th day of June, 1981

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, 1983

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 6th day of July, 1981 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 103 is amended by adding thereto the following:

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

B. Standing prohibited in designated areas:

DONLEN DRIVE, East side, from the south terminus to the north terminus

IDLEBROOK DRIVE, East side, from the south terminus to the north terminus

WINDCREST COURT, East side, from the south terminus to the north terminus

SHIRLEY DRIVE, East side, from the south terminus to the north terminus

PRIMROSE DRIVE, East side, from the south terminus to the north terminus

SIMSBURY DRIVE, East side, from the south terminus to the north terminus

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 15, 1981
PUBLISHED: June 18, 1981

Item No. 8 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 6th day of July, 1981 at 7:00 P.M. 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 18th day of June, 1981; said 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 6th day of July, 1981 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:

A. No parking this side or one-side parking:

NORINE DRIVE	North and west sides:	from the west curbline of Beach Road to terminus

D. No standing here to corner

GEORGE URBAN BOULEVARD	south side	from the west curbline of HARLEM ROAD to a point 120 feet westerly thereof
GEORGE URBAN BOULEVARD	north side	from the west curbline of HARLEM ROAD to a point 85 feet westerly thereof.

Section 103 is amended by deleting therefrom the following:

Parking time linited in designated locations; standing prohibitions.

The parking of vehicles is hereby prohibited in any of the following locations as specified.

A. Parking signs: restricted and time limit.

(1) No parking school days 8:00 a.m. to 4:00 p.m.

ROSSLER AVENUE	west side	from No. 12 northerly to No. 26 Rossler Avenue
ROSSLER AVENUE	west side	north the north curbline of DINGENS STREET to a point 440 feet northerly thereof.

(2) No standing 7:30 a.m. to 3:30 p.m. school days.

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 or one-side parking:

Item No. 8 cont'd

NORINE DRIVE	north side	from the west curbline of BEACH ROAD to the west property line of 38 NORINE DRIVE'
NORINE DRIVE	west side	from the north property line of 68 NORINE DRIVE to the southerly terminus (excluding the cul-de-sac)

C. No parking here to corner

BRENTWOOD DRIVE	west side	from the north curbline of DARTWOOD DRIVE to a point 50 feet northerly thereof
BRENTWOOD DRIVE	west side	from the south curbline of DARTWOOD DRIVE to a point 50 feet southerly thereof

D. No standing here to corner

ROSSLER AVENUE	west side	from the north curbline of DINGENS STREET to a point 125 feet northerly thereof

F. Miscellaneous parking signs

(15) No stopping

GEORGE URBAN BOULEVARD	south side	from the west curbline of HARLEM ROAD to a point 220 feet westerly thereof
GEORGE URBAN BOULEVARD	north side	from the west curbline of HARLEM ROAD to a point 150 feet westerly thereof

Section 103 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations as specified.

A. Parking signs: restricted and time limit.

ROSSLER AVENUE	west side	from a point 125 feet north of DINGENS STREET to a point 315 feet northerly thereof.

(2) No standing 7:30 a.m. to 3:30 p.m. school days

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, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deakter, 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 18, 1981; last publication June 18, 1981; and that no more than six days intervened between publications.

Gladys M. Deakter

Sworn to before me this 19th day of June, 1981

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, 1983

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 6th day of July, 1981 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:

A. No parking this side or one-side parking:

NORINE DRIVE - north and west sides: from the west curbline of Beach Road to terminus.

D. No standing here to corner

GEORGE URBAN BOULEVARD, south side, from the west curbline of HARLEM ROAD to a point 120 feet westerly thereof.

GEORGE URBAN BOULEVARD, north side, from the west curbline of HARLEM ROAD to a point 85 feet westerly thereof.

Section 103 is amended by deleting therefrom the following:

Parking time limited in designated locations; standing prohibitions.

The parking of vehicles is hereby prohibited in any of the following locations as specified.

A. Parking signs; restricted and time limit.

(1) No parking school days 8:00 a.m. to 4:00 p.m.

ROSSLER AVENUE, west side, from No. 12 northerly to No. 26 Rossler Avenue.

ROSSLER AVENUE, west side, from the north curbline of Dingens Street to a point 440 feet northerly thereof.

(2) No standing 7:30 a.m. to 3:30 p.m. school days.

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 or one-side parking:

NORINE DRIVE, north side, from the west curbline of Beach Road to the west property line of 38 NORINE DRIVE.

NORINE DRIVE, west side, from the north property line of 68 NORINE DRIVE to the southerly terminus (excluding the cul-de-sac).

C. No parking here to corner

BRENTWOOD DRIVE, west side, from the north curbline of DARTWOOD DRIVE to a point 50 feet northerly thereof.

BRENTWOOD DRIVE, west side, from the south curbline of DARTWOOD DRIVE to a point 50 feet southerly thereof.

D. No standing here to corner

ROSSLER AVENUE, west side, from the north curbline of DINGENS STREET to a point 125 feet northerly thereof.

F. Miscellaneous parking signs

(15) No stopping

GEORGE URBAN BOULEVARD, south side, from the west curbline of HARLEM ROAD to a point 220 feet westerly thereof.

GEORGE URBAN BOULEVARD, north side, from the west curbline of HARLEM ROAD to a point 150 feet westerly thereof.

Section 103 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations as specified.

A. Parking signs: restricted and time limit.

ROSSLER AVENUE, west side, from a point 125 feet north of DINGENS STREET to a point 315 feet northerly thereof.

(2) No standing 7:30 a.m. to 3:30 p.m. school days.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: June 18, 1981

Item No. 9 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that in accordance with the provisions of Section 1660 of the Vehicle and Traffic Law and Section 130 of the Town Law of the State of New York, a public hearing be held on the 6th day of July, 1981 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the TRAFFIC ORDINANCE of the Town of Cheektowaga, New York shall be amended and changed as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of said hearing.

* *

NOTICE OF HEARING

ON PROPOSAL TO AMEND TRAFFIC ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 15th day of June, 1981, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 6th day of July, 1981 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Traffic Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. RESOLVED that Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Truck Exclusions," be amended by deletion of Section 130 providing as follows:

> Section 130. All trucks excluded. All trucks are hereby excluded from the following designated highways within the Town of Cheektowaga, County of Erie, State of New York:
>
> 1. Chapel Avenue
> 2. Eggert Road between Sugar Road and Delavan Avenue

2. RESOLVED that sections presently numbered "Section 131. Trucks over 5 tons excluded." and "Section 132. delivery and pickup of merchandise." be renumbered Section 130 and 131 respectively.

3. RESOLVED that the presently numbered Section 131, which is to be renumbered Section 130, be amended by adding thereto Chapel Avenue and Eggert Road.

4. RESOLVED that subdivison B of Section 150, which excludes trucks in excess of five tons from Eggert Road between Sugar Road and Delavan Avenue be reinstated to said section.

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 15, 1981

* *

Item No. 9 cont'd

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

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 June 18, 1981; last publication June 18, 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 19th day of June, 19 81

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 83

NOTICE OF HEARING ON PROPOSAL TO AMEND TRAFFIC ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 15th day of June, 1981, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 6th day of July, 1981 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Traffic Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. RESOLVED that Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Truck Exclusions," be amended by deletion of Section 130 providing as follows:

Section 130. All trucks excluded. All trucks are hereby excluded from the following designated highways within the Town of Cheektowaga, County of Erie, State of New York:

1. Chapel Avenue
2. Eggert Road between Sugar Road and Delavan Avenue

2. RESOLVED that the sections presently numbered "Section 131. Trucks over 5 tons excluded." and "Section 132. Delivery and pickup of merchandise." be renumbered Section 130 and Section 131 respectively.

3. RESOLVED that the presently numbered Section 131, which is to be renumbered Section 130, be amended by adding thereto Chapel Avenue and Eggert Road.

4. RESOLVED that subdivision B of Section 150, which excludes trucks in excess of five tons from Eggert Road between Sugar Road and Delavan Avenue be reinstated to said section.

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 15, 1981
PUBLISHED: June 18, 1981

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

WHEREAS, the Empire Sign Company has requested permission to erect a 6 ft. X 10 ft. identification sign at the Northwest corner of Union Road and Genesee Street. Said sign to be a maximum of 20 ft. in height, be located a minimum of 30 feet from all property lines and identify the premises as the "Airport Plaza", and

WHEREAS, the Town of Cheektowaga Zoning Ordinance requires Town Board approval of this type of identification sign, NOW, THEREFORE, BE IT

RESOLVED that the Empire Sign Company be and is hereby granted permission to erect the following sign:

One 6 ft. X 10 ft. identification sign located at the Northwest corner of Union Road and Genesee Street, said sign to be a maximum of 20 feet in height and a minimum of 30 feet from all property lines.

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

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town has purchased a slope cutting mower to fulfill its agreement with the New York State Department of Environmental Conservation for the maintenance of all right of ways under the Federally constructed Scajaquada Creek Flood Control Project, and

WHEREAS, the Town's Highway Department is in need of a trailer to transport the said slope mower to work locations throughout the Town, NOW, THEREFORE, BE IT

RESOLVED that the Highway Superintendent be and hereby is directed to purchase one (1) trailer for usage with the slope mower at a cost not to exceed $1,800.00, and BE IT FURTHER

RESOLVED that the costs for the above trailer shall be charged to the Federal Revenue Sharing Account.

