

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 July, 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, Jr.
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; John B. Gruber, Assistant 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; Al Thrun, Cheektowaga Traffic Safety Commission; Dr. Louis Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent; Ronald Zoeller, Working Foreman-Sanitation Department.

I. BIDS

Item No. 2 Dick Road and North Creek Drive Signalization.
Bids referred to Chester L. Bryan, Town Engineer.

Item No. 3 Sanitation Department - Four (4) winches to be mounted on Pak-Mor Refuse Packers.
Bids referred to Ronald Zoeller, Working Foreman-Sanitation Dept.

II. PUBLIC HEARINGS

Item No. 4 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment 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 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.

Item No. 4 Cont'd.

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.

* * * * *

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. 5 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 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 102 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:

Item No. 5 Cont'd.

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 BLVD. south side: from the west curbline of HARLEM ROAD to a point 220 feet westerly thereof
- GEORGE URBAN BLVD. 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

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. 6 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Item No. 6 Cont'd.

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 DRIVE	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

* * * * *

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. 7 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 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.

* * * * *

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. 8 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, on the 4th day of May, 1981 this Town Board duly passed a resolution which amended and changed the Traffic Ordinance of the Town of Cheektowaga, New York by the enactment of a new Section 130 under Article XIII (Truck Exclusions); said Section 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, and State of New York:

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

and

WHEREAS, Section 158 of the Vehicle and Traffic Law of the State of New York defines "truck" as "Every motor vehicle designed, used, or maintained primarily for the transportation of property", and Section 132 of the Traffic Ordinance of the Town of Cheektowaga, formerly numbered Section 131, allows the pickup or delivery of property along the highways from which truck traffic is excluded, and

WHEREAS, the Chief of Police of the Town of Cheektowaga believes that the wording of the above stated Section 130 should be revised.

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 20th 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 following 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 6th day of July, 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 20th 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 Section 130 of Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to the exclusion of all trucks on designated town highways, be amended by changing such Section to read as follows:

Section 130. All trucks excluded. No person, firm or corporation shall drive or operate, or permit to be driven or operated, any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town 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

The prohibition herein above provided shall not be construed to prevent such vehicles from crossing said

Item No. 8 Cont'd.

highways at regular street intersections where such vehicles are permitted to operate, nor to prevent the necessary delivery of merchandise or other property, tow trucks or service vehicles to any premises located in or upon any highway above mentioned, provided the tow truck, service vehicle or delivery vehicle by which any such delivery or service call is made, shall enter and leave any such designated highway by the nearest accessible street to the place where said delivery or service call is made and provided such delivery, tow truck or service vehicle shall remain on said prohibited highway for a period of time no longer than necessary and reasonable to make such delivery, service call or to complete a loading of such vehicle.

A conspicuous and legible sign shall be placed at each entrance to said street herein designated clearly indicating such restriction.

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

Dated: July 6, 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. Schute, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Chairman* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication..... *July 9, 1981* ;
last publication..... *July 9, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Schute
Sworn to before me this *10th*
day of *July* , 19 *81*
..... *Naidine C. Williams*

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

NAIDINE C. WILLIAMS
Notary Public, Erie County, New York
My Comm. 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 July, 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 20th 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 Section 130 of Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to the exclusion of all trucks on designated Town highways, be amended by changing such section to read as follows:

Section 130. All trucks excluded. No person, firm or corporation shall drive or operate, or permit to be driven or operated, any truck or any other vehicle loaded solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the flowing designated Town 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.

The prohibition herein above provided shall not be construed to prevent such vehicles from crossing said highways at regular street intersections where such vehicles are permitted to operate, nor to prevent the necessary delivery of merchandise or other property, tow trucks or service vehicles to any premises located in or upon any highways above mentioned, provided the tow truck, service vehicle or delivery vehicle by which any such delivery or service call is made, shall enter and leave any such designated highway by the nearest accessible street to the place where said delivery or service call is made and provided such delivery, tow truck or service vehicle shall remain on said prohibited highway for a period of time no longer than necessary and reasonable to make such delivery, service call or to complete a loading of such vehicle.

A conspicuous and legible sign shall be placed at each entrance to said street herein designated clearly indicating such restriction.

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

Richard M. Moleski
Town Clerk

DATED: July 6, 1981
PUBLISHED: July 9, 1981

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 20th 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 9th day of July, 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 20th 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 VIII

Stop and Yield Intersections

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
BARBADOS DRIVE	North-south	CASTLEWOOD DRIVE	Westbound	N.E. Corner
BARBADOS DRIVE	East-west	WOODGATE DRIVE	Northbound	S.E. Corner

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:

SEBRING DRIVE	East and north side	from the south curbline of LeMans Drive to the east property line of No. 57 Sebring Drive, a point 420 feet
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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:

SEBRING DRIVE	East and north side	from a point 258 $\frac{1}{2}$ feet, south of the south curbline of LeMans Drive to a point 287 $\frac{1}{2}$ feet west of the west curb- line of Sherry Drive extended, for a distance of 100 $\frac{1}{2}$ feet.
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ARTICLE XIII

Truck Exclusions

Section 131. Trucks over five tons excluded.

Item No. 9 Cont'd.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, County of Erie and State of New York:

ELLCOTT CREEK ROAD

from Aero Drive to the Amherst town line

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, COUNTY OF
ERIE, AND STATE OF 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. Sediter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clark* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks:
first publication *July 9, 1981* ;
last publication *July 9, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sediter

Sworn to before me this *10th*

day of *July*, 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

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 20th 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 VIII

Stop and Yield Intersections

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

Street, BARBADOS DRIVE;
Direction, North-south; Entrance
Street, CASTLEWOOD DRIVE;
Traffic Stops, Westbound; Sign
Location, N.E. Corner.

Street, BARBADOS DRIVE;
Direction, East-West; Entrance
Street, WOODGATE DRIVE;
Traffic Stops, Northbound; Sign
Location, S.E. Corner.

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: SEBRING DRIVE, East and north side, from the south curbline of LeMans Drive to the east property line of No. 57 Sebring Drive, a point 420 feet

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: SEBRING DRIVE, East and north side, from a point 258 feet, south of the south curbline of LeMans Drive to a point 287 feet west of the west curbline of Sherry Drive extended, for a distance of 100 feet.

ARTICLE XIII

Truck Exclusions

Section 131. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, County of Erie and State of New York: ELLICOTT CREEK ROAD from Aero Drive to the Amherst town line

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

Richard M. Moleski
Town Clerk

PUBLISHED: July 9, 1981

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

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 20th 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 following 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 6th day of July, 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 20th 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 X of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Parking, Standing and Stopping", be amended by the enactment of a new Section 105 providing as follows:

Section 105. Restriction on oversized vehicles from parking on residential streets. In addition to the restrictions provided for in Sections 101 through 104, no vehicle longer than 225 inches, inclusive of load and bumper, or wider than 80 inches as measured by the body, or higher than 81 inches as measured from the under side of the tire to the top of the vehicle, shall park upon any street within any Residential District in the Town of Cheektowaga.

The provisions of this ordinance shall not apply to:

- (a) Vehicles parked because of an emergency or at a police officer's direction, or
- (b) Vehicles of the Town of Cheektowaga, fire apparatus, ambulances or vehicles engaged in the work of a public utility, or
- (c) Vehicles engaged in making pick-ups or deliveries or rendering services in or upon any property adjacent to the street where said vehicles are parked.

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

Dated: July 6, 1981

RICHARD M. MOLESKI, TOWN CLERK

Item No. 10 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. Sechete, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Club* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication *July 9, 1981* ;
last publication *July 9, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sechete
Sworn to before me this *10th*
day of *July* , 19 *81*
..... *Naidine C. Williams*

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

NAIDINE C. WILLIAMS
Notary Public in and for Erie County, N. Y.
My Comm. Expires *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 6th day of July, 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 20th 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 X of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Parking, Standing and Stopping", be amended by the enactment of a new Section 105 providing as follows:

Section 105. Restriction on oversized vehicles from parking on residential streets. In addition to the restrictions provided for in Sections 101 through 104, no vehicle longer than 225 inches, inclusive of load and bumper, or wider than 80 inches as measured by the body, or higher than 81 inches as measured from the under side of the tire to the top of the vehicle, shall park upon any street within any Residential District in the Town of Cheektowaga.

The provisions of this ordinance shall not apply to:

(a) Vehicles parked because of an emergency or at a police officer's direction, or

(b) Vehicles of the Town of Cheektowaga, fire apparatus, ambulances or vehicles engaged in the work of a public utility, or

(c) Vehicles engaged in making pick-ups or deliveries or rendering services in or upon any property adjacent to the street where said vehicles are parked.

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

Richard M. Moleski

Town Clerk

DATED: July 6, 1981

PUBLISHED: July 9, 1981

Item No. 11 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 6th day of July, 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 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:

Item No. 11 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

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

Item No. 11 Cont'd.

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.

Madys M. Heston, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication..... *July 9, 1981* ;
last publication..... *July 9, 1981* ;
and that no more than six days intervened be-
tween publications.

Madys M. Heston
Sworn to before me this *10th*
day of *July*, 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*

Legal Notices

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 July, 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 6th day of July, 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 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: PRENTISS DRIVE, 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.

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 July 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. 11, 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 6th day of July 1981.

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: July 9, 1981

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

WHEREAS, on June 1, 1981 this Town Board granted the application of the Buffalo Slag Co., Inc. for the rezoning, from R-Residential to RC-Restricted Business, of property owned by it and located at 500 Como Park Boulevard, Cheektowaga, New York, and

WHEREAS, a map of the area to be rezoned and its legal description, which was attached to the aforementioned Resolution, did not coincide,

NOW, THEREFORE, BE IT RESOLVED that the June 1, 1981 Resolution of this Town Board rezoning premises located at 500 Como Park Boulevard, Cheektowaga, New York from R-Residential to RC-Restricted Business be and the same is hereby amended by changing the legal description of such property from that noted on the attachment to said Resolution to the legal description attached to this Resolution.

*See next two (2) pages for copy of legal description.

FOR: BUFFALO SLAG CO.

BY: NUSSBAUMER & CLARKE, INC., ENGINEERS AND SURVEYORS

DATE: JUNE 1981

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lots 10 and 2, Township 11, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

Beginning at a point in the northerly line of Como Park Blvd. (100 foot right-of-way) distant 126 feet east of the easterly line of Reading Avenue (60 foot right-of-way) as measured along said northerly line of Como Park Blvd.;

Thence northerly along the easterly line of lands conveyed under Liber 301 of Deeds at page 23 and Liber 1368 of Deeds at page 304 for a distance of 828 feet, more or less;

Thence easterly 985 feet, more or less, to a point in the westerly line of Map Cover 1250 distant 570 feet, more or less, north of the northerly line of Como Park Blvd. (66 foot right-of-way) as measured along said westerly line of Map Cover 1250 and the southerly extension thereof;

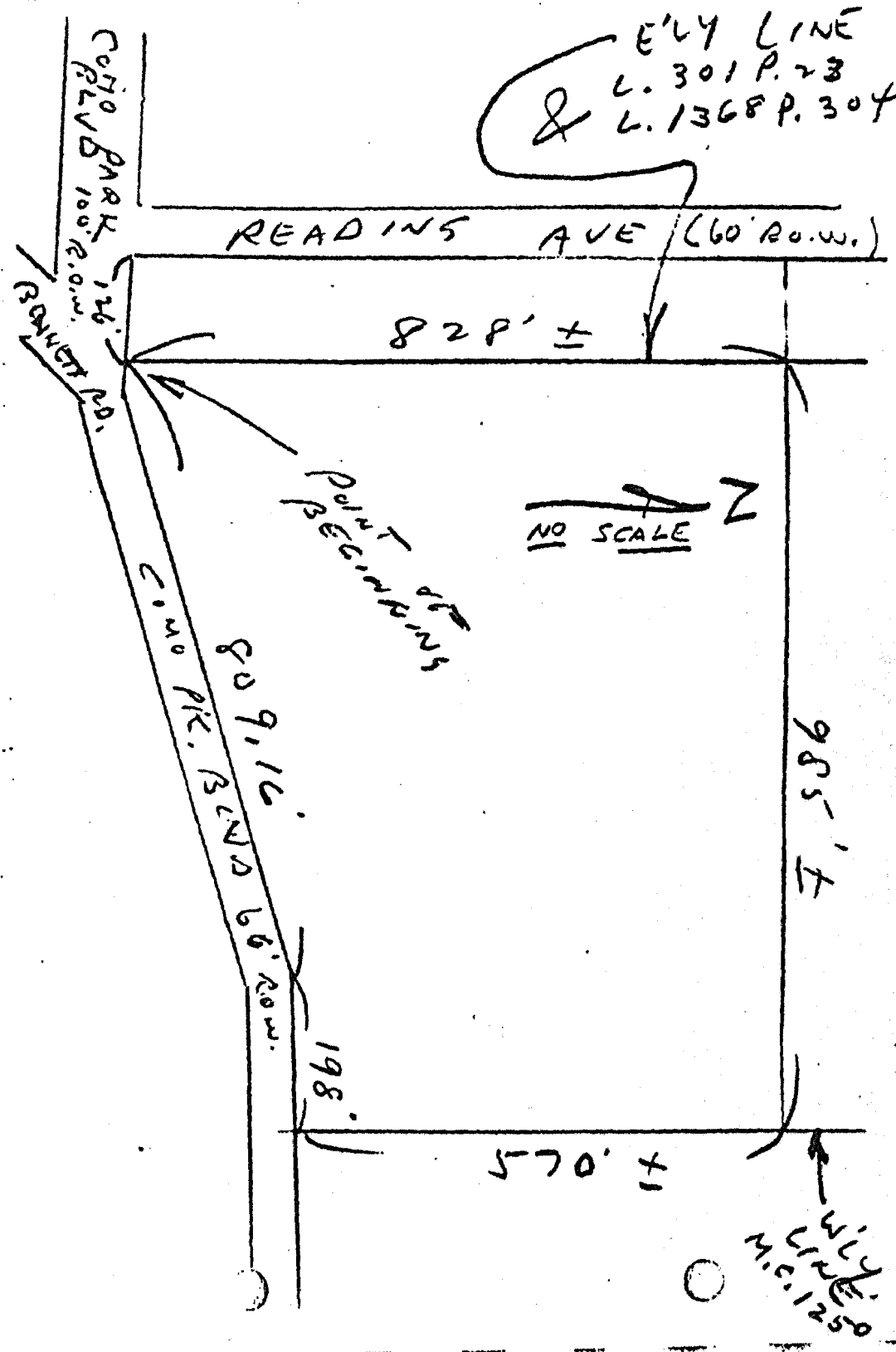
Thence southerly along said westerly line of Map Cover 1250 and the southerly extension thereof 570 feet, more or less, to the northerly line of Como Park Blvd. (as a 66 foot right-of-way);

Thence westerly along the last mentioned northerly line of Como Park Blvd. 198 feet to an angle point;

Thence southwesterly along said last mentioned northerly line of Como Park Blvd. 809.16 feet to the point of beginning, containing 15 acres of land, more or less.