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

Item No. 12 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, this Town Board approved a resolution dated March 2, 1981 to authorize David Thielman, P.E., Consulting Engineer, to draw up plans and specifications for the installation of a traffic control signal at Dick Road and North Creek Drive, and

WHEREAS, the drawings and specifications are now complete and conform to the requirements requested by the Erie County Highway Department, Traffic Engineer, as a condition of permit issuance, said permit should be received prior to bid opening, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be authorized on behalf of the Board to sign said permit when received, and BE IT FURTHER

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of material and labor for the signalization of Dick Road and North Creek Drive, notice to be published June 18, 1981 in the CHEEKTOWAGA TIMES, and BE IT FURTHER

Item No. 12 cont'd

RESOLVED that the Town Board meet on the 6th day of July, 1981 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.

* *

ADVERTISEMENT FOR BIDS

TOWN OF CHEEKTOWAGA

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, 14227 until 7:00 P..M, local time, on Monday, July 6, 1981 at which time and place they will be publicly opened and read aloud for the following work: Dick Road and North Creek Signalization. The work to be accomplished under this proposal consists of the construction of actuated traffic signals and appurtenances for the intersection of Dick Road and North Creek Drive.

Copies of the contract plans and documents may be examined at the office of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the contract plans and documents may be secured at the office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such contract plans and documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and any one returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($12.50) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cehektowaga, negotiable U.S. Government bonds (at par value), or a satisfactory bid bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid shall be submitted with each bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the dontract documents must be paid on this project, and that the contract must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the contract.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga, New York

DATED: June 15, 1981

* *

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deakte, 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 18, 1981; last publication June 18, 1981; and that no more than six days intervened between publications.

Gladys M. Deakte

Sworn to before me this 19th

day of June, 1981

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, 1983

ADVERTISEMENT FOR BIDS
TOWN OF CHEEKTOWAGA

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, 14227 until 7:00 P.M. local time, on Monday, July 6, 1981 at which time and place they will be publicly opened and read aloud for the following work: Dick Road and North Creek Drive Signalization. The work to be accomplished under this proposal consists of the construction of actuated traffic signals and appurtenances for the intersection of Dick Road and North Creek Drive.

Copies of contract plans and documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the contract plans and documents may be secured at the office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such contract plans and documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($12.50) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government bonds (at par value), or a satisfactory bid bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5 percent) of the total bid shall be submitted with each bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the contract documents must be paid on this project, and that the contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the contract.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga, New York
DATED: June 15, 1981
PUBLISHED: June 18, 1981

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

WHEREAS, this Town Board, in a resolution dated July 7, 1980 authorized Jerome V. Biedny, Architect, to prepare plans and specifications for alterations to the Police and Court Building, and

WHEREAS, said plans and specifications are now complete, and

WHEREAS, monies for this project have been funded under a recently enacted bond issue, and

WHEREAS, this Town Board now desire to proceed with the project, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the construction work of alterations to the Police and Court Building, Town of Cheektowaga. Said Notice to Bidders will include general construction, mechanical and electric. Information for bidders and specifications may be obtained from the Office of the Town Clerk upon deposit of $50.00, said notice to be published in the CHEEKTOWAGA TIMES, BUFFALO EVENING NEWS and COURIER EXPRESS, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., Eastern Standard Time, on July 20, 1981, for the purpose of properly opening and reading the sealed bids.

* *

NOTICE TO BIDDERS

Notice is hereby given that pursuant to a resolution of the Town Board of the Town of Cheektowaga, in Erie County, New York, sealed proposals shall be received and considered by said Town Board on the 20th day of July, 1981 at 7:00 P.M., Daylight Savings Time, at a meeting of the Board in the Council Chambers of the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, together with labor for the General Construction work, Heating-Ventilating and Air Conditioning, Plumbing and Electrical Work for Alterations to the Police and Court Building, Union Road, Cheektowaga, New York, in accordance with working drawings and specifications prepared by Jerome V. Biedny, Architect-Consultant, 53 Tamark Court, Cheektowaga, New York 14227, telephone number 1-716-892-9904. One (1) copy of each of said working drawings and specifications may be obtained upon deposit of $50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the award of the contract, or the rejection of the bid of such bidder will be refunded $50.00. Deposit will be forfeited by non-bidders, but documents must be returned to architect's office.

Each proposal must be accompanied by a certified check in the sum of ten per centum (10%) of the amount of the bid payable to the order of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town of Cheektowaga, in the sum of ten per centum (10%) of the bid, conditioned that it is the bid accepted, the bidder 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.

Attention of the bidders is particularly called to the requirements as to the conditions of employment to be observed, and the minimum wage rates to be paid under the contract.

No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof.

The Town Board reserves the right to waive any informalities in, or to reject any or all bids, if in its judgement it shall deem it to be in the best interests of the Town of Cheektowaga to do so and as permitted by law.

In order to be considered, all bids must be filed with the undersigned Town Clerk to the time of opening thereof.

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

DATED: June 18, 1981

RICHARD M. MOLESKI, Town Clerk

Item No. 13 cont'd

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Sedota, 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 18, 1981; last publication June 18, 1981; and that no more than six days intervened between publications.

Gladys M. Sedota

Sworn to before me this 19th

day of June, 19 81

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, 1983

NOTICE TO BIDDERS

Notice is hereby given that pursuant to a resolution of the Town Board of the Town of Cheektowaga, in Erie County, New York, sealed proposals shall be received and considered by said Town Board on the 20th day of July, 1981 at 7:00 P.M., Daylight Savings Time, at a meeting of the Board in the Council Chambers of the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, together with labor for the General Construction work, Heating-Ventilating and Air Conditioning, Plumbing and Electrical work for Alterations to the Police and Court Building, Union Road, Cheektowaga, New York, in accordance with working drawings and specifications prepared by Jerome V. Biedny, Architect-Consultant, 53 Tamark Court, Cheektowaga, New York 14227, telephone number 1-716-892-9904. One (1) copy of each of said working drawings and specifications may be obtained upon deposit of $50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the award of the contract, or the rejection of the bid of such bidder will be refunded $50.00. Deposit will be forfeited by non-bidders, but documents must be returned to architect's office.

Each proposal must be accompanied by a certified check in the sum of ten percentum (10 percentum) of the amount of the bid payable to the order of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town of Cheektowaga, in the sum of ten percentum (10 percentum) of the bid, conditioned that it is the bid accepted, the bidder 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.

Attention of the bidders is particularly called to the requirements as to the conditions of employment to be observed, and the minimum wage rates to be paid under the contract.

No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof.

The Town Board reserves the right to waive any informalities in, or to reject any or all bids, if in its judgement it shall deem it to be in the best interests of the Town of Cheektowaga so to do and as permitted by law.

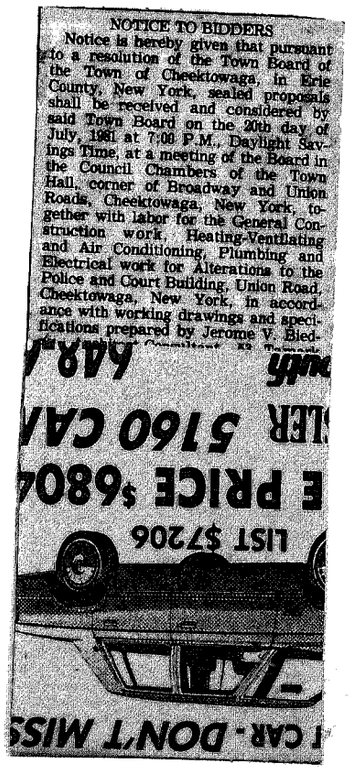
In order to be considered, all bids must be filed with the undersigned Town Clerk to the time of opening thereof.

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

RICHARD M. MOLESKI
Town Clerk

DATED & PUBLISHED: June 18, 1981

State of New York
ERIE COUNTY
CITY OF BUFFALO } ss.



NOTICE TO BIDDERS

Notice is hereby given that pursuant to a resolution of the Town Board of the Town of Cheektowaga, in Erie County, New York, sealed proposals shall be received and considered by said Town Board on the 20th day of July, 1981 at 7:00 P.M., Daylight Savings Time, at a meeting of the Board in the Council Chambers of the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, together with labor for the General Construction work, Heating-Ventilating and Air Conditioning, Plumbing and Electrical work for Alterations to the Police and Court Building, Union Road, Cheektowaga, New York, in accordance with working drawings and specifications prepared by Jerome V. Bied-

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 ~~XXXXXXXXX~~ ~~XXXXXXXXX~~ ~~weeks~~, the first insertion being on the 18th day of June 19 81 and ~~the last~~ ~~insertion being on the XXXXXX day of XXXXXX 19XXXX~~

D. Eileen Perry

Sworn to before me this 19th day of June 19 81

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

Paul E. Bielman
Notary Public, Erie County, N. Y.

State of New York
ERIE COUNTY } ss.
CITY OF BUFFALO

NOTICE TO BIDDERS

Notice is hereby given that pursuant to a resolution of the Town Board of the Town of Cheektowaga, in Erie County, New York, sealed proposals shall be received and considered by said Town Board on the 20th day of July, 1981 at 7:00 P.M., Daylight Savings Time, at a meeting of the Board in the Council Chambers of the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, together with labor for the General Construction work, Heating-Ventilating and Air Conditioning, Plumbing and Electrical work for Alterations to the Police and Court Building, Union Road, Cheektowaga, New York, in accordance with working drawings and specifications prepared by Jerome V. Bledig, Architect-Consultant, 53 Tamark Court, Cheektowaga, New York 14227, telephone number 1-716-892-9[illegible]. One (1) copy of each of said working drawings and specifications may be obtained upon deposit of $50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the award of the contract, or the rejection of the bid of such bidder will be refunded $50.00. Deposit will be forfeited by non-bidders, but documents must be returned to architect's office.

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Attention of the bidders is particularly called to the requirements as to the conditions of employment to be observed, and the minimum wage rates to be paid under the contract.

No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof.

The Town Board reserves the right to waive any informalities in, or to reject any or all bids, if in its judgement it shall deem it to be in the best interests of the Town of Cheektowaga so to do and as permitted by law.

In order to be considered, all bids must be filed with the undersigned Town Clerk to the time of opening thereof.

DATED: June 18, 1981
BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
RICHARD M. MOLESKI
Town Clerk

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 xxxxxxxxxx xxxxxxxx weeks, the first~~ insertion being on the 18th day of June 19 81 ~~and the last insertion being on the xxxxx day of xxxxx 19xxx~~

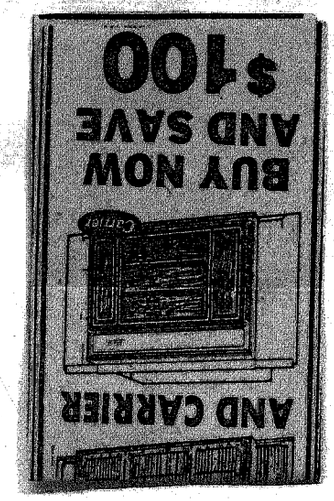
D. Eileen Perry

Sworn to before me this 19th day of June 19 81

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

Paul E. Bielman
Notary Public, Erie County, N. Y.

STATE OF NEW YORK
Erie County, City of Buffalo, } ss.



Alice Anderson

of the City of Buffalo, being duly sworn, deposes and says, that he is chief clerk in the office of BUFFALO COURIER-EXPRESS a daily newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ..... weeks the first insertion being on the 18 day of June 19 81 and the last insertion being on the ... day of ....., 19 , and not more than .... days intervened between any two publications thereof.

Alice Anderson

Sworn before me this 19 day of June 19 81 .

MARY LOU TROY
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 1982

Mary Lou Troy
Notary Public, Erie County, N.Y.

No. 15

No. 16

No. 17

STATE OF NEW YORK
Erie County, City of Buffalo, } ss.

NOTICE TO BIDDERS

Notice is hereby given that pursuant to a resolution of the Town Board of the Town of Cheektowaga, in Erie County, New York, sealed proposals shall be received and considered by said Town Board on the 20th day of July, 1981 at 7:00 P.M., Daylight Savings Time, at a meeting of the Board in the Council Chambers of the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, together with labor for the General Construction work, Heating-Ventilating and Air Conditioning, Plumbing and Electrical work for Alterations to the Police and Court Building, Union Road, Cheektowaga, New York, in accordance with working drawings and specifications prepared by Jerome V. Bieniy, Architect-Consultant, 53 Tamark Court, Cheektowaga, New York 14227, telephone number 1-716-892-8808. One (1) copy of each of said working drawings and specifications may be obtained upon deposit of $50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the award of the contract, or the rejection of the bid of such bidder will be refunded $50.00. Deposit will be forfeited by non-bidders, but documents must be returned to architect's office.

Each proposal must be accompanied by a certified check in the sum of ten per centum (10%) of the amount of the bid payable to the order of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town of Cheektowaga, in the sum of ten per centum (10%) of the bid, conditioned that it is the bid accepted, the bidder 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.

Attention of the bidders is particularly called to the requirements as to the conditions of employment to be observed, and the minimum wage rates to be paid under the contract.

No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof.

The Town Board reserves the right to waive any informalities in, or to reject any or all bids, if in its judgement it shall deem it to be in the best interests of the Town of Cheektowaga so to do and as permitted by law.

In order to be considered, all bids must be filed with the undersigned Town Clerk to the time of opening thereof.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CHEEKTOWAGA,
ERIE COUNTY, NEW YORK
RICHARD M. MOLESKI
Town Clerk

DATED: June 18, 1981

Alice Anderson

of the City of Buffalo, being duly sworn, deposes and says, that he is chief clerk in the office of BUFFALO COURIER-EXPRESS a daily newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ..... weeks the first insertion being on the 18 day of June 19 81 and the last insertion being on the .... day of ....., 19 , and not more than .... days intervened between any two publications thereof.

Alice Anderson

Swor . day
of . . 81 .

MARY LOU TROY
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 1982

Notary Public, Erie County, N.Y.

Item No. 14 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, this Town Board approved a resolution dated June 1, 1981 to purchase four (4) trucks with refuse packers for the Sanitation Department, and

WHEREAS, winches to pick up refuse containers are desired for these new vehicles but were omitted in the specifications for the refuse packers, and

WHEREAS, funds are available for the purchase of the winches, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase and installation of four (4) winches on new Pak-Mor Refuse Packers for the Sanitation Department. Information for bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., Eastern Daylight Saving Time, on July 6, 1981, for the purpose of properly opening and reading the sealed bids.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on July 6, 1981 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for four (4) winches to be mounted on Pak-More Refuse Packers.

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: June 15, 1981

* *

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Deakter, 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 18, 1981; last publication June 18, 1981; and that no more than six days intervened between publications.

Gladys M Deakter

Sworn to before me this 19th

day of June, 1981

Nadine C. Williams

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

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on July 6, 1981 at 7:00 P.M. Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for four (4) winches to be mounted on Pak-Mor Refuse Packers.

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: June 15, 1981
PUBLISHED: June 18, 1981

Item No. 15 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the purchase of traffic control signs, posts and brackets for the Town of Cheektowaga, 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 the following bidders submitting the lowest responsible bid in the categories noted:

1) Finished Signs - All Categories	Empire Municipal Supply Corporation 250 Route 303 Blauvelt, New York 10913
2) Posts - 10' Long, Square	Unistrut Buffalo, Inc. 128 Sycamore Street Buffalo, New York 14202
3) Posts - 10' Long "U" Posts	American Highway Sign Co., Inc. 50 Industrial Drive P.O. Box 188 East Longmeadow, Mass. 01028
4) Street Sign Brackets	Empire Municipal Supply Corportion 250 Route 303 Blauvelt, New York 10913

* See next two (2) pages for letter

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

June 11, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Traffic Control Signs

Gentlemen:

At a regular Town Board Meeting of June 1, 1981, bids were received and opened for the purchase of traffic control signs for the Town of Cheektowaga for the period of July 1, 1981 thru June 30, 1982. Specifications noted different categories such as square, rectangle, octagon or triangle, in sizes, as type and size determine the cost.

Five (5) bidders submitted bids in six (6) categories and thirty-nine (39) items. This letter would be very lengthy to list each item bid so one item in each category will be listed for representative comparison.

ITEM	EASTERN METAL	CHEMUNG	AMERICAN SIGN	EMPIRE	UNISTRUT POSTS
24" Square Sign	$18.80	$14.28	$18.40	$13.90	--
24" Octagon Sign	18.80	14.28	18.40	13.20	--
8" X 24" Flat Sign	18.30	27.74	6.13	5.90	--
36" Triangle Sign	--	12.49	14.38	12.15	--
10' Galvanized "U" Post	11.50	--	10.53	--	--
Post Bracket	7.00	4.24	5.47	2.71	--
10' Post	24.00	--	--	--	20.22

It is, therefore, recommended that bids be awarded to the following bidders submitting the lowest responsible bid in the categories noted.

Empire Municipal Supply - Finished signs and brackets

Unistrut Buffalo, Inc. - Square posts

American Highway Sign Company, Inc. - "U" Posts

Our specifications specified that the supplier shall be within 200 miles of Cheektowaga for service reasons only. Two (2) of the low bidders are not within the 200 mile radius, but we have been assured by the low bidders that service and delivery will not be a problem.

Cost savings to the Town in picking the lowest bidder was considered in waiving the 200 mile condition in the award of this bid.

A complete bid tabulation is on file in the Engineering Department.