All as shown on attached sketch.

E'LY LINE
& L. 301 P. 23
L. 1368 P. 304



Item No. 12 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. Seibert, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... Chief of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication..... July 9, 1981 ;
last publication..... July 9, 1981 ;
and that no more than six days intervened be-
tween publications.

Gladys M. Seibert

Sworn to before me this 10 th

day of July, 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

**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 July, 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, on June 1, 1981 this Town Board granted the application of the Buffalo Slag Co., Inc. for the rezoning, from R-Residential to RC-Restricted Business, of property owned by it and located at 500 Como Park Boulevard, Cheektowaga, New York, and

WHEREAS, a map of the area to be rezoned and its legal description which was attached to the aforementioned Resolution, did not coincide,

NOW, THEREFORE, BE IT RESOLVED that the June 1, 1981 Resolution of this Town Board rezoning premises located at 500 Como Park Boulevard, Cheektowaga, New York from R-Residential to RC-Restricted Business be and the same is hereby amended by changing the legal description of such property from that noted on the attachment to said Resolution to the legal description attached to this Resolution.

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

FOR: Buffalo Slag Co.; BY: Nussbaumer & Clarke, Inc., Engineers and Surveyors;
DATE: June 1981

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lots 10 and 2, Township 11, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

Beginning at a point in the northerly line of Como Park Blvd. (100 foot right-of-way) distant 126 feet east of the easterly line of Reading Avenue (60 foot right-of-way) as meas-

ured along said northerly line of Como Park Blvd.;

Thence northerly along the easterly line of lands conveyed under Liber 301 of Deeds at page 23 and Liber 1368 of Deeds at page 304 for a distance of 828 feet, more or less;

Thence easterly 985 feet, more or less, to a point in the westerly line of Map Cover 1250 distant 570 feet, more or less, north of the northerly line of Como Park Blvd. (66 foot right-of-way) as measured along said westerly line of Map Cover 1250 and the southerly extension thereof;

Thence southerly along said westerly line of Map Cover 1250 and the southerly extension thereof 570 feet, more or less, to the northerly line of Como Park Blvd. (as a 66 foot right-of-way);

Thence westerly along the last mentioned northerly line of Como Park Blvd. 198 feet to an angle point;

Thence southwesterly along said last mentioned northerly line of Como Park Blvd. 809.16 feet to the point of beginning, containing 15 acres of land, 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 July 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. 12, inclusive, of said book.

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

3. Said minutes correctly state the time when said meeting was 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 July, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: July 9, 1981

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

WHEREAS, the Scajaquada Tunnel Interceptor, which will carry Cheektowaga's waste waters to the Bird Island Treatment Plant is near completion, and

WHEREAS, in the past few years, the Town of Cheektowaga has expended great sums of money in the capital construction phase for directing its sewerage to the Bird Island plant for treatment, under the jurisdiction of the Buffalo Sewer Authority, and

WHEREAS, the Town of Cheektowaga now faces the task of insuring that Town residents pay equitably for services they receive, and that they obtain these services as inexpensively as possible, and

WHEREAS, the entire Town of Cheektowaga, including its two villages of Sloan and Depew, will be directing sewerage to the Buffalo Sewer Authority for treatment, and

WHEREAS, the population of Cheektowaga is approximately 30% of that of the City of Buffalo, which waste waters are channeled to the Bird Island plant, therefore Cheektowaga will be a major contributor to this treatment plant, and

WHEREAS, the Bird Island Treatment Plant, which formerly served only the City of Buffalo, is now serving the Buffalo metropolitan area, and

WHEREAS, it is right and proper for representation on the Buffalo Sewer Authority to be composed of a membership reflecting this metropolitan area, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board memorializes its State Representatives, State Assemblyman Dennis T. Gorski and State Senator Dale M. Volker, to introduce and enact State legislation which would allow the Board of Managers of the Buffalo Sewer Authority to be composed of suburban representatives which would reflect the metropolitan area being served by the Buffalo Sewer Authority, and BE IT

FURTHER RESOLVED, that said suburban representation is to include at least one person from the Town of Cheektowaga who would be appointed by the Cheektowaga Town Board, and BE IT

FINALLY RESOLVED, that certified copies of this resolution be sent to State Senator Dale M. Volker, State Assemblyman Dennis T. Gorski and to the Governor of the State of New York, Hugh L. Carey.

Upon Roll Call....

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

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

WHEREAS, in the past few years, the Town has expended great sums of money in the capital construction phase for directing sewage to the Buffalo Sewer Authority for treatment, and

WHEREAS, the Town now faces the task of ensuring that Town residents pay equitably for services they receive and obtain these services as inexpensively as possible, and

WHEREAS, the Town Board, in fulfilling their stewardship responsibilities desires to seek assurance that fiscal matters relating to this conversion are properly controlled, NOW, THEREFORE, BE IT

RESOLVED that Main Hurdman and Cranstoun, CPA firm, be engaged to:

Perform a detailed review of the contract between the Town of Cheektowaga Sanitary Sewer District No. 5 Service Area and the Buffalo Sewer

Item No. 14 Cont'd.

Authority. This review would focus special attention on:

- a) the propriety of payments made to date
- b) projecting contractual payment requirements for a five (5) year period commencing 1981 and the related impact on the tax rate for Town Board enlightenment
- c) exploring potential favorable financing alternatives where available (i.e. direct indebtedness vs. BSA Capital Indebtedness) and
- d) recommend a format for detail data to be included on future operational invoices to be received from the BSA once full service is commenced.

These services to be provided for a fee not to exceed \$6,500.00, chargeable to Sanitary Sewer District No. 5 Service Area Account S8125.451.

Upon Roll Call....

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

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

WHEREAS, in anticipation of the connection and operation of Cheektowaga Sanitary Sewer District No. 8 by January 1, 1982, a final accounting of all costs associated with this capital construction project should be made as a prerequisite to assessments of benefited parties, and

WHEREAS, the Town Board desires a smooth fiscal transition for the taxpayers in this new district, NOW, THEREFORE, BE IT

RESOLVED that Main Hurdman and Cranstoun, CPA firm, be engaged to assist the Town in attaining this object:

1) to review all costs relative to the construction of Town Sanitary Sewer District No. 8 as to propriety for inclusion in the final accounting

2) develop a proposal for phased implementation of tax levies for an initial three (3) year period to provide a graduated benefit basis property tax pattern

3) review assessment rolls to related boundary map to ascertain inclusion of all benefited parties.

These services to be provided for a fee not to exceed \$5,700.00 chargeable to Sanitary Sewer District No. 8 Capital Project in the Capital Fund.

Upon Roll Call....

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

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

WHEREAS, the Town is under a mandate of the EPA to implement a "USER" charge to all properties receiving benefit from a sanitary sewer system, and

WHEREAS, the effect of this implementation has a potential to alter significantly, charges to certain Town taxpayers, and

WHEREAS, the Town Board desires to comply with the EPA mandate and provide a meaningful transition for the taxpayers of the Town, NOW, THEREFORE, BE IT

Item No. 16 Cont'd.

RESOLVED that Main Hurdman and Cranstoun, CPA firm, be engaged to:

1. Thoroughly review the new mandated EPA - "USER" charge for implementation in the 1982 tax bills to include:
 - a) projection of 1982 Sanitary Sewer District net levies for all Town Districts
 - b) computation of several alternative formulas in compliance with the Sewer Use Ordinance Amendment
 - c) review status of exempt properties in relation to the new formulas
 - d) apply alternative formulas in (b) above to a broad sampling of Town properties as a means of assessing the impact
 - e) review services rendered to borderline properties and propose method of invoicing
 - f) review other areas of concern (i.e. non-sewered properties, properties using well water, and multiple metered buildings) and recommend alternatives for invoicing
 - g) ascertain impact on taxpayers of carrying NFTA parcels
 - h) consult with EPA officials on compliance of proposed formulas with EPA regulations
 - i) recommend formula to Town Board in work-session and discussion of impact upon taxpayers
 - j) review status of Industrial Cost Recovery as it could affect the Town
 - k) meet individually with major impacted property owners to explain projected cost and regulations requiring same
 - l) participate in public hearing for further explanation of new formula impact
 - m) provide approved formulas to Assessor's Office
2. Review Town "tap-in" fee structure for all Town Districts and recommend revisions where warranted.

These services to be provided for a fee not to exceed \$29,500, plus out-of-pocket expenses to be Federally funded at a 75% level with the local share of approximately \$7,375, chargeable to Sanitary Sewer Districts Nos. 3 and 5 Service area accounts S8123.445 and S8125.451.

Upon Roll Call....

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

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

WHEREAS, the Industrial Design Guidelines Review Committee has met for the past three months to formulate and recommend Industrial Design Guidelines for the Town, AND

WHEREAS, this Committee has submitted their proposed Guidelines to the Town Board for review and comment, AND

WHEREAS, the Town Board is desirous of receiving input on the

Item No. 17 Cont'd.

Guidelines from the Town Planning Board and other Town Departments, AND

WHEREAS, their expeditious review will facilitate action by the Town, NOW, THEREFORE, BE IT

RESOLVED that the Industrial Design Guidelines be referred to the Town Planning Board, Town Attorney, Engineering, Highway and Building Departments for their review and comment, and BE IT FURTHER

RESOLVED that the Town Planning Consultant, Stuart Alexander and Associates, Inc., be designated as the responsible party for receiving comments from the Town Planning Board and Departments on the Design Guidelines and in turn submit such comments to the Town Board, with specific recommendations for action, and BE IT FURTHER

RESOLVED that the Town Planning Board and Departments submit comments to Stuart Alexander and Associates no later than July 31, 1981.

Upon Roll Call....

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

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

WHEREAS, the State of New York acting by and through its Commissioner of Transportation has offered to the Town of Cheektowaga the sum of \$762.51 for complete reimbursement for work performed by the Niagara Mohawk Power Corporation for the Town pursuant to an agreement between the Town of Cheektowaga and said Commissioner, dated November 25, 1977 and entitled, "Agreement in Connection with the Cost of Relocating Municipally Owned Facilities Maintained for Public Use and Concerning that Particular Project known as Gore Area Improvement," and

WHEREAS, it is a condition precedent that the municipality deliver a release, NOW, THEREFORE, BE IT

RESOLVED by the Town Board of the Town of Cheektowaga that the Supervisor of said Town is hereby authorized to complete all acts and execute any and all instruments necessary for the final disposition of the matter hereinabove set forth, and more specifically the Supervisor is empowered to sign all releases necessary in order to obtain the sum previously mentioned.

*See next two pages for copy of Supplemental Agreement.

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 Wegner, seconded by Supervisor Meyers

WHEREAS, the Town presently operates and maintains the Alpine Lift Station at Alpine Place and Herbert Avenue, AND

WHEREAS, the Alpine Lift Station discharges to sewers which are tributary to Plant 5 on Central Boulevard, AND

WHEREAS, the Town desires to investigate the Alpine Lift Station and its service area to determine the future serviceability of the station and to evaluate the alternative of sewerage the station's service area by gravity, AND

WHEREAS, consulting engineering services are necessary to investigate said Alpine Lift Station and to determine proper solutions to current and future needs, AND

WHEREAS, Nussbaumer & Clarke, Inc. have been found qualified to perform said services, NOW, THEREFORE, BE IT

RESOLVED, that the proposal for provisions of the required services, as submitted by the consulting engineering firm of Nussbaumer & Clarke, Inc. in their letter of June 16, 1981 to the Town Engineer, be and hereby is accepted, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized to sign the agreement with Nussbaumer & Clarke, Inc. for said Alpine Lift Station Investigation.

*See next few pages for copy of agreement.

No. 17

AGREEMENT made this 6th day of July, 1981, by and between the TOWN OF CHEEKTOWAGA, with its principal place of business at Broadway and Union Road, Cheektowaga, New York 14227, party of the first part, hereinafter called the Owner, and HUSBANDER & CLARK, INC., a licensed engineering corporation in the State of New York, with offices at 310 Delaware Avenue, Buffalo, New York 14202, party of the second part, hereinafter called the "Engineer."