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, Wegner and Rogowski
NAYES: 0
ABSENT: 0

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof for the purchase of football helmets for use in the Cheektowaga Recreation Department, as a result of advertisement therefore, 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 be awarded to the lowest responsible bidder meeting specification as follows:

Rydell football helmet Model HA Sizes 91 and 92 Color - white Cage - full blue steel cage installed Quantity - approximately 40	Laux Spotting Goods, Inc. $57.45
Bike football helmet Model IV Sizes - various Color - Royal Blue Cage - Royal blue O.P.O. cage installed Quantity - approximately 30	Marba, Inc. $42.00
Rawlings football helmet Model-RTS 1 Color - white Cage - white steel cate installed (full) Sizes - various Quantity - approximately 36	Laux Sporting Goods, Inc. $49.40

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

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 16, 1981 for the furnishing of five (5) 4-wheel drive trucks for the Highway Department as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to Buffalo Mack Inc., 579 Eagle Street, Buffalo, New York 14210 at a total bid price of $298,730.00; said bidder being the lowest responsible bidder meeting specifications as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof, and BE IT FURTHER

RESOLVED that the above equipment is to be purchased on an approved bond issue.

* See next two (2) pages for letter and tabulation

ALFRED F. WNEK
SUPERINTENDENT
OFFICE: ~~XXXXXXXXX~~
686 3450
ROBERT KARASZEWSKI
Deputy Superintendent

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

June 11, 1981

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

Gentlemen: RE: AWARD OF BID -- (5) 4-wheel drive trucks

Bids were received by the Honorable Body for Highway equipment, and after careful review of said bids, I recommend that the Honorable Body award the contract for five (5) 4-wheel drive trucks to BUFFALO MACK INC. 579 Eagle St., Buffalo, New York 14210,; being the lowest responsible bidder.

The bid price submitted was $59,746.00 each; with a total price for five (5) 4-wheel drive trucks at $298,730.00.

I trust the above recommendation will meet with your Honorable approval, also the costs of the equipment will be taken out of the approved bond issue.

A copy of the tabulation for the above is attached hereto.

Sincerely yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg
cc: Town Clerk
Town Atty.
Wm. Wolinski
G. Gabryszak
file

RECEIVED
JUN 11 1981
Richard M. Moleski, Town Clerk

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

SUMMARY OF BIDS MARCH 16, 1981

- FIVE FOUR WHEEL DRIVE TRUCKS -

VENDOR	MAKE	PRICE	NET BID
Bflo Mack	Mack	59,746.00 each	$298,730.00
Bflo Mack	Mack(1979 Alt.)(Demo)	73,382.00	73,382.00
Mutall	Oshkosh	59,951.00 each	299,755.00
Mutall	Oshkosh(alt.)	(3) 59,951.00 each (1981s)	179,853.00
		(1) 54,451.00 (1980)	54,451.00
		(1) 53,451.00 (1979)	53,451.00
		TOTAL ALT. BID PRICE:	287,755.00
Bison Ford	FWD	60,413.00 each	302,065.00
Bflo Truck Sales	Autocar	64,759.00 each	323,795.00

No. 15

No. 16

No. 17

Item No. 17 cont'd

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

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 16, 1981 for the furnishing of three (3) bodies and hoists for the Highway Department as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to T.W. Truck Equippers, 2025 Walden Avenue, Cheektowaga, New York 14225, for a total bid price of $10,445.00; said bidder being the lowest responsible bidder meeting specifications as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof, and BE IT FURTHER

RESOLVED that the above equipment is to be purchased on an approved bond issue.

* See next two (2) pages for letter and tabulation

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: XXXXXXXXX
686 3450
ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

June 11, 1981

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

Gentlemen: Re: Award of bid - (3) Bodies and Hoists

Bids for Highway equipment were received by the Honorable Body on March 16, 1981, and after careful review of same, I recommend that the Honorable Members award the contract for three (3) Bodies and Hoists, to T.W. TRUCK EQUIPPERS, 2025 Walden Ave., Cheektowaga, New York 14225, being the lowest responsible bidder, for a total bid price of $10,455.00.

The bodies and hoists are to be assembled by the vendor.

I trust the above recommendation will meet with your honorable approval, also the costs of the equipment will be taken out of the approved bond issue.

A copy of the tabulation is hereto attached.

Sincerely yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg
cc: Town Clerk
Town Atty.
Wm. Wolinski
G. Gabryszak
file

RECEIVED
JUN 11 1981
Richard M. [illegible]eski, Town Clerk

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

SUMMARY OF BIDS - MARCH 16, 1981

- THREE BODIES AND HOIST -

[VENDOR INSTALLATION]

VENDOR	MAKE	PRICE
Mayday		1. 3574.00 2. 7148.00 3. 10722.00
T-W		1. 3585.00 2. 7070.00 3. 10455.00
Universal		1. 3590.00 2. 7180.00 3. 10770.00
Nutall		1. 4184.00 2. 8268.00 3. 12252.00

[OUR INSTALLATION]

VENDOR	MAKE	PRICE
Mayday		1. 3174.00 2. 6348.00 3. 9522.00
T-W		1. 3135.00 2. 6370.00 3. 9405.00
Universal		1. 2990.00 2. 5980.00 3. 8970.00
Nutall		1. 3144.00 2. 6238.00 3. 9282.00

No. 15

No. 16

No. 17

Item No. 18 cont'd

Upon Roll Call....

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

Item No. 19 Motion by Councilman Rogowski, seconded by Councilman Wegner

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 16, 1981 for the furnishing of one (1) new Trojan Model 2000 Rubber Tires Loader for the Highway Department as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to P.D. Service, Inc., 3813 Broadway, Cheektowaga, New York 14227 at a net bid price of $59,845.00; said bidder being the lowest responsible bidder meeting specifications as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof, and BE IT FURTHER

RESOLVED that the above equipment is to be purchased on an approved bond issue.

* See next two (2) pages for letter and tabulation

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 686 3450

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

June 11, 1981

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

Gentlemen:

RE: Award of bid - NEW TROJAN HI-LIFT
Model 2000 - Loader

Bids for Highway equipment were received by the Honorable Body on March 16, 1981, and after careful review of same I recommend that the Honorable Members award the contract to P.D. SERVICE INC. - 3813 Broadway Cheektowaga, New York, 14227 - being the lowest responsible bidder, for one (1) NEW TROJAN MODEL 2000 RUBBER TIRES LOADER;

The bid was submitted as follows:

LIST PRICE	$104,602.00
LESS TRADE IN ALLOWANCE (HD-11)	44,759.00
NET BID PRICE	$59,845.00

I trust the above recommendation will meet with your honorable approval, also the costs of the equipment will be taken out of the approved bond issue. A copy of the tabulation is attached hereto.

Sincerely yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

RECEIVED
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Richard M. Moleski, Town Clerk

AFW/bg

cc: Town Clerk
Town Atty.
Wm. Wolinski
G. Gabryszak
file

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

SUMMARY OF BIDS - MARCH 16, 1981

- HI LIFT LOADER -

VENDOR	MAKE	PRICE	TRADE	NET BID
Mecca	John Deere	108,045.00	46,880.25	$ 61,164.75
Gateway	Clarke			75,827.00
Syracuse Sup.	Caterpillar			96,380.00
Dow		no bid		
P.D.	Trojan	104,602.00	44,759.00	59,845.00
Nutall	Fiat-Allis	109,658.00	40,172.00	69,486.00
Case	Case	108,029.00	42,700.00	65,329.00
Case	Case(1980)	102,634.00	42,700.00	59,934.00
Buffalo Tractor	Ford	101,700.00	38,856.00	62,844.00

Item No. 19 cont'd

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

Item No. 20 Award of bid - Five (5) bodies and hoists
This item was withdrawn.

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 16, 1981 for the furnishing of three (3) single axle trucks for the Highway Department as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to Maier Schule Co., 1745 Walden Avenue, Cheektowaga, New York 14225 at a total price of $107,610.00; said bidder being the lowest responsible bidder meeting specifications as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof, and BE IT FURTHER

RESOLVED that the above equipment is to be purchased on an approved bond issue.

*. See next two (2) pages for letter and tabulation

ALFRED F. WNEK
SUPERINTENDENT
OFFICE: 686 3450
ROBERT KARASZEWSKI
Deputy Superintendent

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

June 11, 1981

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

Gentlemen: RE:AWARD OF BID- (3) single axle trucks

Bids for Highway equipment were received by the Honorable Body on March 16, 1981, and after careful review of same, I recommend that the Honorable Body award the contract for three (3) single axle trucks, to MAIER SCHULE, 1745 Walden Ave., Cheektowaga, New York 14225, at a total price of $107,610.00.

Maier Schule Co. is the lowest responsible bidder.

I trust the above recommendation will meet with your honorable approval, also the costs of the equipment will be taken out of the approved bond issue.

A copy of the tabulation for the above is attached hereto.

Sincerely yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg
cc: Town Clerk
Town Atty.
Wm. Wolinski
G. Gabryszak
file

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No. 15
No. 16
No. 17

SUMMARY OF BIDS MARCH 16, 1981

- ONE, TWO OR THREE SINGLE AXLE TRUCKS -

VENDOR	MAKE	NET PRICE
ier Schulle	GMC	1. 35,870.00 2. 71,740.00 3. 107,610.00
lo Truck Sales	White Truck	1. 40,998.00 2. 81,996.00 3. 122,994.00
son Ford	Ford	1. 38,877.00 2. 77,754.00 3. 116,631.00

Item No. 21 cont'd

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

Item No. 22 Motion by Councilman Rogowski, seconded by Councilman Wegner

WEHREAS, bids were duly received by this Town Board at a meeting thereof held on March 16, 1981 for the furnishing of one (1) Drott Excavator (4 X 4) for the Highway Department as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to Case Power and Equipment Co., 1 Case Way, Buffalo, New York 14225 at a net bid price of $76,474.00; said bidder being the lowest responsible bidder meeting specifications as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof, and BE IT FURTHER

RESOLVED that the above equipment is to be purchased on an approved bond issue.

* See next two (2) pages for letter and tabulation

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 686 3450

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

June 11, 1981

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

Gentlemen: Re: Award of bid for (1) DROTT EXCAVATOR (4x4)

Bids were received for Highway equipment, by the Honorable Body on March 16, 1981, and after careful review of same I recommend that the Honorable Members award the contract to CASE POWER AND EQUIPMENT CO. - 1 Case Way, Buffalo, New York 14225; being the lowest responsible bidder.

The bid was submitted as follows:

LIST PRICE	$122,174.00
LESS TRADE ALLOWANCE (1959 Gradall 2460 s/n NP62196)	- 45,700.00
NET BID PRICE	$ 76,474.00

F.O.B. Cheektowaga

I trust the above recommendation will meet with your honorable approval, also the costs of the equipment will be taken out of the approved bond issue.

A copy of the tabulation is hereto attached.

Sincerely yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg
cc: Town Clerk
Town Atty
Wm. Wolinski
G. Gabryszak
file

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Richard M. Moleski, Town Clerk

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SUMMARY OF BIDS - MARCH 16, 1981

DOR	MAKE	- EXCAVATOR FOUR BY FOUR - PRICE	TRADE	NET BID
lutall	Badger	113,470.00	26,802.00	$ 86,668.00
.B.Smith	Bantam	114,965.00	23,490.00	91,475.00
ase	Drott	122,174.00	45,700.00	76,474.00
.D. Service	Leiberh	108,377.00	30,028.00	78,349.00
ow	International	81,905.00	2,500.00	79,405.00
	Alternate bids:			
.D. Service	Leiberh(DEMO)	87,377.00	30,028.00	57,900.00
	- EXCAVATOR SIX BY FOUR -			
Nutall	Badger(Hydro-Scopic)	169,546.00	40,080.00	129,506.00
Dow	Gradall	130,362.00	2,500.00	127,862.00

Item No. 22 cont'd

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

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

BE IT RESOLVED, that Change Order #1, Contract #3C, for the Town's Sanitary Sewer District #5 Main Pump Station, in the amount of $6,305.97 as an addition to the contract of Frontier-Snyder Mechanical Contractors, 955 Hertel Avenue, Buffalo, New York 14216 be approved. The reason for each change, description and cost are defined in a letter from the Town Engineer dated April 16, 1981 and considered part of this resolution, and BE IT FURTHER

RESOLVED that this Town Board, acting as the Board of Managers of Sewer District #5, directs and authorizes the Supervisor to sign said Change Order #1 on behalf of the Town's Sewer District #5.

* See next two (2) pages

Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

June 11, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 1
Contract No. 3C
Main Pump Station
Treatment Plant No. 5

Gentlemen:

The consulting firm of Nussbaumer & Clarke, Inc. has submitted one Change Order on the above project and recommend its approval.

Change Order #1 - Add $6,305.97

This Change Order consists of five (5) different changes which are described as follows:

1) Furnish and install additional water valves to isolate four (4) rooms and provide access panels for future operations and maintenance.

Add $1,440.97

2) Furnish and install additional air valves to isolate various areas for future operations and maintenance.

Add $992.00

3) Furnish and install approximately 300 linear feet of 1" galvanized steel pipe for compressed air thru the tunnel to the west side of the pump station for future sewer maintenance facility.

Add $2,623.00

4) Furnish and install one (1) water hammer arrestor on the compressor after cooling system and one (1) on water supply line to the glass washer for the laboratory.

Add $211.00

5) Furnish and install 120 linear feet of 3/4" copper line with fittings to serve as pump seal waste drain system.

Add $1,039.00

Attached is a resolution requesting your consideration.

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, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, a 1980 Plymouth automobile owned by the Town of Cheektowaga, and used and operated by the Town of Cheektowaga Police Department, was damaged in an automobile collision on November 7, 1980 through the culpable conduct of Mark L. Pleto, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office, in conjunction with the Town Police Department, take whatever legal proceedings as may be necessary for the recovery of any and all damages sustained to the aforementioned Town vehicle.

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

Item No. 25 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, this Town Board has embarked on a program of improvements to the Town Park on Harlem Road, and

WHEREAS, funds have been allocated for such park improvements, including storm sewer related construction for the elimination of the open ditch running through the park, and

WHEREAS, McFarland-Johnson Engineers, Inc., at the request of the Town Engineer, have submitted a proposal dated June 3, 1981 for the preparation of plans and specifications and other services related to the enclosing of the open ditch in Town Park, NOW, THEREFORE, BE IT

RESOLVED that the proposal of McFarland-Johnson Engineers, Inc., as submitted to the Town Engineer is accepted,and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign said agreement with McFarland-Johnson Engineers, Inc. to do the work.

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

Item No. 26 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, funds have been allocated to Town Drainage Projects, and

WHEREAS, sufficient funds still remain in this fund, and

WHEREAS, this Town Board, in a resolution dated December 15, 1980, approved the Kemp-Eden-Tillotson Drainage Project, also known as Scajaquada Tributary T-1, and

WHEREAS, an Occupancy Permit will be required from the New York State Thruway Authority and an Entrance Agreement will be required with Niagara Mohawk Corporation to incorporate a portion of Phase One of the total project, NOW, THEREFORE, BE IT

RESOLVED that $35,000 be transferred to the Kemp-Eden-Tillotson Drainage Project to pay for material, labor and equipment to the low bidders for

Item No. 26 cont'd

such material, labor and equipment, mainly Armco Steel Company for pipe, Webber Trucking and Excavating, Inc. for labor and equipment and McFarland-Johnson Engineers, Inc. for engineering services, and BE IT FURTHER

RESOLVED that the Supervisor be authorized on behalf of the Town Board to sign the Occupancy Permit with the Thruway Authority and the Entrance Agreement with Niagara Mohawk Corporation and the Engineering Service Agreement with McFarland-Johnson Engineers, Inc.

The above resolution was called for amendment by Councilman Johnson, seconded by Councilman Rogowski and the vote on the amendment was as follows:

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

and said amendment was adopted as attached hereto:

Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, funds have been allocated to Town Drainage Projects, and

WHEREAS, sufficient funds still remain in this fund, and

WHEREAS, this Town Board, in a resolution dated December 15, 1980, approved the Kemp-Eden-Tillotson Drainage Project, also known as Scajaquada Tributary T-1, and

WHEREAS, an Occupancy Permit will be required from the New York State Thruway Authority and an Entrance Agreement will be required with Niagara Mohawk Corporation to incorporate a portion of Phase One of the total project, NOW, THEREFORE, BE IT

RESOLVED that $35,000 be transferred to the Kemp-Eden-Tillotson Drainage Project to pay for material, labor and equipment to the low bidders for such material, labor and equipment; mainly Armco Steel Company for pipe, Wegger Trucking and Excavating, Inc. for labor and equipment and McFarland-Johnson Engineers, Inc. for engineering services, and BE IT FURTHER

RESOLVED that the Supervisor be authorized on behalf of the Town Board to sign the Occupancy Permit with the Thruway Authority and the Entrance Agreement with Niagara Mohawk Corporation and the Engineering Service Agreement with McFarland-Johnson Engineers, Inc.

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

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

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

WHEREAS, the Town of Cheektowaga Youth Bureau has previously entered into an agreement with Catholic Charities Manpower Services, Inc. to provide for a Family Assistance Counselor to assist youngsters in danger of dropping out of school, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga Youth Bureau continue this Early School Intervention Service for a six (6) month period beginning July 1, 1981 through December 31, 1981, with a total cost not to exceed the sum of $5,290.00 and that the dollars for this program will be extracted from the Youth Bureau's 1981 budget, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to amend said agreement between the Town of Cheektowaga and Catholic Charities Manpower Services, Inc.