W I T N E S S E T H:

WHEREAS, the Town presently operates and maintains the Alpine Lift Station at Alpine Place and Herbert Avenue, and

WHEREAS, the Alpine Lift Station, built in 1960, discharges to sewers which are tributary to Plant 5 on Central Boulevard, and

WHEREAS, there exists the possibility of eliminating the old pump station by rerouting the flow, by gravity, to the newly installed 48" Buffalo connector sewer at Villa Maria, and

WHEREAS, the Town desires to investigate the Alpine Lift Station and its service area to determine the future serviceability of the station and to evaluate the alternative of sewerage the station's service area to Buffalo by gravity, and

WHEREAS, consulting engineering services are necessary to investigate said Alpine Lift Station and to determine proper solutions to current and future needs, and

WHEREAS, by resolution of the Town Board of Cheektowaga, dated July 6, 1981, the proposal by the Engineer is accepted as the basis for this Agreement,

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

The Owner hereby retains the Engineer to furnish the engineering services set forth in this Agreement upon the terms and conditions set forth herein and the Engineer hereby agrees to perform such services in accordance herewith. All services performed by the Engineer shall be done in a professional manner and in accordance with the provisions of this Agreement.

Section I - Scope of Work

A. Project Coordination

The Engineer will conduct meetings and coordinate the work of the Town personnel and the Engineer's personnel involved during the course of the project.

B. Field Work

The Engineer will investigate the current condition of the Alpine Lift Station.

Under this task, the Engineer will also investigate the alternative of sewerage the Alpine Lift Station service area by gravity.

C. Report

The Engineer will analyze the results of investigations under "B - Field Work" and include the results in a report to be submitted to the Town Engineer.

D. Additional Services

Any work, such as investigation of other facilities, final design of proposed facilities, soil borings, field observation or services during

construction, not included in tasks A, B and C above, shall be considered Additional Services over and above the scope of work of this Agreement. Additional Services shall be conducted as requested in writing by the Owner in accordance with the provisions of Section IV - Compensation.

Section II - General Provisions - Owner's Responsibilities

- A. Provide full information as to their requirements for this project.
- B. Assist the Engineer by placing at his disposal all available information pertinent to the project, including previous reports and any other data relative to the project and be responsible for the reasonable correctness of the data furnished to the Engineers.
- C. Guarantee access to and make all provisions for the Engineer to enter upon public and private property as required for the Engineer to perform his services under this Agreement.
- D. Provide water, power and drainage, where available and required for the Engineer to perform his services under this Agreement.
- E. Examine preliminary and final submittals presented by the Engineer, obtain advice of an attorney, insurance agent, assessor or other consultants as the Owner deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of the Engineer.
- F. Designate in writing a person to act as the Owner's representative in respect to the Engineer's services. Such person shall have complete authority to transmit instructions, receive information and interpret and define the Owner's policies and decisions with respect to materials, equipment elements and systems pertinent to the Engineer's services.

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

Section III - General Provisions - Engineer's Responsibilities

A. The Engineer agrees to perform and complete the services listed in Section I including normal civil, structural, mechanical, electrical, and architectural services where related thereto, as set forth below and contained within this Agreement.

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

C. The Engineer will supply five (5) copies of the Alpine Lift Station Report.

D. The Engineer agrees to secure, at his own cost and maintain in force during the life of the contract, the following insurance coverages:

1. Comprehensive General Liability affording bodily injury, personal injury and property damage liability coverage with a \$1,000,000 aggregate limit of liability.

2. Comprehensive Auto Liability affording bodily injury and property damage liability coverage for all owned, hired and non-owned vehicles. Bodily Injury Liability shall have a per person and per accident limit of \$500,000. Property Damage Liability shall have a per accident limit of \$100,000.

3. Worker's Compensation and Disability Benefits affording statutory limits for all states in which work hereunder is to be performed.

4. Professional Liability with an aggregate limit of \$1,000,000.

E. The Engineer represents that it is licensed and authorized to practice engineering and land surveying in the State of New York, and there shall be attached to the Report the corporate seal for professional engineering.

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

G. The Engineer, his agents and employees shall at all times conduct themselves consistent with their status as independent consultants and shall not represent themselves as employees or agents of the Owner.

H. The Engineer shall in all respect comply with the pertinent provisions of the laws, rules and regulations of the United States, the State of New York and the County of Erie.

I. Since the Engineer has no control over the cost of labor, materials or equipment, or over subcontractor's estimates, his opinion of probable Project Cost provided for herein is to be made on the basis of his experience and qualifications and represents his best judgment as a design professional familiar with the industry; but the Engineer cannot and does not guarantee that proposals, bids or the construction cost will not vary from opinions of probable cost prepared by him.

J. The Owner agrees to limit the Engineer's liability to the Owner and to all construction contractors and subcontractors on the project, due to the Engineer's professional negligent acts, errors or omissions, such

that the total aggregate liability of the Engineer to those named shall not exceed Fifty Thousand Dollars (\$50,000) or the Engineer's total fee for services rendered on this project, whichever is greater.

K. All approved original drawings prepared by the Engineer shall remain in the office of the Engineer. Any reproduction tracings required by the Owner will be furnished at cost as requested.

L. Additional copies of the Report, in excess of five (5) copies to be provided as part of the contract, shall be furnished by the Engineer as requested and will be billed at cost.

M. The Engineer will perform and complete the services listed in Section I within six (6) months following execution of this Agreement.

Section IV - Compensation

For services rendered under this contract, fees and payment will be paid by the Owner to the Engineer.

1. Cost Plus a Fixed Fee

For services rendered under Section I, paragraphs A, B and C, the cost not to exceed \$4,805.00, including a fixed fee of \$776.50. The Engineer will submit monthly or periodic statements regarding payments based on actual cost for that period plus a portion of the fixed fee.

2. Per Diem

For services rendered under Section I, Paragraph D, a per diem fee will be requested. The per diem rate will be based upon a factor of direct salary times 2.76. Any additional services required as a result

of litigation and/or claim negotiations involving the project other than litigation between the parties of this Agreement shall constitute Additional Services.

3. Identifiable Expenses

Identifiable expenses will be at cost.

B. Progress payments shall be made in proportion to services rendered. Payments shall be due and owing within thirty days of the Engineer's submittal.

C. If the Owner fails to make progress payments due the Engineer, the Engineer may, after giving seven days' written notice to Owner, suspend services under this Agreement.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures on the day and year first written above.

TOWN OF CHERKTOWAGA, NEW YORK

By

Kenneth J. Meyer

Supervisor
Title

Christie L. Bryan
Witness

NUSSBAUMER & CLARKE, INC.

By

V. J. Clausen

Pres.
Title

Sallie A. Boem
Witness

RECEIVED

Richard M. Moleski, Town Clerk

AUG 11 1981

A.M. P.M.
6/7/8/9/10/11/12/1/2/3/4/5/6

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 Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Town has adopted a project to acquire and embellish certain lands to be known as John C. Stiglmeier Park, and

WHEREAS, the funds for the necessary acquisition and embellishment by the Town are available from previously authorized project bonding, and

WHEREAS, the Town requires an easement over certain property in order to bring in power lines for lighting in the said park, which property heretofore has been identified and appraised, now, therefore, BE IT

RESOLVED that Mr. Thomas R. Licata of 825 Tacoma Avenue, 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 acquisition of said easement 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. 21 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Town has adopted a project to acquire and embellish certain lands to be known as John C. Stiglmeier Park, and

WHEREAS, the funds for the necessary acquisition and embellishment by the Town are available from previously authorized project bonding, and

WHEREAS, the property to be acquired has been identified and appraised, and

WHEREAS, the Town has received an offer from the owners of the property to convey it to the Town at the appraised value, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be, and he hereby is, authorized to accept said offer on behalf of the Town, and BE IT FURTHER

RESOLVED, that a loan from the General Fund to the Capital Fund in the amount of the required down payment be authorized, said loan to be repaid when the capital borrowing takes place, and BE IT FURTHER

RESOLVED, that the Law Department be, and it hereby is, authorized and directed to carry out the steps necessary to conclude the acquisition.

*See next few pages for copy of Contract of Sale.

This form not recommended for the sale of a condominium and/or real property
which includes an interest in a homeowners' association.

CONTRACT OF SALE

CAUTION: IT IS RECOMMENDED THAT ANY PERSON NAMED IN THIS CONTRACT CONSULT HIS
OR HER ATTORNEY BEFORE SIGNING IT.

Date July, 19 81 Seller and Purchaser agree as follows:

Seller UNIVERSAL MARION CORPORATION and WITBEN REALTY CORP., affiliated
Address: corporations whose address is Post Office Box 4369, Jacksonville,
Florida 32201

Purchaser TOWN OF CHEEKTOWAGA, a New York municipal corporation with offices
Address: at Broadway and Union Roads, Cheektowaga, New York 14227

1 AGREEMENT. Seller shall sell and Purchaser shall buy on the terms stated in this contract.

2 PROPERTY. The Property is described as follows:

Street Address North side Losson Road

~~XXXXXX~~ Town of Cheektowaga County of Erie, State of New York.

Additional description: Vacant lands located on the north side of Losson Road
being 223.13 acres more or less as shown on map of premises as outlined
in "red" attached hereto as "Schedule A".

Subject to easements and rights of way of record given to
New York Central Railroad for railroad track uses, to Erie County Water
Authority for water line installation and to New York State Electric and
Gas for power lines.

Purchaser will accept title to the Property subject to restrictions of record providing they have not been violated, unless their enforcement is barred by
law; water lines, sanitary sewer, drainage, gas distribution line and main, electrical and telephone easements and rights-of-way of record provided they
are or may be used to service the Property and provided buildings and other improvements on the Property are not on the easements; and also
as noted above

THE SALE INCLUDES (a) all buildings and improvements on the Property and all rights of Seller to all streets, highways, alleys, driveways,
easements and rights-of-way relating to the Property.

~~(b) the following items, if any, belonging to the Seller and now on the Property: all heating, plumbing, lighting fixtures
and bulbs, all flowers, shrubs, trees, linoleum, window shades, venetian blinds, curtain rods, traverse rods, storm windows and storm doors, screens,
awnings, exterior T.V. antennas and rotor motor and controls, water softeners, sump pumps, bathroom fixtures, weather vanes, window boxes,
fences, chandeliers, flag poles, fire place screens and equipment, wall to wall carpeting and runners, garbage disposals, garage door openers including
hand-held units, and also (unless such items are free standing) all cabinets, mirrors, dishwashers, ovens, shelving, exhaust fans and hoods, trash
compactors, air conditioning (except window) units, humidifiers and dehumidifiers, gas operated post-type outdoor grills, and swimming pools and all
related equipment; and also~~

~~EXCLUDED FROM THIS SALE ARE: furniture and household furnishings; and also~~

*PRICE. The purchase price is \$ 656,694.00 payable as follows:

- When Purchaser signs this contract (deposit) \$ 15,000.00
- When Seller signs this contract (additional deposit) \$ _____
- On delivery of deed \$(balance) 641,694.00

~~By assuming and agreeing to pay according to its terms the principal balance of the mortgage held
by _____ in the approximate amount of \$ _____
payable \$ _____ monthly, interest rate _____ %.~~

Monthly payments include _____

~~If mortgage holder's consent to assume this mortgage is required and not obtained by the _____
day of _____, 19 _____, either Purchaser or Seller shall have the right to
cancel this contract by written notice to the other. If by the above date, consent for assumption is given only
on different terms, Purchaser shall have the right to cancel this contract by written notice to Seller.
Purchaser will pay mortgage holder's assumption fee.~~

- By giving Seller a purchase money note and mortgage (in statutory form) in the amount of \$ _____
which shall be a _____ lien on the property payable as follows:
\$ _____ monthly (interest rate _____ %), entire amount
payable in _____ years with no penalty for prepayment

~~XXXXXX~~
*Should the exact acreage as determined by survey be more or less than a
one per cent variation of 223.13 acres then, in that event, the final
purchase price shall be adjusted beyond the one percent variation based
on the respective appraisals by John Kreitner.

ADJUSTMENTS AT CLOSING. There shall be prorated and adjusted, as of date of delivery of deed, rents, fuel oil, mortgage interest, non-delinquent
taxes and assessments appearing on current tax bills computed on a fiscal year basis, water and sewer charges and the following items: (list insurance,
or other items to be adjusted) _____

Purchaser will accept title to the Property subject to, and will pay, all assessments and installments of assessments for special or local improvements
not payable as of the closing date, provided they appear on the current tax rolls.

When a mortgage is assumed, Seller shall furnish to Purchaser at closing a statement by the mortgage holder stating the unpaid balance, interest due
and terms of payment and shall transfer to Purchaser all money held in escrow by the mortgage holder and Purchaser shall pay that amount to Seller.

SEARCH AND SURVEY. Seller shall deliver to Purchaser's attorney at least 15 days before the date of closing a fully guaranteed tax and title search (which covers the property only) dated after this contract and a local tax certificate, where not covered by search, and a survey dated after this contract, prepared and certified according to Bar Association of Erie County standards, showing the Property and the location of all buildings, other structures, and improvements affecting it.

DEED. At closing, Seller shall deliver to Purchaser a warranty deed with lien covenant giving good and marketable title in fee simple, free and clear of all encumbrances except as stated in this contract.

INSPECTION. Before closing, Purchaser shall have the right to inspect the Property on reasonable notice to Seller.

POSSESSION. Purchaser shall have possession and occupancy of the Property from the delivery of deed except as follows: (List all tenants, rents, leases if any, and security deposits).

Sellers shall provide, at their expense, a Standard Fee Title Insurance Policy at closing.

MORTGAGE COMMITMENT. Purchaser shall apply for a

mortgage in the amount of \$ _____ at an interest rate of not more than _____ per annum. Purchaser's application shall be made promptly and in good faith. If a commitment for this mortgage is not obtained by the _____ day of _____, 19 _____, either Purchaser or Seller may cancel this contract by written notice to the other and the entire deposit shall be returned. The same shall apply if the commitment is granted by later cancelled without fault of Purchaser.