Upon Roll Clal....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 28a Motion by Councilman Wegner, seconded by Councilman Swiatek

RESOLVED that the following be hired by the Cheektowaga Recreation Department to help conduct its 1981 summer programs:

Lifeguards - $3.10 without WSI and $3.35 with WSI

Lynnette Mazurek
Janet Walentynowicz
Susan Kushner

Cheerleading & Gymnastics Instructors - $3.50 per hour

Nancy Frase
Colleen Stapleton

Recreation Attendant - $3.50 per hour

David Gasiewicz

Assistant Basketball Coordinator - $3.50 per hour

Rick Binner

Item No. 28a cont'd

Basketcheckers - $2.25 per hour

Art Caprio
Monica Crosby
Donna Czajka
Dan Fischer
Charles Getz
Melissa Hanne
Michael Haas
Debbi Jasienski
Robin Ann Kohl
Robert Kozell
Terry Kuzniarek
Judy Mangold
John Miller, Jr.
Kathleen McEwen
Jason Pawlicki
Carmela Schiavone
Daryl Sobczak
Steven Dunkowski
Danielle Tarapicki
Bernard Tobolski
Michelle Zawadzki
Barbara Zasowski
Linda Malkiewicz
Lawrence Osswald
Debbie Burek
David Kowalewski
Nadine Arent
Mike Azzarello
David Bonczkiewicz
William Borucki
Dawn Derkovitz
Patrick Demroes
Barbara Gemerek
Karen Healy
Dave Heary
Gary Hintermeier
Kristina Koehler
Suzanna Kujawa
Joseph Kwiatkowski, Jr.
Michelle Maase
Robert Michaels
Jacquelyn Neal
Daniel Russell
Michael Smaczniak
Elizabeth Sullivan
Patricia Wieben
David Zawadzki
Kevin Zelasko
Ann Zupo
Lori Mankowski
Elizabeth Blendowski
Darlene Mielczrek
Sue Karp
Mary Szymanski
Kelly Kolbert
Jeffrey Garbacz
Pamela Krzemien
Kurt Bundsho
Mary Jo Lipowski
Mark Lunoye
Robert Marczynski
Timotny Miller
David McElligott
Renee Niziurski
Sheri Rydzynski
Ronald Wanat
Karen Weitz

Item No. 28a cont'd

Laurie Wilson
Tim Labanski
John Jaroszewski
Kathleen Kornecki
Tammy Powell
Ronald Kubiak
Karen Knoph

Recreation Attendants - $3.10 per hour

Alan Zybtek
Nancy Sevilla
Margaret Smith
Dawn Stachura
Mark Bonaszak
Ralph Camillo
Lisa Schwarzott
Stacy Michalski
Don Catalfu
Bill Catanzaro
Jeffrey Fiorello
Daniel Kroll
Camile Leszczynski
James Lumadue
Anthony Orzel
Andrew Paszkiewicz
Mary Prorok
Donna Szcerbiak
Dawn Truax
James Wasielewski
Wayne Waz
Kevin Wurst
Elizabeth Zgoda
Joseph Caito
Jeffrey Kujawa
Jeffrey Pijacki
Keith Yorko
Deborah Glowny
Daniel Marinaccio
David Grzybek
Gloria Smyntek
Donna Zydel
Joanna Viverto
Alfred Santiago
Susan Baldi
Lauren Minsterman
Nancy Aguglia
Kimberly Banach
Kimberly Bannister
Nancy Blakowski
Ceil Burgio
Lisa Dombrowski
Michelle Helinski
Gary Isbrandt
Constance Kasprzak
Claire Kiliszewski
Janice Kolis
David Lawrence
John Lesniak
Donald Levan
Barbara Majchrzak
Lucille Needham
Ronald Nero
Denothras Pierce
Eugene Pierce, Jr.
Nanette Pudlewski
Dean Rizzo
Paul Russo
Mark Rzemek

No. 15
No. 16
No. 17

Item No. 28a cont'd

Susan Sansone
Randall Sevilla
Sandy Slachciak
Mary Ann Spaulding
Mary Ann Tenney
David Wayne
Judith Wesolowski
Karen Wilson
Barbara Wojcik
Carol Yamarino
Leslie Zotter
James Burke
Gretchen Schmidt
Eileen Bieter
Celeste Dux
Catherine Hain
Rae Marie Heckman
Robert Igoe
Jodee Murawski
Lita Murawski
Shelly Payton
Lynne Ryan
Maureen Sullivan
Michael Carlin
Jack Jennings
Francis Chirico
Lynn Lyon
Denise Pigeon
Jim Anglum
Jolene Colangelo
Pamela Emmanuele
Dana Marie Fritzinger
Lori Ann Gerace
William Hojczyk
Cheryl Kist
Michele Lesinski
Catherine Levorchick
Franklin Meyer
Jacqueline Olszewski
Lori Petroski

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

Item No. 28b Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that the following individuals are hereby hired in the Cheektowaga Youth Bureau at the titled position and rate of pay per hour:

DEVELOPMENTALLY DISABLED DAY CAMP - (A.7310.181)

Physical Education Director - $5.00 per/hr.

Kathryn M. Summers

Counselors - $4.00 per/hr.

Lynn Cashdollar
Eric Olszewski
Joyce Goodell
Denise Rutkowski

Item No. 28b cont'd

Patricia Hyzy

Cynthia Maciejewski

Carol Novo

Karen Spaulding

Marge Waite

Sandra Zygmunt

Counselors - $3.50 per/hr.

Pam Kroll

Bridget Lynch

Counselor Aide - $2.50 per/hr.

Carol Vella

HOMETOWN BEAUTIFICATION/HERITAGE PROGRAM - (A.7310.187)

Participants -$3.10 per/hr.

Mark Azzarello

Glenn Bobeck

David Bonfessuto

Jeffrey Borsuk

Anthony DeRose

Jack Dolan

Sharon A. Empl

Keith C. Hauser

Thomas Keane

Mark Lanoye

Timothy Mesler

Marc A. Okon

Denise Pajak

Todd Potter

Mary Przemielewski

Andrew Siedlikowski

Brian Skowron

John A. Szemraj

Casey Tomicki

Jeffrey Toporczyk

Thomas Urbanski

Anthony Wdowik

Item No. 28b cont'd

Gerald J. Neumann

Karen Knopf

Linda Malkiewicz

Allen Wjotkowiak

Keith Zogaria

YOUTH CONSERVATION CORPS - (A.7310.184)

Crew Supervisors - $4.25 per/hr.

Robert Off

Karen M. Leavens

YOUTH CONSERVATION CORPS - (A.7310.185)

Participants - $3.35 per/hr.

Deborah Andrejewski

Brian Cashdollar

Mark DePalma

Caroline Derenda

Timothy Dexter

Cheryl Domanowski

Julie Egan

David Forma

Michelle Fuller

Margaret Hand

Patrick Hayes

Karen Kotlowski

Shawn Liegl

Gail Linski

Madonna Mann

Charles McCabe

Michael Merkling

Kim Niedzielski

Linda Piepszny

Carol Pogorzala

Thomas Ring

Mark Schraven

Item No. 28b cont'd

Paul Kasinski — Rachael Sicignano

Daniel Keller — Pamela Simonds

Anthony Sisti — Deborah Spiess

James Stachowiak, Jr. — Dawn Stachura

Paul Sutton — James Wasielewski

Bernadette Wasierski — Eric Wurl

YOUTH LEADER - HOMETOWN BEAUTIFICATION - @$3.60/hr. (A.7310.186)

Michael J. Snyder — Gary Sovinsky

David Toporczyk

YOUTH LEADER - YOUTH CONSERVATION CORPS - @ $3.60/hr. (A.7310.184)

Roberta Polniaszek — Karen Przybyl

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

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

Item No. 28c Motion by Councilman Rogowski, seconded by Councilman Wegner

BE IT RESOLVED that the following individuals be and hereby are hired in the various departments listed at the specified hourly rate of pay:

Sewer Maintenance Department & Sewage Treatment Plant 5 - Seasonal Laborers - $3.10 per hour

Lawrence Zygmont
Gary Wazny
Bob Miller

David Warmus
James Czajka
Mark Vedella
Thomas Lynch

Town Clerk's Office - $3.75 per hour

Michaeline Mahoney

Item No. 28c cont'd

Town Clerk's Office - $3.10 per hour

Jacqueline Schaller

Sanitation Department - Seasonal Laborers - $3.10 per hour

Daniel Majcyrzycki
Michael Zolnowski

and BE IT FURTHER RESOLVED that the following individual be and hereby is transferred from the Sewer Maintenance Department to the Recreation Department as a Recreation Attendant at an hourly rate of $3.10:

Tim Obstarczyk

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

Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, certain Town-owned street light standards in various sections of Cheektowaga are badly in need of painting and/or repair, adn

WHEREAS, it is the Town's responsibility to perform said maintenance on these street light standards, and

WHEREAS, it is necessary to provide the Facilities Department, Maintenance Division, with seasonal labor to perform said maintenance required for this Street Light Standard Painting and/or Repair Program, NOW, THEREFORE, BE IT

RESOLVED that the below listed individuals be and hereby are hired as seasonal laborers in said Program for a period of six (6) weeks at a rate of $3.10 per hour to be funded through the General Lighting District:

Effective June 29, 1981

David Severn
Scott Oddo
Leonard Moskal

Gary Catanzaro
Mark Vogel
poseph Stalloen

Effective July 13, 1981

Thomas Colin
Gerald Gill
R. Scott Keller
Frank Goia

and BE IT FURTHER

RESOLVED that the amount of $10,000 from Account #S5182-490 and $10,000 from Account #S5182-491 be transferred to Account #S5182-149 of the General Lighting District budget.

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

Item No. 29 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the Town has reached an agreement with the Town of Cheektowaga Supervisory Unit which excluded the Deputy Superintendent of Highway, and

WHEREAS, hte Town has agreed to increase the salary of the Deputy Superintendent of Highway to reflect additional salary (such as overtime, extra holiday pay, etc.), NOW, THEREFORE, BE IT

RESOLVED that the salary of the Deputy Superintendent of Highway be increased to $25,843.76, and BE IT FURTHER

RESOLVED that the above salary shall be retroactive to April 21, 1981.

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

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

Item No. 30a Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, Christopher Kowal, employee in the Sanitation Department has applied for a Military Leave of Absence from July 13, 1981 through July 24, 1981, 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) dyas while on said military leave duty, NOW, THEREFORE, BE IT

RESOLVED that Christopher Kowal, employee in the Sanitation Department is granted a military leave of absence from July 13, 1981 through July 24, 1981, and BE IT FURTHER

RESOLVED that Christopher Kowal be paid his salary or other compensation while on such military leave.

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

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

WHEREAS, David Przepiora, Police Officer in the Cheektowaga Police Department, has applied for a military leave, from June 10, 1981 to June 27, 1981, and

WHEREAS, employees are eligible for benefits under Sections 242 and 243 of the Military Law of the State of New York; are guaranteed such benefits in full accordance with the law, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board approves said Military Leave for David Przepiora, for the period June 10, 1981 through June 27, 1981.

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

Item No. 30c Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Mr. Robert Sosnowski, employed in the Cheektowaga Facilities Department is enrolled in the United States Air Force Reserve, 914th Divil Engineering Flight Unit, and

WHEREAS, Mr. Sosnowski has received orders to report for Active Duty Training effective July 3, 1981 through July 19, 1981, and

WHEREAS, employees are eligible for benefits under Sections 242 and 243 of the Military Law of the State of New York; are guaranteed such benefits in full accordance with the law, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board approves said Military Leave for Mr. Robert Sosnowski, , Cheektowaga, New York 14225 for the period July 3, 1981 through July 19, 1981.

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

Item No. 30d Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, Mr. Lawrence Kowal, employed in the Cheektowaga Facilities Department is a member of the 42nd Aviation Battalion, N.Y.A.R.N.G., and

WHEREAS, Mr. Kowal is required to perform military duties during the period of July 11, 1981 through July 25, 1981 at Fort Drum, Watertown, New York, and

WHEREAS, Mr. Kowal's orders were submitted to the Facilities Department, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grant Mr. Lawrence Kowal, Cheektowaga, Military Service Leave as defined in Section 242 and 243 of the Military Laws of the State of New York, for the period of July 11, 1981 through July 25, 1981.

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

Item No. 31 Motion by Councilman Rogowski, seconded by Councilman Dux

RESOLVED that Ronald C. Zoeller, Sanitation Department Foreman, be hereby authorized to visit Smithtown, Long Island, New York for the purpose of reviewing the operation of a base filled land fill contiguous with Erie County and the Town of Cheektowaga land fill needs; and Oyster Bay, Long Island, New York for the purpose of reviewing the operation of recycled paper collection usings side mounted truck racks June 17th and June 18th, and BE IT FURTHER

RESOLVED that all necessary travel expenses shall be paid by Environmental Protection Agency funding under the Peer Match Program through the National Association of Counties (NACO).

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

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

WHEREAS, the Cheektowaga Youth Bureau has received a Youth

Item No. 32 cont'd

Conservation Corps Grant, through the New York State Department of Environmental Conservation, and the U.S. Departments of the Interior and the Forest Service, and

WHEREAS, the New York State YCC office requires that program staff attend a special "Crew Leader Training Conference" to be held at Siena College, near Albany, New York, June 22nd through June 24th, and

WHEREAS, permission is requested to utilize a Town vehicle to and from the above session, NOW, THEREFORE, BE IT

RESOLVED that Roger Newhouse, Kenneth Osika, Robert Off and alternate Kevin Bardol, are hereby authorized to attend said training session, and BE IT FURTHER

RESOLVED that Messrs. Newhouse, Osika, Off and Bardol be permitted to utilize a Town vehicle on June 22, through June 24th, and that all necessary and reasonable travel expenses, in connection with said trip be hereby reimbursed at a cost not to exceed $125.00. All other expenses will be paid by the New York State Department of Environmental Conservation.

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

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

WHEREAS, the Cheektowaga Youth Bureau has been conducting a Resource Recycling Program under the auspices of the Department of Labor's Youth Community Conservation and Improvement Project, and

WHEREAS, Bruce Sebian, Project Director for this program, has been invited to review various recycling programs on Long Island with members of the Erie County Solid Waste Management Action Committee, NOW, THEREFORE, BE IT

RESOLVED that Bruce Sebian be and hereby is authorized to attend said trip on June 17th and June 18th, 1981 and BE IT FURTHER

RESOLVED that he be reimbursed for said trip at a cost not to exceed $275.00.

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

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

RESOLVED that funds in the amount of $3,000, be transferred from the Town Account known as Cheektowaga Patriotic Observances, to the checking account of the Cheektowaga Patriotic Commission, for any and all expenses incurred on July 4, 1981.

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

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

BE IT RESOLVED that the following fund transfers are hereby approved and made a part hereof.

Item No. 35 cont'd

FEDERAL REVENUE SHARING FUND

From:	CF.909 (Fund Balance-Fairelm Drainage)	$3,179.77
TO:	CF.8540.405 (Fairelm-Drainage 1981)	3,179.77

GENERAL FUND

From:	A.1990.480 (Contingency)	750.00
To:	A.7510.459 (Hitchcock House Appraisal)	750.00
From:	A.909 (Fund Balance-Traffic Safety)	211.94
To:	A.3610.400 (Traffic Safety-Office Supplies)	211.94

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
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 15th, 1981 are hereby approved and the SUPERVISOR is ordered to pay same.

FUND	CHECK NOS. FROM TO	AMOUNT
GENERAL FUND	11566, 11621-11761 188-18918, 18919-18923	$ 749,765.72
SPECIAL DISTRICT FUND	8239-8247, 10425, 10456 10525-10569	202,213.49
HIGHWAY FUND	6109-6115	101,260.54
TRUST & AGENCY	972-978, 975-980	190,209.16
PART TOWN FUND	441-455, 457-462	21,750.96
FEDERAL REVENUE SHARING FUND	10192-10201	13,922.74
CAPITAL FUND	458-465	288,496.75
H.U.D. - C.D.B.G.	333-334, 338-345	81,670.17
		$1,649,289.53

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

VI. FROM THE TABLE

Item No. 37 Create position of "Sign Maintenance Man" in Chktg., Police Dept.
This item was withdrawn.

V. DEPARTMENTAL COMMUNICATIONS

Item No. 38 Health report for May, 1981.
Received and Filed.

VI. GENERAL COMMUNICATIONS

Item No. 39 — Dennis Gorski, Assemblyman - letter of acknowledgment regarding increase in state reimbursement to Town courts
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Office
Received and Filed.

Item No. 40 — Petition of Niagara Scenic Bus Lines, Inc. for certificate of public convenience
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Town Council Office.
Received and Filed.

Item No. 41 — NOTICE OF CLAIM - Robert Rozek vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Alfred Wnek, Highway Department, E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 42 — NOTICE OF CLAIM - Mark Williams vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor (Has copy); James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company
Received and Filed.

Item No. 43 — COMPLAINT - Dennis A. Maciuba, William Kuczkowski, Ronald P. Rydzynski vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney (has copy); T. DeFedericis, Chief of Police
Received and Filed.

Item No. 44 — Letter from resident of McNaughton Avenue regarding noisy dog on St. Boniface
Copies were sent to: T. DeFedericis, Chief of Police; Dog Warden
Received and Filed.

Item No. 45 — Petition from residents of Crestwood Place regarding exit driveway of Carriage House on Crestwood & Genesee
Copies were sent to: Kenneth J. Meyers, Supervisor; Captain H. Kempski, Police Department; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 46 — Letter and petition from residents of Nantucket Dr. E. & W. regarding creek running parallel to S. Creek Drive
Copies were sent to: Kenneth J. Meyers, Supervisor; Chester Byran, Town Engineer; Town Council Office
Received and Filed.

Item No. 47 — Letter from George Saab, Attorney at Law regarding apron encroachment of client, Vincent Czosnka
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; Town Council Office
Received and Filed.

Item No. 48 — Letter from E. Handzlik regarding sanitary & storm sewers along Clinton Street between Harlem & Cayuga Creek Road
Copies were sent to: Kenneth J. Meyers, Supervisor; Chester Bryan, Town Engineer; Town Council Office
Received and Filed.

VII. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Rogowski to suspend the rules to include the following items.