If Purchaser applies for an F.H.A. mortgage, the following applies: "It is expressly agreed that, notwithstanding any other provisions of this contract, the purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise, unless the seller has delivered to the purchaser a written statement issued by the Federal Housing Commissioner setting forth the appraised value of the property (excluding closing costs) of not less than \$ _____ which statement the seller hereby agrees to deliver to the purchaser promptly after such appraised value statement is made available to seller. The purchaser shall, however, have the privilege and option of proceeding with the consummation of the contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner. The appraised valuation is arrived at to determine the maximum mortgage the Department of Housing and Urban Development will insure. HUD does not warrant the value or the condition of the property. The purchaser should satisfy himself/herself that the price and condition of the property are acceptable."

If Purchaser applies for V.A. mortgage, the following applies: "It is expressly agreed that, notwithstanding any other provisions of this contract, the purchaser shall not incur any penalty by forfeiture of earnest money or be obliged to complete the purchase of the property described herein, if the contract purchase price or cost exceeds the reasonable value of the property established by the Veterans Administration. The purchaser shall, however, have the privilege and option of proceeding with the consummation of this contract without regard to the amount of reasonable value established by the Veterans Administration."

MORTGAGE LOAN FEE. (Complete if applicable)

Seller shall pay loan fee of not more than _____ % of mortgage.

Purchaser shall pay loan fee of not more than _____ % of mortgage.

COSTS. Seller shall pay for tax and title search to date of closing and for survey, transfer tax stamps and the special additional mortgage tax if it applies. Purchaser shall pay mortgage tax and for recording deed and mortgage.

OBJECTION TO TITLE AND TITLE INSURANCE. If Purchaser finds valid objections to Seller's title which make it unmarketable, both Seller and Purchaser have the right to cancel this contract on written notice, and the full deposit shall be returned. However, if Seller is able, within a reasonable time, to cure the objection or if thereafter either Seller or Purchaser obtain a commitment for fee title insurance at standard rates covering the objection, Seller shall pay the cost of it and this contract shall remain in effect. Purchaser will pay for title insurance required by lender.

14. IMPROVEMENT VIOLATIONS. Purchaser intends to use the property for single family residence or (insert other use if applicable) _____

The Seller shall apply for and supply to Purchaser any certificate normally required by current government regulations showing that the Property, complies with any law, ordinance, regulation or code, including Erie County Health Department approval of non-public sewage disposal system and water supply. Seller shall pay any cost in applying for such certification(s).

If Purchaser makes valid objection to the legal status of the improvements on the Property or to the Property itself or if Seller is unable to obtain the certifications mentioned above without cost, except for application fees, the Seller has the choice of cancelling the contract on written notice to the Purchaser and returning the full deposit or correcting at Seller's expense the problem(s) which caused the objection within a reasonable time so that the certifications may be obtained.

15. CLOSING. This contract shall be closed at the Erie County Clerk's Office at 10:00 A.M. on the _____ 1st day of _____ September, 19 81, or at whatever other date and time Purchaser and Seller later agree upon.

16. BROKER'S COMMISSION. Seller and Purchaser agree that _____ NO BROKER brought about this sale and the Seller agrees to pay the entire broker's commission.

17. ENTIRE AGREEMENT. This contract of sale contains the entire agreement between the Seller and Purchaser and nothing is binding on either of them which is not contained in this contract. This contract is intended to bind the Seller and Purchaser and those who succeed to their interests.

18. SIGNATURES. Unless all of the persons whose names appear at the beginning of this contract sign it on or before the _____ day of _____, 1981, this contract shall not become effective.

UNIVERSAL MARION CORPORATION

TOWN OF CHEEKTOWAGA

By _____ 1981
Date

By _____ 1981
Date

ITBEN REALTY CORP.

Purchaser Supervisor

By _____ 1981
Date

Purchaser Date

Seller _____
Date

Purchaser _____
Date

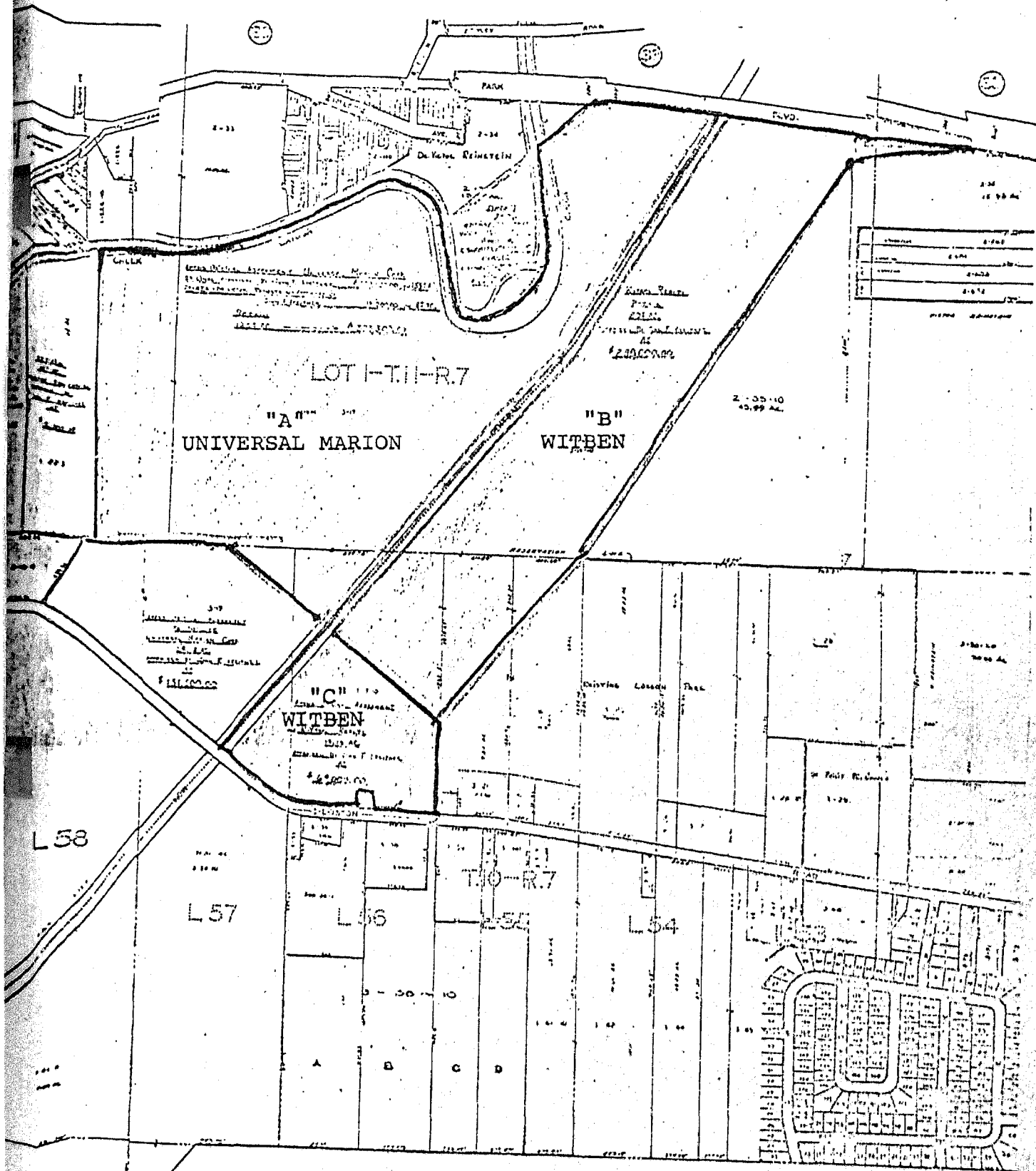
RECEIPTS

Received the Initial deposit of \$ _____ on account from purchaser.
Additional deposit of \$ _____

to be held in escrow by _____

Dated: _____, 19 _____

Received by: _____



PARCEL A	125 acres
PARCEL B	80 acres
PARCEL C	18.13 acres

Exclude from Parcel "C" Bollino residence, 120 feet frontage on Losson Road by 160 feet in depth.

SCHEDULE "A"

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 Wegner, seconded by Supervisor Meyers

WHEREAS, the New York State Department of Transportation submitted an agreement for New York State participation in the Town of Cheektowaga's project of drainage improvements on Walden Avenue, State Highway 9411, in the amount of 10% of the cost of said drainage improvements, NOW, THEREFORE, BE IT

RESOLVED that this Town Board accepts the offer of New York State participation in the costs of the Walden Avenue drainage project, and BE IT FURTHER

RESOLVED that the Supervisor is authorized and directed to sign the agreement with the State of New York.

Upon Roll Call....

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

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

WHEREAS, the Town wishes to dispose of a number of surplus vehicles no longer required for Town use, AND

WHEREAS, sale of such surplus property by the Town is provided for in Section 64 of New York State Town Law, AND

WHEREAS, Baran Investors, Inc., has submitted a proposal for disposing of said vehicles, NOW, THEREFORE, BE IT

RESOLVED that the Town hereby retains Baran Investors, Inc., 999 Rein Road, Cheektowaga, New York, as per the attached proposal, to conduct a sale of surplus Town vehicles, listed on the attached list, at a public sale to the highest responsible bidder on Tuesday, July 7, 1981 at 10:00 A.M., at 999 Rein Road, and BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute all documents that may be required to effectuate the sale and transfer of all said bids.

*See next two (2) pages for copy of letter and vehicle listing.

BARAN INVESTORS, INC.

999 REIN ROAD - P.O. Box 152 - 633-4206 - CHEEKTOWAGA, NEW YORK 14225

July 2, 1981

Town Board
Twn of Cheektowaga
Union at Broadway
Cheektowaga, NY 14227

Gentlemen:

Per your phone request of this morning, we respectfully submit our charges for public auction of town vehicles as below:

Auction fee of \$25 per vehicle plus reimbursement for advertising expenses incurred.

Our fees will be deducted from gross sale amount. Bills of sale for each vehicle will be forwarded with our check for net proceeds.

Respectfully yours,

BARAN INVESTORS, INC.

Edward P. Baran

Edward P. Baran
President

EPB:bad

<u>VEHICLE #</u>	<u>MODEL</u>	<u>MAKE</u>	<u>SERIAL #</u>	<u>YEAR</u>
32	Electra-Glide	Harley Davidson	66FL14306	1966
33	Electra-Glide	Harley Davidson	66FL14305	1966
44	Bel Air	Chevrolet	IK69U51156796	1975
48	Van	Dodge	B21AB2V634356	1972
79	4 Door	Plymouth	PK41P7D172475	1977
80	4 Door	Plymouth	PK41P7D172469	1977
81	Polara 4 Door	Dodge	DL41K2F238277	1972
84	Bel Air	Chevrolet	IK69H4Y150413	1974
86	Bel Air	Chevrolet	IK69U51156869	1975
92	Bel Air	Chevrolet	IK69H4T245509	1974
93	Bel Air	Chevrolet	IK69U51156957	1975
96	Bel Air	Chevrolet	IK69U51156775	1975
97	4 Door	Plymouth	PK41P7D172468	1977
122	Pick Up	Chevrolet	CCY2441168260	1974
78	Pick Up	Chevrolet	CCY2441167398	1974
20	Pick-up	Chevrolet	CCY1431116605	1973

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 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 an excess flow facility and sewer system rehabilitation, AND

WHEREAS, the completely revised sewer system Evaluation Survey Report for District No. 3 was submitted to the New York State Department of Environmental Conservation in November 1980, AND

WHEREAS, the Town conducted a public hearing regarding a proposed excess flow facility and sewer system rehabilitation at John F. Kennedy High School on May 26, 1981, AND

WHEREAS, the transcript of said public hearing, the Environmental Information Document and other material were submitted to the New York State Department of Environmental Conservation June 10, 1981, completing all current Step I requirements by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency, 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 No. 3 to pursue a separate Step II Grant with the Town as the Grantee, AND

WHEREAS, the New York State Department of Environmental Conservation has not completed review of the Sewer System Evaluation Survey Report, but has recommended submittal of a Step II Grant Application, AND

WHEREAS, the Town Board, at a meeting on June 29, 1981, acting as Board of Managers for Sewer District No. 3, approved a Step II Design Grant Application for sewer rehabilitation alone, AND

WHEREAS, the New York State Department of Environmental Conservation has recommended a Grant Application to include design of both the Excess Flow Facility and sewer rehabilitation, AND

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 No. 3, AND

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

WHEREAS, the New York State Department of Environmental Conservation will only approve one Step II Grant for work in Sewer District No. 3, NOW, THEREFORE, BE IT

RESOLVED, that Nussbaumer and 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 Town Board, acting as Board of Manager for Sewer District No. 3, directs and authorizes the Supervisor to sign the Step II Grant Application for design of both the Excess Flow Facility and the sewer rehabilitation, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized to sign the agreements with Nussbaumer and Clarke, Inc. for Step II engineering services after

Item No. 24 Cont'd.

approval of this Town application by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency.

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 Wegner

BE IT RESOLVED, that Change Order No. 2, Contract 3D, for the Town's Sanitary Sewer District No. 5 Main Pump Station, in the amount of \$4,168.00 as an addition to the contract of John W. Danforth Company, 1940 Fillmore Avenue, Buffalo, New York 14214, be approved. The reason for each change, description and cost are defined in a letter from the Town Engineer dated July 2, 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 No. 5, directs and authorizes the Supervisor to sign said Change Order No. 2 on behalf of the Town's Sewer District No. 5.

*See next two (2) pages 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

July 2, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Change Order No. 2
Contract 3D
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. 2 - Add \$4,168.00

This Change Order consists of seven (7) different changes which are described as follows:

- 1.) Furnish and install an additional electrically operated louver over the Boiler Room door to improve heat disipation.
Add \$1,448.00
- 2.) Furnish and install larger wall grilles in the Electrical Room to improve heat disipation.
Add \$ 573.00
- 3.) Furnish and install seven (7) additional hydronic isolation valves in the Intermediate Basement to improve maintenance.
Add \$ 211.00

Supervisor and
Honorable Town Board Members

July 2, 1981

- 4.) Modify air duct to provide additional clearance for Pump #1 butterfly valve to improve operation and maintenance of valve actuators.

Add \$ 725.00

- 5.) Furnish and install a venting system in the Laboratory for the atomic absorption spectrometer for operator safety.

Add \$ 919.00

- 6.) Provide one (1) additional finned tube cover where finned radiant tube was rerouted around a corner to complete the installation.

Add \$ 97.00

- 7.) Relocate hydronic piping at duct coil to obtain clearance at catwalk passage-way.

Add \$ 195.00

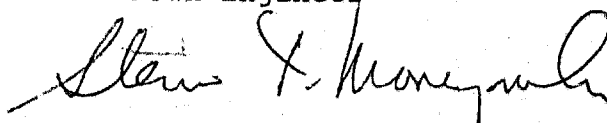
Total Addition \$4,168.00

Attached is a resolution requesting your consideration.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer



By: Steven T. Marcynski,
Senior Engineer Assistant

CL:STM:mjh

Item No. 25 Cont'd.

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 Supervisor Meyers

WHEREAS, the consulting firm of McFarland-Johnson Engineers, Inc. have approved the following Change Order No. 4 on the Chapel-Smith Drainage Project, Phase I, AND

WHEREAS, the scope of work in the Change Order is to provide a concrete headwall and rip-rap at the outlet of the storm sewer at Scajaquada Creek Tributary T-38 in accordance with the requirements of the New York State Department of Environmental Conservation, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 4 on the Chapel-Smith Drainage Project, in the amount of \$3,920.00 for the installation of the headwall, and as an addition to the contract of N.A.I. Construction Company, Inc. be approved, and BE IT FURTHER

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

Upon Roll Call....

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

Item No. 27 Motion by Councilman Rogowski, seconded by Councilman Dux

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of premium gasoline to be used by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., July 20, 1981 for the purpose of opening and reading the sealed bids.

* * * * *

LEGAL NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

PREMIUM GASOLINE

SEALED PROPOSALS will be received, publicly read and considered by the Town Board, Town of Cheektowaga, on the 20th day of July, 1981, at 7:00 P.M., Eastern Daylight Saving Time, in the Council Chambers, located in the Cheektowaga Town Hall, at Broadway and Union Roads, Town of Cheektowaga, New York 14227.

The Superintendent of Highways reserves the right to reject any or all bids, and proposals and to advertise anew or to award one contract for the entire purchase, as in his judgment he shall deem it to be for the best interest of the Town of Cheektowaga to do so.

Please mark envelope "BID FOR GASOLINE". Specifications and bid forms may be obtained at the Highway Department, located at 3145 Union Road, Town of Cheektowaga, New York 14227, between the hours of 8:30 A.M. and 4:00 P.M.

Item No. 27 Cont'd.

RICHARD M. MOLESKI, TOWN CLERK

DATED: June 22, 1981
PUBLISHED: July 9, 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.

Glady 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 Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication *July 9, 1981* ;
last publication *July 9, 1981* ;
and that no more than six days intervened be-
tween publications.

Glady M. Hechter
Sworn to before me this *10th*
day of *July* , 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*

**LEGAL NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA
HIGHWAY DEPT.**

PREMIUM GASOLINE

SEALED PROPOSALS will be received, publicly read and considered by the Town Board, Town of Cheektowaga, on the 20th day of July 1981, at 7:00 p.m. EDST, in the Council Chambers, located in the Cheektowaga Town Hall, at Broadway and Union Rds., Town of Cheektowaga, New York 14227.

The Superintendent of Highways reserves the right to reject any or all bids, and proposals and to advertise anew or to award one contract for the entire purchase, as in his judgement it shall deem it to be for the best interest of the Town of Cheektowaga to do so.

Please mark envelope "BID FOR GASOLINE" — Specifications and bid forms may be obtained at the Highway Department, located at 3145 Union Rd., Town of Cheektowaga, New York 14227, between the hours of 8:30 a.m. and 4:00 p.m.

Richard M. Moleski
Town Clerk

DATED: June 22, 1981

PUBLISHED: July 9, 1981

Item No. 28 Motion by Councilman Rogowski, seconded by Councilman Dux

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of diesel fuel oil, motor oils, miscellaneous oils, lubricants and fluids of various sorts, and anti-freeze for the Town of Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., July 20, 1981 for the purpose of opening and reading the sealed bids.

* * * * *

NOTICE TO BIDDERS

CHEEKTOWAGA HIGHWAY DEPARTMENT

THE TOWN OF CHEEKTOWAGA hereby requires sealed bids for the purchase of Diesel Fuel Oil, Motor Oil, Compressor Oil, Gear Oil, Penetrating Oil, Hydraulic Oil, Kerosene Oil, Lubricants, Fluids, Anti-freeze, etc., for use by the Cheektowaga Highway Department.

Specifications and information are available at the office of the Superintendent of Highways, Alfred F. Wnek, whose office is located at 3145 Union Road, Town of Cheektowaga, New York 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening on July 20, 1981, at 7:00 P.M.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also marked "SEALED BID FOR DIESEL FUEL AND VARIOUS OILS AND LUBRICANTS, FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

The Town of Cheektowaga reserves the right to reject any or all bids if it be in the public interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids, also to include the name and address of bidder.

SIGNED:

RICHARD M. MOLESKI, TOWN CLERK

DATED: June 19, 1981

PUBLISHED: July 9, 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. Hecker, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*Clerk*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks:
first publication.....*July 9, 1981*.....;
last publication.....*July 9, 1981*.....;
and that no more than six days intervened be-
tween publications.

Gladys M. Hecker
Sworn to before me this*10 th*.....
day of*July*....., 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 TO BIDDERS
CHEEKTOWAGA**

HIGHWAY DEPARTMENT

THE TOWN OF CHEEKTOWAGA hereby requires sealed bids for the purchase of Diesel Fuel oil, motor oil, compressor oil, gear oil, penetrating oil, hydraulic oil, kerosine oil, lubricants, fluids, anti-freeze, etc., for the use by the Cheektowaga Highway Department.

Specifications and information are available at the office of the Superintendent of Highways, Alfred F. Wnek, whose office is located at 3145 Union Rd., Town of Cheektowaga, New York 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening on July 20, 1981, at 7:00 p.m.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also marked "SEALED BID FOR DIESEL FUEL AND VARIOUS OILS AND LUBRICANTS, FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

The Town of Cheektowaga reserves the right to reject any or all bids if it be in the public interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids, also to include the name and address of bidder.

Richard M. Moleski
Town Clerk

DATED: June 19, 1981

PUBLISHED: July 9, 1981

Item No. 29 Motion by Councilman Dux, seconded by Councilman Rogowski

BE IT RESOLVED that the following individuals be and hereby are hired in the Department(s) as listed, at the specified rate of pay:

CENTRAL GARAGE - SEASONAL LABORERS - \$3.10 per hour

Effective 6/17/81:

Jeffrey Richter

Effective 6/24/81:

Peter Dudek

Joseph Bauman

TOWN CLERK'S OFFICE - SEASONAL CLERK - \$3.10 per hour

Effective 7/6/81:

Michele Jagodzinski

SEASONAL LABORERS - \$3.10 per hour - FACILITIES DEPARTMENT (PARKS DIVISION)

Daniel Wetzler

Robert Miller

(Effective 7/1/81)

(Effective 7/2/81)

David Zielinski

Larry Benczkowski

David Szelga

SEASONAL LABORERS - \$3.10 per hour - STREET LIGHT STANDARD PAINTING AND/OR REPAIR PROGRAM

Joseph Mahoney

Sean Lizak

(Effective 7/13/81)

SEASONAL CLERICAL - \$3.10 per hour - FACILITIES DEPARTMENT

Pam Kaminski

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department to help conduct its 1981 Summer Programs:

PLAYGROUND SUPERVISOR - \$1,650.00 - 10 Weeks

David Gasiewicz

Item No. 30 Cont'd.

BASKETCHECKERS - \$2.25 per hour

Brenda Norvis
Susan Stutz
Joanne Witkowski
Catherine Zagorski
Donna Bucholtz

PARK ATTENDANTS - \$3.10 per hour

Paula Arcara
Dee Bartkowiak
Sandra Braun
Camilla Derylak
Nancy Grzybek
Melanie Lata
Tina Monaco
Al Pepe
Robin Reimer
Jennifer Schueler
Janet Simon

LIFEGUARDS - \$3.10 without WSI - \$3.35 with WSI

Greg Burke
Bill Hochul
Anthony Kolasny
Pete Kraft
Suzanne Gapik

Upon Roll Call....

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

Item No. 31 Motion by Councilman Swiatek, 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:

HOMETOWN BEAUTIFICATION/HERITAGE PROGRAM - A.7310.187 - PARTICIPANTS - \$3.10/hour

Norman Anderson

Kim Fenske

Daniel Andrzejewski

Ginnie Gerace

Mark Banaszak

Dawn Guzzo

Glenn Boneberg

Keith Healv

Richard A. Burst, Jr.

Gary Klosko

Carl Dettelis

Karen Knoph

Item No. 31 Cont'd.

Tom Doctor	Joyce Mazurkiewicz
Sharon Empl	Daniel McManus
Lauren Minsterman	Kurt Klostermann
Mark Mruk	Dave Wutz (Depew)
John Mueller	Richard Pajak
Priscilla Porter (Dep.)	Elizabeth Reichert
Lynn Schwenk	Ted Skowron III
Jeffrey Szymanski	Karen Szymanski
Greg Wayne	Robin Wesolowski

YCC YOUTH LEADER at \$3.60/hour - A.7310.184

Martin Snyder

and BE IT FURTHER

RESOLVED that the following individual be and hereby is hired as a DAY CAMP COUNSELOR for the YOUTH BUREAU SUMMER DAY CAMP PROGRAM to fill a vacancy which has occurred, at the rate of \$3.50 per hour - effective July 6, 1981.

Eve Kushner

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. 32 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, a resolution was passed on June 15, 1981, authorizing Roger Newhouse, Kenneth Osika and Robert Off to attend a training conference on June 22nd, 23rd and 24th, at Siena College in Albany, New York, AND

Item No. 32 Cont'd.

WHEREAS, a name was erroneously listed on the resolution, NOW,
THEREFORE, BE IT

RESOLVED that the above named resolution be hereby rescinded.

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

WHEREAS, the Cheektowaga Youth Bureau has received a Youth 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" which was held at Siena College, near Albany, New York, June 22nd through June 24th, NOW, THEREFORE, BE IT

RESOLVED that Roger Newhouse, Karen Leavens and Robert Off are hereby authorized to have attended said training session, and BE IT FURTHER

RESOLVED that Messrs. Newhouse, Off and Ms. Leavens were permitted to utilize a Town vehicle on June 22nd 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. 34 Motion by Councilman Wegner, seconded by Councilman Swiatek

BE IT RESOLVED, that the individuals listed below be hereby terminated as participants of the Youth Community Conservation and Improvement Project, (YCCIP), effective July 1, 1981:

--Timothy Frey

West Seneca, New York 14224

--Daniel Lerner

Cheektowaga, New York 14225

--Robert Wesolowski

Depew, New York 14043

Upon Roll Call....

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

Item No. 35 Motion by Councilman Swiatek, seconded by Councilman Wegner

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

Item No. 35 Cont'd.

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 YCCIP line number 6258.110, 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:

Michael Oryszak

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. 36 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the New York State Department of Environmental Conservation is sponsoring training sessions at a Wastewater Treatment Plant in Hilton, New York just west of Rochester, New York, on July 22nd and 23rd, 1981 which courses of instruction would be beneficial to Town of Cheektowaga personnel, NOW, THEREFORE, BE IT

RESOLVED, that the following be and hereby are authorized to attend the July 22, 1981 training course on Maintenance Management:

Alfred Zalenski, Chief Operator
Thaddeus Brudz, Assistant Working Foreman
Thomas Skowronski, Sr. Sewage Treatment Plant Operator

and BE IT FURTHER

RESOLVED, that the following be and hereby are authorized to attend the July 23, 1981 training course on Seals and Packing:

Thaddeus Brudz, Assistant Working Foreman
Ronald Kozell, Laborer
Alfred Krawczyk, MEO
Thomas Skowronski, Sr. Sewage Treatment Plant Operator
John Dunn, Maintenance Man

and BE IT FURTHER

RESOLVED, that the above Town employees are authorized to use a Town automobile for transportation to the Hilton, New York Wastewater Treatment Plant, and BE IT FURTHER

RESOLVED, that all legal expenses for these training sessions shall be reimbursed by the Town and chargeable to the Plant No. 5 and Sanitary Sewer District No. 5 budgets.

Upon Roll Call....

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

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

WHEREAS, Harry Bollman, Police Officer in the Cheektowaga Police Department, has received orders to report for military training for the period of July 11, 1981 to August 1, 1981, and

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 Bollman, for the period July 11, 1981 to August 1, 1981.

Upon Roll Call....

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

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

WHEREAS, Arlene Englert, Clerk Typist in the Cheektowaga Police Department, has respectfully requested a leave of absence, without pay, from her permanent position, due to a possible relocation from the area, and

WHEREAS, Article 9 of the current bargaining presently in effect between the Town of Cheektowaga and the Cheektowaga Employees Association, provides for a leave of absence of up to one year, NOW, THEREFORE, BE IT

RESOLVED that Arlene Englert is hereby granted a six (6) month leave of absence, without pay, from her permanent position of Clerk Typist in the Police Department; said leave of absence effective August 1, 1981.

Upon Roll Call....

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

Item No. 39a Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at a vacant lot East of 1000 Cleveland Drive, Sublots 74, 77, Map Cover 1474-1466, Cheektowaga, New York (Account No. 20-48 and 20-49) and according to the Assessor's Office is owned by Anthony Jaje, 529 Huxley Drive, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, cleanup be commenced by the Town and any costs be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 39b Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at vacant lots William Street West of Colton Street, Sublots 3, 4, 5, Map Cover 838, Block B, Cheektowaga, New York (Account No. 8-252, 8-153, 8-254) and according to the Assessor's

Item No. 39b Cont'd.