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

Item No. 49 Motion by Councilman Swiatek, seconded by Councilman Rogowski

WHEREAS, the Town wishes to proceed with the development of Stiglmeier Park and lighting improvement on baseball diamonds behind Town Hall, and

WHEREAS, Stuart Alexander and Associates has submitted a proposal for preparation of plans, specifications for said projects, and

WHEREAS, the proposal for preparation of Plans & Specifications for Implementation of Phase I of the Stiglmeier Park Improvements Program is consistent with the Stiglmeier Park report submitted to the Town Board in November of 1980, and

WHEREAS, funds for such planning services are available through the accounts of the recently approved bond authorization entitled "Stiglmeier Park Improvements" and "Improve Other Parks", NOW, THEREFORE, BE IT

RESOLVED that the firm of Stuart Alexander and Associates be and hereby is retained by the Town to prepare Plans and Specifications for Phase I, Stiglmeier Park Improvements and for lighting improvements to Town Hall baseball diamonds, pursuant to the attached proposed Scope of Services, at a total fee of $27,200.

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

Item No. 50 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town Board, in the resolution dated February 18, 1975, directed that all Town employees, in order to qualify for work for the Town of Cheektowaga, must maintain residence in the Town, and

WHEREAS, Edward Srutowski advised his department head that he is moving his legal residence to out of the corporate limits of the Town of Cheektowaga, and

WHEREAS, Mr. Srurowski was advised and is aware of the residency requirements, and

WHEREAS, under these residency requirement circumstances, Mr. Srutowski is planning on relocating on June 15, 1981, NOW, THEREFORE, BE IT

RESOLVED that Mr. Srutowski is to be terminated from the Town of Cheektowaga employment effective June 15, 1981.

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

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

WHEREAS, Nancy A. Sztukowski, Recreation Instructor in the Recreation Department, has been on a leave of absence, without pay from her position since February 1, 1981, and

WHEREAS, Nancy Sztukowski has requested an extension of her leave of absence for educational purposes, NOW, THEREFORE, BE IT

RESOLVED that Nancy Sztukowski is hereby granted an additional three (3) month leave of absence, without pay, from her position of Recreation Instroctor; said three (3) month leave effective June 15, 1981.

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

Item No. 52 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, Carol Bannister has been on a leave of absence from her permanent position of Clerk Typist in the Assessor's Office, while serving in the temporary position of Recreation Instructor, in the Recreation Department, and

WHEREAS, Carol Bannister has requested an extension of her leave of absence, NOW, THEREFORE, BE IT

RESOLVED that Carol Bannister is hereby granted a three (3) month additional leave of absence from her permanent position of Clerk Typist in hte Assessor's Office; said leave of absence to begin June 15, 1981.

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

Item No. 53 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

SPECIAL MEETING NO. 15

CHEEKTOWAGA, NEW YORK
June 29, 1981

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 29th day of July, 1981 at 5:30 P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirists, Town Attorney; Chester Bryan, Town Engineer.

Item No. 2 Authorization for Supervisor to sign easement agreement for Sonwil Drive (S.S.D. No. 8)

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, there is need for an additional sanitary sewer easement in Town Sanitary Sewer District No. 8, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, acting as Board of Managers of Sanitary Sewer District No. 8 directs and authorizes the Supervisor to sign the easement agreement for Sonwil Drive.

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

Item No. 3 Award of bid for Windwood Corut Recreation Corridor - Cedargrove Heights

Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, bids were received and opened at a public meeting, on June 15, 1981, for the construction of the Windwood Court Recreation Corridor in Cedargrove Heights, Stage I, and

WHEREAS, the Town Planning Consultant, in his report dated June 24, 1981, recommended that the contract be awarded to the Lawnscape Construction Company, Inc., for the submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of the Windwood Court Recreation Corridor, in Cedargrove Heights, Stage 1, be and hereby is awarded to Lawnscape Construction Company, Inc., of 336 Casey Road, East Amherst, New York 14051, in the amount of $17,951.00, said being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed to sign the contract with the Lawnscape Construction Company, Inc., on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the costs incurred under this contract be chargeable to the Community Development Block Grant Program.

STUART ALEXANDER AND ASSOCIATES

1152 MAIN STREET
BUFFALO, NEW YORK 14209
716-884-5600

MEMORANDUM

TO: Supervisor Meyers
Cheektowaga Town Board Members

FROM: Stuart Alexander

DATE: June 24, 1981

RE: Construction of the Windwood Court Recreation Corridor
Cedargrove Heights, Stage I

Bids were received and opened at the June 15, 1981 Town Board Meeting for the construction of the Windwood Court Recreation Corridor, Cedargrove Heights, Stage I. There were six (6) bids submitted and their totals are as follows:

1)	Lawnscape Construction Co., Inc.	$17,951.00
2)	Chestnut Ridge Construction	$25,910.00
3)	Gleason Nursery, Inc.	$26,890.00
4)	Star Landscape, Inc.	$32,083.00
5)	Gellart Development Co., Inc.	$32,767.00
6)	B.D.R. Inc.	$32,840.00

The bid totals were received in order to provide a basis for bid award. Based on these totals, it is recommended that the bid be awarded to Lawnscape Construction Co., Inc., 336 Casey Road, East Amherst, New York 14051 for their submission of the lowest bid meeting the requirements of the specifications. The contract is being awarded on the following item prices that were bid in the specifications.

Item 1	Grading & Seeding: .08 per sq.ft.	($ 5,000.00 Total)
Item 2	Furnishing and Installation of trees:	$11,601.00 Total
Item 3	Furnishing and Installation of Ballords:	$ 1,350.00 Total
	Total Bid Items 1-3	$17,951.00

SA/tg

Item No. 3 cont'd

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

Item No. 4 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, this Town Board, by resolution of February 2, 1981, awarded a contract for a Vacuum-Flusher machine for the Sewer Maintenance Department, which equipment is being readied for delivery to the Town, and

WHEREAS, the specifications required the training of Town employees on the use of this equipment, and

WHEREAS, the successful bidder will provide lodging for Town employees being trained, NOW, THEREFORE, BE IT

RESOLVED that the following Sewer Maintenance Department employees are authorized to travel to the Aquatech factory in Cleveland, Ohio using a Town automobile, and BE IT FURTHER

RESOLVED that all legal expenses for this training session shall be reimbursed by the Town and be chargeable to the Sanitary Sewer District #5 budget.

James Burst

Edward Cichy

Florian Godlewski

Jack Lysiak

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

Item No. 5 Retain firm to furnish engineering services re: Step II design of sewer rehabilitation in District No. 3

Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is presently participating in a State and Federal Construction Grants Program to abate pollution in Cheektowaga Sanitary Sewer District No. 3 including sewer system rehabilitation, and

WHEREAS, the completely revised Sewer System Evaluation Survey Report for District 3 was submitted to the N.Y.S.D.E.C. in November, 1980, and

WHEREAS, the Town conducted a public hearing regarding proposed sewer system rehabilitation at John F. Kennedy High School on May 26, 1981, and

WHEREAS, the transcript of said public hearing, the Environmental Information Documents and other material were submitted to the N.Y.S.D.E.C. June 10, 1981, completing al current Step I requirements by N.Y.S.D.E.C. and U.S.E.P.A., and

WHEREAS, the Town has been participating in a Step I Grant through Erie County Sewer District No. 4, and

WHEREAS, it is deemed to be in the best interests of the Town of Cheektowaga and Sewer District 3 to pursue a separate Step II Grant with the Town as the Grantee, and

WHEREAS, the N.Y.S.D.E.C. has not completed review of the SSES report, but has recommended submittal of a Step II Grant Application, and

Item No. 5 cont'd

WHEREAS, engineering services are required to assemble data necessary to secure Federal funds in order to initiate Step II design of Sewer Rehabilitation in District 3, and

WHEREAS, Nussbaumer & Clarke, Inc. has been found to be qualified to perform the required services, NOW, THEREFORE, BE IT

RESOLVED that Nussbaumer & Clarke, Inc. consulting engineers, are hereby retained to furnish the necessary engineering services in submittal of an application on behalf of the Town of a Step II Grant, and BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign the agreement with Nussbaumer & Clarke, Inc. for Step II engineering services after approval of this Town application by the N.Y.S.D.E.C. and the U.S.E.P.A. , and BE IT FURTHER

RESOLVED that this Town Board, acting as Board of Managers of Sewer District No. 3, directs and authorizes the Supervisor to sign the Step II Grant Application on behalf of Sewer District No. 3.

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

Item No. 6 Authorization for Supervisor to sign agreement regarding Losson Road Extension West Water District No. 9

Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, this Town Board, in a resolution dated March 2, 1981, resolved that the Erie County Legislature be and hereby is memorialized to request the New York State Legislature to pass enabling legislation authorizing the County of Erie to pay all costs required by the County's reconstruction of Losson Road that would otherwise accrue to the Losson Road Extension West Water District #9, nad

WHEREAS, the County of Erie, Department of Law, has prepared and submitted an agreement for signature by the County of Erie, Erie County Water Authority and the Town of Cehektowaga as Board of Managers of Losson Road West Water District, and

WHEREAS, this agreement has been reviewed and approved as to form by the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be authorized to sign said agreement on behalf of the Town Board.

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

Item No. 7 Motion by Councilman Wegner, seconded by Councilman Swiatek to adjourn the meeting until July 6, 1981 at 7:00 P.M.

RICHARD M. MOLESKI
Town Clerk