Office is owned by Arthur Karnofsky,
14221, and

, Williamsville, New York

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, cleanup be commenced by the Town and any costs be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 39c Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at Southeast corner of Genesee Street and Wheaton Drive known as 3117, 3119, 3121 Genesee Street, Cheektowaga, New York (Account Number 2-401, 2-402) and according to the Assessor's Office is owned by Samuel Perpetus,
and , Cheektowaga, New York 14225,

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, cleanup be commenced by the Town and any costs be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 39d Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at South side of Broad Street, West of 848 Dick Road, Sublots 190, 191, Map Cover 1243, Cheektowaga, New York (Account Number 24-574) and according to the Assessor's Office is owned by Lorraine Schultz,
, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, clean up be commenced by the Town and any costs be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 39e Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at a vacant lot at Southwest corner of 81 Evergreen Place and Meadow Place, Map Cover 962, Sublot 264, Cheektowaga, New York (Account Number 22-647) and according to the Assessor's Office is owned by Dominic S. Carino, Elma, New York 14059, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, clean up be commenced by the Town and any costs be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 39f Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at a vacant lot known as 1604 East Delavan and Marne Road, Map Cover 1349-1525-1527, Sublot 99, Cheektowaga, New York (Account Number 14-77) and according to the Assessor's Office is owned by Harold A. Kuhn, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, clean up be commenced by the Town and any costs be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 39g Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at a vacant lot at 19 Pine Circle, Sublot 5, Map Cover 2276, Cheektowaga, New York (Account No. 14-895) and according to the Assessor's Office is owned by Starlite Builders, P. O. Box 1182, Tavernier, Florida 33070, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, clean up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 39h Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of vacant properties located at the Southwest corner of Heritage and Genesee Street and the East side of Andres, Cheektowaga, New York (Account Nos. 34-190, 34-191, 34-50) and according to the Assessor's Office is owned by Mr. Richard N. Urbanski, , Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, clean up be commenced by the Town and any costs be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 39i Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of vacant property located at Map Cover 963, Sublots 39, 40 and 41 Wellworth Place, Cheektowaga, New York (Account No. 23-190) and according to the Assessor's Office records is owned by Dora Benderson, , Buffalo, New York 14216, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, clean up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 39j Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of vacant property located East of the Northeast corner of Crandon and Stanislaus, Cheektowaga, New York, Map Cover 733-976, Sublot 58 (Account No. 22-367) and according to the Assessor's Office records is owned by Hugh Allan & Associates, Inc., 4560 Gunnville Road, Clarence, New York 14031, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, clean up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

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

<u>FUND</u>	<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
GENERAL FUND	A.3610.406 (Traffic Safety-Memberships)	\$ 25.00	A.3610.400 (Traffic Safety-Supplies)
SPECIAL DIST. FUND	S.8525.493 (S.D. No.5- Remedial Work)	\$10,000.00	S.8525.459 (S.D. No. 5- Consulting Engineers)
SPECIAL DIST. FUND	S.8525.493 (S.D. No. 5- Remedial Work)	\$45,627.80	S.8333.458 (Payment to Erie County S.D. No. 4)
F.R.S. FUND	CF.909 (Fund Balance)	\$13,616.00	CF.5010.200 (Highway Equipment)
F.R.S. FUND	CF.1620.448 (Office Renovation-Accounting)	\$ 1,651.27	CF.1620.449 (Office Renovation-Council Off.)

Upon Roll Call....

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

Item No. 41 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 July 6th, 1981 are hereby approved and the Supervisor is ordered to pay same.

<u>FUND</u>	<u>CHECK NO.</u> <u>FROM TO</u>	<u>AMOUNT</u>
GENERAL FUND	11762-11959	\$ 75,561.42
SPECIAL DIST. FUND	10570-10660	538,484.45
HIGHWAY FUND	10364-10428	47,144.40
F.R.S. FUND	10202-10212	21,797.11
CAPITAL FUND	466-472	459,385.43
TRUST AND AGENCY FUND	986-998	2,631.02
H.U.D.-C.D.B.G. FUND	346-354	158,494.48
PART TOWN FUND	469-474	962.29
DEBT SERVICE FUND	132-138	31,822.00
SPECIAL ASSESSMENT FUND	3	4,569.25
H.U.D.-N.P.P. FUND	150-151	199.00
		<u>\$1,341,050.85</u>

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

- Item No. 42 Building Permits.
Item received and filed.
- Item No. 43 Dr. Louis Vendetti - Health Report for June, 1981.
Item received and filed.
- Item No. 44 Cheektowaga Library Board - Minutes of Meeting held 5/15/81.
Item received and filed.

V. GENERAL COMMUNICATIONS

- Item No. 45 N.Y.S. Assembly - Introduction of Bill to amend general municipal law, in relation to fees to be paid for services of town and village courts.
Item referred to Honorable Members of the Town Board; received and filed.
- Item No. 46 N.Y.S. Dept. of Transportation - Amended orders for traffic signal 308, Union Road and French Road.
Item referred to Honorable Members of the Town Board, Captain Kempski-Cheektowaga Police Department and Cheektowaga Traffic Safety Commission; received and filed.
- Item No. 47 N.Y.S. Dept. of Public Services, Gas Division - Case 27626 - (SEQRA 7-010) - Power Plant and Industrial Fuel Use Act of 1978.
Item referred to Supervisor Kenneth J. Meyers, Chester L. Bryan-Town Engineer and Raymond Matot-Facilities Department; received and filed.
- Item No. 48 Appearance and Complaint - National Fuel Gas Distribution Corp. objecting to 1981 tentative special franchise assessments.
Item referred to Supervisor Kenneth J. Meyers, James Kirisits-Town Attorney and Andrew Schwenk-Sole Assessor; received and filed.
- Item No. 49 Order to Show Cause - Nuttall Equipment Co., Inc. vs. Town of Cheektowaga and Buffalo Mack, Inc.
Item referred to Supervisor Kenneth J. Meyers, James Kirisits-Town Attorney and Alfred Wnek-Highway Superintendent; received and filed.
- Item No. 50 Notice of Claim - Mark Wyse vs. Town of Cheektowaga and Cheektowaga Police Department.
Item referred to Supervisor Kenneth J. Meyers, Theodore DeFedericis-Chief of Police, James Kirisits-Town Attorney and E.T. Clauss-Town Insurance Company; received and filed.
- Item No. 51 Complaint - Grace A. Barone vs. Town of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, James Kirisits-Town Attorney, Alfred Wnek-Highway Superintendent and E.T. Clauss-Town Insurance Company; received and filed.
- Item No. 52 Robert J. Racki, - Correspondence relative to opposition of Garbage Transfer Station in residential areas of Cheektowaga and Depew.
Item referred to Honorable Members of the Town Board and Chester L. Bryan-Town Engineer; received and filed.

Item No. 53 Rose Korhummel, - Correspondence acknowledging
Town Board for sewer work performed on Chapel Avenue.
Item referred to Honorable Members of the Town Board and
Chester L. Bryan-Town Engineer; received and filed.

* * * * *

Motion by Councilman Swiatek, seconded by Councilman Dux
to Waive the Rules to include Items 54 through 57.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner
and Rogowski

NAYES : 0

ABSENT: 0

* * * * *

VI. WAIVER OF RULES

Item No. 54 Authorization for Supervisor to execute and sign lighting agreement between Town of Cheektowaga and National Fuel Gas Distribution Corp.

Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Town has no present Agreement with National Fuel Gas Distribution Corporation for the furnishing of service to the General Lighting District, and

WHEREAS, a proposed Agreement for furnishing said service has been received from National Fuel Gas Distribution Corporation and has been reviewed by the Town Attorney's Office and Town Accountant, and

WHEREAS, the Town is authorized by Town Law §198 (6) to enter into such an Agreement, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and he hereby is authorized to sign said Agreement on behalf of the Town of Cheektowaga and the General Lighting District of the said Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Town make application to National Fuel Gas Distribution Corporation for an exemption from the proposed January 1, 1982 turn-off of service to the gas lighting system, and BE IT FURTHER

RESOLVED that the Town enter into negotiations with National Fuel Gas Distribution Corporation in order to phase in the proposed change in billing from an annual to monthly basis.

*See next few pages for copy of Lighting Agreement.

Item No. 54 Cont'd.

Upon Roll Call....

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

Item No. 55 Award of bid for furnishing of five (5) hoists and bodies for Highway Department.

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) 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 Valley Truck and Equipment Co., Trevett Road, Boston, New York 14025 at a total price of \$13,581.25; 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 page for copy of tabulation.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: ~~688 447 28~~

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 OF CHEEKTOWAGA, NEW YORK
TOWN HALL

Gentlemen:

Re: Award of bid for (5) bodies and
hoists

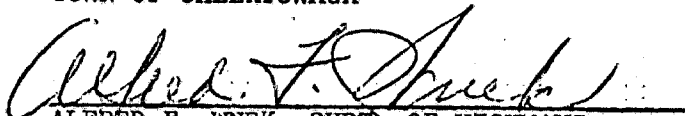
Bids for Highway equipment were received by the Honorable Body on March 16, 1981, and after careful review of same, I recommend that the Honorable Members award the contract for five (5) BODIES AND HOISTS, to VALLEY TRUCK & EQUIPMENT CO., Trevett Rd., Boston, New York 14025, being the lowest responsible bidder, for a total bid price of \$13,581.25.

The Bodies and hoists are to be assembled by the Cheektowaga personnel.

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, 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"

7

SUMMARY OF BIDS - MARCH 16, 1981

- FIVE BODIES AND HOIST -

<u>ENDOR</u>	<u>MAKE</u>	<u>PRICE</u>	<u>NET BID</u>
lley		13,581.25	13,581.25
iversal		14,950.00	14,950.00
w		14,460.00	14,460.00
tall		13,970.00	13,970.00
		14,995.00	14,995.00

Item No. 55 Cont'd.

Upon Roll Call....

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

Item No. 56 Create position of "Automotive Mechanic Foreman" in the Cheek-
towaga Highway Department.

Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, the necessary PO-17 forms have been submitted to the
Erie County Personnel Department for the creation of a "Automotive Mechanic
Foreman" in the Highway Department, and

WHEREAS, the Erie County Personnel Department has approved the
creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Automotive Mechanic Foreman"
in the Highway Department, be and hereby is created.

Upon Roll Call....

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

Item No. 57 Award of bid for Reconstruction of Rossler Avenue (between
Griswold St. and Dingens Street).

Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, bids were received and publicly opened at the Town
Board Meeting of June 15, 1981 for the reconstruction of Rossler Avenue, AND

WHEREAS, 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 from the Town Engineer to the Town Board
dated July 6, 1981, AND

WHEREAS, said report recommends that the contract be awarded to
Joseph J. Kelly Blacktop, Inc. for the submission of the lowest bid complying
with the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the reconstruction of Rossler
Avenue be and hereby is awarded to Joseph J. Kelly Blacktop, Inc., 146 Borden
Road, Depew, New York 14043, for their submission of the bid of \$257,289.34,
said bid being the lowest meeting the requirements of the specifications, and
BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign
the agreement with said Joseph J. Kelly Blacktop, Inc., after Town receipt of
the necessary two (2) easements at Dingens Street and Rossler Avenue.

*See next page 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
716-686-3447

July 6, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Reconstruction of Rossler Avenue

Gentlemen:

Bids were received and opened at the public meeting of June 15, 1981 for the reconstruction of Rossler Avenue. Six (6) bids were received as follows:

Joseph J. Kelly Blacktop, Inc.	\$ 257,289.34
Chestnut Ridge Contracting	289,448.50
Custom Top Soil, Inc.	295,521.48
DiPizio Construction Co., Inc.	299,000.00
Northern States Contracting Co., Inc.	304,319.00
C. Castricone Builders, Inc.	424,570.00

McFarland-Johnson Engineers, Inc. reviewed the bids. It is the recommendation of the engineers and ourselves that the bid be awarded to Joseph J. Kelly Blacktop, Inc., 1426 Borden Road, Depew, New York 14043, for submission of the low bid of \$257,289.34, which was the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan
Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

Item No. 57 Cont'd.

Upon Roll Call....

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

Item No. 58 Motion by Councilman Swiatek, seconded by Councilman Wegner
to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

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 20th day of July, 1981 at 7:00 o'clock P.M., Eastern Daylight Saving Time, therewere:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
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; Sal LaGreca, Assistant Manpower Program Director I; Julia Reinstein, Town Historian; Dr. L. Vendetti, Town Health Officer; Ron Marten, Building and Plumbing Inspector; George Burst, Working Foreman in the Central Garage; Chester Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; T. DeFedericis, Chief of Police; Mike Miecznikowski, Recreation Director; Pat Wojcik, Recreation Supervisor-Senior Citizens.

I. BIDS

Item No. 2 General Construction Work, heating-ventilating and Air Conditioning, Plumbing and Electric Work for Alterations to the Police and Court Building
Referred to Cehster Bryan, Town Engineer.

Item No. 3 Highway - Diesel fuel oil, motor oil, lubricants, etc.
Referred to Alfred Wnek, Highway Department.

Item No. 4 Highway - Premium Gasoline
Referred to Alfred Wnek, Highway Department.

II. PUBLIC HEARINGS

Item No. 5 Amendment to Traffic Ordinance - Article XIII "Truck Exclusions" - Section 130. (Chapel Avenue, Eggert Rd. between Sugar & Delavan)
This item was withdrawn.

Item No. 6 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 ahs 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:

Item No. 6 cont'd

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
BARBADOS DRIVE	North-south	CASTLEWOOD DRIVE	Westbound	N.E. Corner
BARBADOS DRIVE	East-West	WOODGATE DRIVE	Northbound	S.E. Corner

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:

SEBRING DRIVE	East and north side	from the south curbline of LeMans Drive to the east property line of No. 57 Sebring Drive, a point 420 feet
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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:

SEBRING DRIVE	East and north side	from a point 248+ feet, south of the south curbline of LeMans Drive to a point 287+ feet west of the west curbline of Sherry Drive extended, for a distance of 100+ feet.
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ARTICLE XIII

Truck Exclusions

Section 131. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, County of Erie and State of New York:

ELLICOTT CREEK ROAD	from Aero Drive to the Amherst town line
---------------------	--

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. 7 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 aodpted 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 X of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Parking, Standing and Stopping",

Item No. 7 cont'd

be amended by the enactment of a new Section 105 providing as follows:

Section 105. Restriction on oversized vehicles from parking on residential streets. In addition to the restrictions provided for in Sections 101 through 104, no vehicle longer than 225 inches, inclusive of load and bumper, or wider than 80 inches as measured by the body, or higher than 81 inches as measured from the under side of the tire to the top of the vehicle, shall park upon any street within any Residential District in the Town of Cheektowaga.

The provisions of this ordinance shall not apply to:

- (a) Vehicles parked because of an emergency of at a police officer's direction, or
- (b) Vehicles of the Town of Cheektowaga, fire apparatus, ambulances or vehicles engaged in the work of a public utility, or
- (c) Vehicles engaged in making pick-ups or deliveries or rendering services in or upon any property adjacent to the street where said vehicles are parked.

* * * * *

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. 8 Decision on amendment to Traffic Ordinance - Article XIII "Truck Exclusions" - Section 130. (Chapel Ave., Eggert Rd. between Sugar Rd. & Delavan Ave.)
This item was withdrawn.

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

WHEREAS, this Town Board duly held a public hearing on the 20th day of July, 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:

Item No. 9 cont'd

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
BARBADOS DRIVE	North-South	CASTLEWOOD DRIVE	Westbound	N.E. Corner
BARBADOS DRIVE	East-West	WOODGATE DRIVE	Northbound	S.E. Corner

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:

SEBRING DRIVE	East and north side	from the south curbline of LeMans Drive to the east property line of No. 57 Sebring Drive, a point 420 feet therefrom
---------------	------------------------	---

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:

SEBRING DRIVE	East and North side	from a point 258+ feet, south of the south curbline of LeMans Drive to a point 287+ feet west of the west curb- line of Sherry Drive extended, for a distance of 100 + feet.
---------------	------------------------	--

ARTICLE XIII

Truck Exclusions

Section 131. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, County of Erie and State of New York:

ELLCOTT CREEK ROAD	from Aero Drive to the Amherst town line
--------------------	--

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

Item No. 9 cont'd

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 this amendment 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. Hechter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Chief* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication..... *July 23, 1981* ;
last publication..... *July 23, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Hechter
Sworn to before me this *24th*
day of *July*, 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*

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 20th day of July, 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, this Town Board duly held a public hearing on the 20th day of July, 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 90. Stop intersections designated shall be amended by

adding thereto the following:

Street, BARBADOS DRIVE;
Direction, North-south; Entrance
Street, CASTLEWOOD DRIVE;
Traffic Stops, Westbound; Sign
Location, N.E. Corner

Street, BARBADOS DRIVE;
Direction, East-west; Entrance
Street, WOODGATE DRIVE;
Traffic Stops, Northbound; Sign
Location, S.E. Corner

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:

SEBRING DRIVE, East and north side, from the south curbline of LeMans Drive to the east property line of No. 57 Sebring Drive, a point 420 feet therefrom

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:

SEBRING DRIVE, East and North side, from a point 258 feet, south of the south curbline of LeMans Drive to a point 287 feet west of the west curbline of Sherry Drive extended, for a distance of 100 feet.

ARTICLE XIII

Truck Exclusions

Section 131. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, County of Erie and State of New York:

ELLCOTT CREEK ROAD, from Aero Drive to the Amherst town line

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 this amendment 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 July 20, 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. 9, 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 20th day of July, 1981.

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: July 23, 1981

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

WHEREAS, this Town Board duly held a public hearing on the 6th day of July, 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 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:

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 DRIVE	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

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 this 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

7/20/81

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

Charles M. Heister of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... Charles of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication..... July 23, 1981;
last publication..... July 23, 1981;
and that no more than six days intervened be-
tween publications.

Charles M. Heister
Sworn to before me this 24th
day of July, 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

**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 20th day of July, 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, this Town Board duly held a public hearing on the 6th day of July, 1981 at 7:00 P.M., Eastern Daylight Saving Time to

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 here-
inafter 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 July 20, 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. 10, 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 20th day of July, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: July 23, 1981

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that the following named highway, as more particularly described in the letter of the Highway Superintendent attached hereto and made a part hereof, be accepted as set forth in the letter:

BARBADOS DRIVE (part of) A 60' R.O.W. + 697' long,
running north and south and fronting sublots 11-24
and 77-86 (final part in Cathedral Heights Subdivision)

and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to record the Deed in connection with the above acceptance in the Erie County Clerk's Office.

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

Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that the following named highway, as more particularly described in the letter of the Highway Superintendent attached hereto and made a part hereof, be accepted as set forth in the letter, pending acceptance of lighting and power installations:

BARBADOS DRIVE (part of) A 60 ' R.O.W. + 697' long,
running north and south and fronting sublots 11-24
and 77-86 (final part in Cathedral Heights Subdivision)

and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to record the Deed in connection with the above acceptance in the Erie County Clerk's Office.

* See next page for letter

ALFRED F. WNEK

SUPERINTENDENT

OFFICE: ~~XXXXXXXXXX~~

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

July 16, 1981

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

Gentlemen:

Re: "BARBADOS DR." acceptance of final
Part in Cathedral Hts. Subdivision

Please be advised that proper and routine inspections have been made by my engineer, T. Skowron, and myself; and find that part of BARBADOS Dr., as is herein described, does conform to specifications, as set forth by the Town of Cheektowaga, is recommended for acceptance into our system of highways.

"BARBADOS DR." a 60 ft. R.O.W. as shown on m/c 2404, running north and south a distance of \pm 697 ft. and fronting s/l 11 - 24 and 77 - 86.


The deed is being forwarded to the Town Attorney's office for approval and filing. The Maintenance Bond is for an amount we require. This bond too will be sent to the Town Attorney's office for approval. A street lighting agreement is also being provided.

After proper approval by the Town Attorney, and filing and recording of the deed, these documents become part of this acceptance.

I request, that no Certificate of Occupancy be issued by the Building Inspector, until the builder of a house guarantees the planting of a tree in front of each house built by him. The type of tree recommended for BARBADOS DR., is an AMERICAN BEAUTY of at least 1½" x 7' high.

Trusting that this meets your approval, I remain,

Respectfully yours,
TOWN OF CHEEKTOWAGA


ALFRED F. WNEK, SUPT. OF HIGHWAYS

cc: Town Clerk
Town Atty.
Building Inspector
Town Engineer
Ted. Skowron
file

RECEIVED

Richard M. Moleski, Town Clerk

JUL 16 1981

A.M. 6 7 8 9 10 11 12 1 2 3 4 5 6 P.M.

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

Item No. 11 cont'd

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, Doyle Hose Company No. 1 is submitting a bid for the Southwestern Association of Volunteer Fireman convention to be held in 1983, and

WHEREAS, it is in the best interests for the Town to have this convention held in Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Board will aid Doyle Hose Company No. 1 to provide its facilities and any other aid that may be requested.

Upon Roll Call....

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

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

WHEREAS, pursuant to Town Law 202, 202-a, the Town of Cheektowaga levied a special assessment against the Niagara Frontier Transportation Authority for sanitary sewer use by the Greater Buffalo International Airport, and

WHEREAS, the Town Board, acting as managers of Cheektowaga's Sanitary Sewer Districts #5 & #7, brought suit in the amount of \$362,994.47 against the NFTA for services rendered annually by said Sewer Districts to the Greater Buffalo International Airport, and

WHEREAS, a decision has been rendered by the Supreme Court - Appellate Division, of the State of New York, on July 9, 1981, denying the Town's petition, and

WHEREAS, such decision has indicated that the Public Authorities Law, Section 1299-o, concerning exemptions of the NFTA, does, in fact, exempt the Authority from special benefit assessments under the category "assessments", and

WHEREAS, the Court has cited the wording "except special benefit assessments", in Public Authorities Law, Section 1316, pertaining to the Capital District Transportation Authority as exemplary of the requisite wording, and

WHEREAS, Counsel for the Town in this matter have recommended that the Town seek relief through an amendment to Section 1299-o of the Public Authorities Law, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes our State Legislators to seek passage of the necessary amendment, and BE IT FURTHER

RESOLVED that certified copies of this resolution and the subject decision of the Court be sent to State Assemblyman Dennis Gorski and State Senator Dale Volker.

* See next nine (9) pages

THIS OPINION IS UNCORRECTED AND
SUBJECT TO REVISION BEFORE PUBLICATION
IN THE NEW YORK REPORTS

SUPREME COURT
APPELLATE DIVISION

STATE OF NEW YORK
FOURTH DEPARTMENT

The Town of Cheektowaga, New York and Kenneth J. Meyers, Cheektowaga Town Supervisor, and Frank E. Swiatek, Thomas M. Johnson, Jr., Frank J. Dux, James R. Burst, Donald J. Wegner and William P. Rogowski, Cheektowaga Town Councilmen, Suing in their Official Capacity as All of the Sewer Commissioners of Sewer District No. 5 of the Town of Cheektowaga, Appellants,

#454/1981

-vs-

The Niagara Frontier Transportation Authority,
Respondent.

ARGUED: May 12, 1981
DECIDED: July 9, 1981

PRESENT:

HON. RICHARD J. CARDAMONE,

Justice Presiding

HON. RICHARD D. SIMONS,
HON. STEWART F. HANCOCK, JR.
HON. JOHN J. CALLAHAN,
HON. M. DOLORES DENMAN,

Associate Justices

Appeal from Order of Erie Supreme Court, Broughton, J. - Summary judgment.

APPEARANCES:

LIPSITZ, GREEN, FAHRINGER, ROLL, SCHULLER
& JAMES
One Niagara Square
Buffalo, New York 14202
Attorneys for Appellants
(Evan James, Esq., of counsel)

WILLIAM E. STRAUB, ESQ.
181 Ellicott Street
Buffalo, New York 14203
Attorney for Respondent
(David Coffey, Esq., of counsel)

HAMMOCK, JR., J.:

Plaintiffs seek a determination that they may collect special sewer district assessments from defendant, Niagara Frontier Transportation Authority, on land within the Town of Cheektowaga and owned by the authority on which it operates the Greater Buffalo International Airport. Sometime prior to 1979 plaintiff town, pursuant to article 12 of the Town Law, established a sewer district which included defendant's airport property. On January 15, 1980 the town sent to defendant invoices totaling \$362,994.47 representing special assessments charged against the airport facility pursuant to Town Law (§§ 202, 202-a) as properties found by the town to be benefited by the improvements. When defendant refused to pay, plaintiffs commenced this action for a declaratory judgment and collection of the charges. Special Term declared that defendant was "exempt from the payment of special assessments, taxes and ad valorem levies," and, without deciding whether the sewer charges were special assessments or ad valorem levies, held that defendant was exempt from payment thereof. The court denied plaintiffs' motion for summary judgment and granted defendant's cross-motion for summary judgment. Plaintiffs appeal. There should be an affirmance, inasmuch as the sewer district charges are assessments which, by express provision of the Niagara Frontier Transportation Act (Title 13, Public Authorities Law), defendant is not required to pay (Public Authorities Law, § 1299-o, L 1967, ch 717). By specific terms of Real Property Tax Law (§§ 400, 412), the real property of the Niagara Frontier Transportation Authority

...operation to now be granted to it under the Public Authorities Law. Accordingly, we examine the pertinent part of the Public Authorities Law (§ 1299-o) governing exemptions of the Niagara Frontier Transportation Authority which states:

It is hereby found, determined and declared that the creation of the authority and the carrying out of its purposes is in all respects for the benefit of the people of the state of New York and for the improvement of their health, welfare and prosperity and is a public purpose, and that the authority will be performing an essential governmental function in the exercise of the powers conferred upon it by this title. Without limiting the generality of the following provisions of this section, property owned by the authority, property leased by the authority and used for transportation purposes, and property used for transportation purposes by or for the benefit of the authority exclusively * * * shall all be exempt from taxation and special ad valorem levies. The authority shall be required to pay no fees, taxes or assessments, whether state or local, including but not limited to fees, taxes or assessments on real estate, franchise taxes, sales taxes or other excise taxes, upon any of its property, or upon the use thereof, or upon its activities in the operation and maintenance of its facilities or on any fares, tolls, rentals, rates, charges or other fees, revenues or other income received by the authority * * *. The terms "taxation" and "special ad valorem levy" shall have the same meanings as defined in section one hundred two of the real property tax law * * *.

(Public Authorities Law, § 1299-o, emphasis added.)

1. Real Property Tax Law (§400), providing that all real property except property with specified uses is subject to service charges, special ad valorem levies and special assessments, further provides that "this section shall not apply to the real property of * * * the Niagara Frontier Transportation Authority." Real Property Tax Law (§ 412) provides: "Real property owned by public authorities enumerated in the public authorities law shall be entitled to such exemption as may be provided therein."

Plaintiffs raise two contentions: first, that the charges are not ad valorem levies which would unquestionably be exempt under the second sentence of section 1299-o, and, second, that they are special assessments for which no exemption is provided.

We agree that the charges are not special ad valorem levies.

It is undisputed that the sewer charges are based upon a "tripartite" calculation - only part of which relates to assessed valuation of the property - consisting of: a direct "user charge" based upon measured water consumption; a charge of \$13.367196 per thousand dollars of assessed valuation; and a charge of \$5.143593 per thousand square feet of land area. Defendant argues that because a portion of the charge is not based upon measured water consumption but on assessed valuation and land area, the charge is not proportional to the benefit received by the property and thus is not a special assessment (defined in Real Property Tax Law, § 102, subd 15, as "a charge imposed upon benefited real property in proportion to the benefit received by such property to defray the cost * * * of a special district improvement or service") but a special ad valorem levy (defined in Real Property Tax Law, § 102, subd 14, as "a charge imposed upon benefited real property in the same manner and at the same time as taxes for municipal purposes to defray the cost * * * of a special district improvement or service"). *Watergate II Apts. v Buffalo Sewer Auth.* (46 NY2d 52) answers defendant's argument; there, the court held that the allocation by the Buffalo Sewer Authority of charges based

... a combination of the amount of water consumed and the assessed value of real estate should not be regarded as taxation. The court noted that inasmuch as the benefit to the present and future health and safety of the public provided by the Authority was much greater than the measure of actual water use by each property owner, the allocation of charges bore a "direct relationship to the broader reality of the services and benefits actually rendered to property owners as a whole" (Watergate II Apts. v Buffalo Sewer Auth., supra, p 61). Similarly, the tripartite calculation of charges here bears a "direct relationship" to the benefit to the real property and thus the charges are "special assessments".

We turn to plaintiffs' argument that although the third sentence in section 1299-o contains the words: "The authority shall be required to pay no fees, taxes or assessments," clearly a provision granting express exemption for assessments generally, the statute does not effect an exemption for the particular category of assessment in question, "special assessments," because it does not exempt "special assessments" in those precise words. There appears to be no question that the word "assessments"² as used in

2. It is clear from the use of the word "assessments," in the same context as the words "fees" and "taxes" as something which, but for the exemption, the authority would be "required to pay," that "assessments" is used to mean a charge of a special payment or fee (see third definition of "assess" in The American Heritage Dictionary of the English Language [1976]). That the legislature did not intend the word "assessments" in 1299-o to have the meaning of the term as defined in Real Property Tax Law (§ 102, subd 2) - "a determination made by assessors of * * * the valuation of real property" - is evident not only from the plain meaning of the statute which is concerned not with valuation of property but with exemptions from payment of various taxes, fees and charges, but also from the fact that while the legislature specifically provided in 1299-o that "the terms 'taxation' and 'special ad valorem levy' shall have the same meanings as defined in section one hundred two of the real property tax law," it did not so provide with respect to the term "assessment."

reading would be contrary to the established canons of statutory construction that meaning and effect should be given to all provisions of a statute and that a construction which would lead to an absurd result should be avoided (McKinney's Cons Laws of NY, Book I, Statutes, §§ 98, subd a; 145).

The conclusion that the legislature meant the word "assessments" in section 1299-o⁴ to be understood as a general term referring to or including special assessments is reinforced by the legislature's use of the unmodified term "assessments" in related statutes passed prior and subsequent to the adoption of section 1299-o. Generally, when in drafting a statute the legislature uses a word which it has previously used in a particular manner in another statute on the same subject matter, it is considered to have intended that the word should retain the same meaning (McKinney's Cons Laws of NY, Book I, Statutes, § 236). In the Town Law, enacted in 1932, the legislature used in section 202 the unmodified word "assessments" where it necessarily meant "special assessments."⁵ Similarly, in Town Law (§ 231)⁶ the legislature employed the terms

4. Public Authorities Law (§ 1299-o, L 1967, ch 717).

5. See Town Law (§ 202, subds 2, 4, L 1932, ch 634, and by L 1934, ch 817; subd 2 and by L 1940, ch 629, L 1955, ch 345, L 1980, ch 388; subd 4 and by L 1938, ch 634. Subdivision 2 provides that the expense of the establishment of a sewer or drainage district "shall be borne by local assessment upon the several lots and parcels of lands which the town board shall determine and specify to be especially benefited by the improvement * * * in just proportion to the amount of benefit which the improvement shall confer upon the same." Subdivision 4 provides that: "In all districts in which assessments have heretofore been levied upon a benefit basis, assessments shall hereafter be levied upon the same basis." Section 202 has been construed by the courts as applying to benefit assessments (see e.g., *People ex rel. New York Central R.R. Co. v Limburg*, 283 NY 344, *Matter of Haskell v Fisk*, 273 App Div 153, mot for lv to app den 273 App Div 1056). Where a word has been judicially construed, it should be given the same meaning where it is again used by the legislature in connection with the same subject (see McKinney's Cons Laws of NY, Book I, Statutes, § 75, subd a, pp 162-163). See also Town Law (§ 202-a, L 1933, ch 645 [amendments omitted]).

6. Town Law (§231, L 1932, ch 634 [amendments omitted]).

... term is a generic term meaning charges like fees and taxes which, but for the exemption, the authority would be "required to pay" (Real Property Tax Law, § 1299-o). Concededly a "special assessment" (also called "special benefit assessment" and "local assessment"³) is one particular type of charge or assessment. The precise question is whether the legislature intended in section 1299-o to include this particular category within the general term "assessments." For the reasons which follow we hold that it did so intend.

Our interpretation of "assessments" as a generic term encompassing "special assessments" is supported by the general rule of statutory construction that "where the Legislature in enacting a statute utilized general terms, and did not, either expressly or by implication, limit their operation, the court will not impose any limitation" (McKinney's Cons Laws of NY, Book I, Statutes, § 114). There is nothing in section 1299-o suggesting an intention that the word "assessments" should be limited so as to exclude "special assessments" or any other particular type of assessments. Indeed, the logical extension of plaintiff's argument that no exemption for "special assessments" could have been intended because that particular type of assessment is not specifically mentioned in the statute leads to the exclusion of all types of assessments not mentioned and to the anomalous result that the general term "assessments" includes no categories and can have no effect. Such a

3. See, e.g., Town Law (§§ 202, subds 2, 4, 231); Village Law (§§ 5-516, 5-518); Matter of Scarsdale Chateaux RTN v Steyer (53 AD2d 672, affd 41 NY2d 1043); Rector, Churchwardens & Vestrymen of Christ Church, Bronxville, N.Y. v Town of Eastchester (197 Misc 943).

"special assessment" and "assessment" interchangeably.

In laws enacted subsequent to section 1299-o the legislature continued its use of the word "assessments" as including special assessments. For example, in Public Authorities Law (§ 1316)⁷, pertaining to the Capital District Transportation Authority, the exemption for assessments is set forth in the following language: "The authority shall be required to pay no fees, taxes or assessments, whether state or local, except special benefit assessments if said property is located in a special benefit district * * *" (emphasis added). (See also sections 1299-qq [pertaining to Rochester-Genesee Regional Transportation Authority] and 1341 [pertaining to Central New York Regional Transportation Authority] of the Public Authorities Law, both of which contain the same wording as section 1316.⁸) If the term "assessments" were not intended to be used as a generic term which would include special assessments, no exception of special assessments would have been necessary. Also, in the Village Law in sections added after the passage of section 1299-o the legislature repeatedly used the words "assessment" and "special assessment" as having the same meaning.⁹

We note that in its declaration in the opening sentence of section 1299-o that "the creation of the authority and the carrying

⁷ Public Authorities Law (§ 1316, L 1970, ch 460, amd by L 1971, ch 519).

⁸ Public Authorities Law (§§ 1299-qq, L 1969, ch 1124, amd by L 1971, ch 569; 1341, L 1970, ch 714).

⁹ See sections 5-516 and 5-518 of the Village Law (L 1972, ch 892). See also sections 6-622, 11-1108, 14-1416, 22-2200 of the Village Law (L 1972, ch 892; § 14-1416 amd by L 1980, ch 328; § 22-2200 amd L 1973, ch 976), all of which refer to assessments as benefit assessments.

... of its purposes is in all respects for the benefit of the people of the State of New York and for the improvement of their health, welfare and prosperity and is a public purpose, and that the authority will be performing an essential governmental function" the legislature evinced an intention that the exemptions from fees, taxes, and assessments be broad and inclusive; there is no suggestion that it intended to limit the purpose or operation of section 1299-o by excluding from the exemption any type of governmentally imposed charge or burden. Our understanding of the legislative purpose is confirmed by the opinion of the Attorney General of New York which states: "[I]t appears that the legislature [in section 1299-o] intended to grant to the Authority the broadest possible exemption from the payment of fees, taxes and assessments which the Authority might otherwise be required to pay and that this exemption is not limited to the specific exemptions set forth in the statute" (1973 Atty Gen [Inf Opns] 186). In another opinion, the Attorney General concluded: "[R]eal Property owned by the Niagara Frontier Transit Metro System, Inc., a subsidiary corporation of Niagara Frontier Transportation Authority, is not liable for the payment of taxes, special assessments and special ad valorem levies to the municipality wherein such property is situated" (1974 Atty Gen [Inf Opns] 174, 176, emphasis added). Certainly the same result would obtain with respect to the parent, Niagara Frontier Transportation Authority.

For the foregoing reasons, the order should be affirmed.

Cardamone, J.P., Simons, Callahan and Denman, JJ. concur.

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 Johnson, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is pursuing a Step II Grant for design of sewer rehabilitation in Sewer District #3, and

WHEREAS, the New York State Department of Environmental Conservation has determined that videotape evidence is required to demonstrate the poor structural condition of the 24 inch truck sanitary sewer on the east side of Harlem Road as it crosses under railroad yards between Broadway and William, and

WHEREAS, it is in the Town's best interest to secure said videotape, and

WEHREAS, engineering services are necessary to secure said viceotape, and

WHEREAS, in accordance with rates approved by this Town Board on March 2, 1981, Nussbaumer & Clarke, Inc. proposes to locate said 24 inch trunk sanitary sewer and subcontract the required sewer cleaning and televising work to Scan-N-Seal Environmental Services of Syracuse, New York, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, acting as Board of Managers for Sewer District #3, directs and authorizes the Supervisor to sign the agreement with Nussbaumer & Clarke, Inc., and BE IT FURTHER

RESOLVED that the costs for this service are to be chargeable to the Sanitary Sewer District #3 Sewer Remedial Budget item.

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 Dux

WHEREAS, Sec. 397 of the New York State Vehicle & Traffic Law permits a municipality to authorize a person to issue permits to individuals to equip non-police vehicles with receivers capable of receiving signals allocated for police use, and

WHEREAS, by resolution dated December 17, 1979, this Board authorized the Chief of Police to issue such permits to Town Towers, and

WHEREAS, it appears that numerous other individuals, such as ambulance operators, fireman, medical technicians, certain Town Employees, and other persons who may be called upon to provide emergency services, should be permitted such receivers in order to facilitate the rendition of said service, NOW, THEREFORE, BE IT

RESOLVED that the Chief of Police is authorized and directed, pursuant to the New York State Vehicle & Traffic Law, Sec. 397, to issue Radio Receiver Permits, governed by said section, to any person who might be required to furnish emergency services, including without limitation, firemen, ambulance operators, medical technicians and Highway, Sanitation and other Town Employees who could be required to react to an emergency situation.

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

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

RESOLVED that the Town Board will meet at 7:00 P.M., August 3, 1981 for the purpose of opening and reading the sealed bids.

* * * * *

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

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Law, that separate proposals will be received and opened and read by the Town Board of the Town of Cheektowaga, New York at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York 14227 at 7:00 P.M., Eastern Daylight Saving Time on August 3, 1981 for snow plow blades, wing blades, cutting edges, wing and front plow shoes, grader blades, receiver grates, receiver frames, curb boxes, extension rings, and frames and covers for manholes,

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof. Informative material and specifications may be obtained from the office of the Superintendent of Highways, Alfred F. Wnek, at his office located at 3145 Union Road, Cheektowaga, New York, 14227, between the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday.

Proposals must be enclosed and sealed in opaque envelopes, plainly marked with the name and address of the bidder, also plainly marked "SEALED BID FOR SNOW PLOW BLADES, WING BLADES, CUTTING EDGES, ETC., FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT.

NON COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

RICHARD M. MOLESKI, Town Clerk

DATED: July 7, 1981
PUBLISHED: July 23, 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. Dechler, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*Chief*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks:
first publication.....*July 23, 1981*.....;
last publication.....*July 23, 1981*.....;
and that no more than six days intervened be-
tween publications.

Gladys M. Dechler
Sworn to before me this*24th*.....
day of*July*....., 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*

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN,
in compliance with Section 103 of the General Municipal Law, that separate proposals will be received and opened and read by the Town Board of the Town of Cheektowaga, New York at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Rds., Cheektowaga, New York 14227 at 7:00 P.M. EDST on Aug. 3, 1981, for snow plow blades, wing blades, cutting edges, wing and front plow shoes, grader blades, receiver grates, receiver frames, curb boxes, extension rings, and frames and covers for manholes.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof. Informative material and specifications may be obtained from the office of the Superintendent of Highways, Alfred F. Wnek, at his office located at 3145 Union Rd., Cheektowaga, New York 14227 between the hours of 8:30 A.M. and 4:00 P.M., Monday through Friday.

Proposals must be enclosed and sealed in opaque envelopes, plainly marked with the name and address of the bidder, also plainly marked "SEALED BID FOR SNOW PLOW BLADES, WING BLADES, CUTTING EDGES, ETC., FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPT."

**NON COLLUSION FORMS
MUST BE SIGNED AND SUB-
MITTED WITH EACH BID.**

RICHARD M. MOLESKI

Town Clerk

DATED: July 7, 1981

PUBLISHED: July 23, 1981

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

WHEREAS, the Town of Cheektowaga has received a Grant Award from the Heritage Conservation and Recreation Service, Contract #36-00849, Niagara Frontier State Parks and Recreation Commission, Project #80-5090, for "Improvements to Town Park", NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish an Invitation to Bidders for "Improvements to Town Park", located in the Cheektowaga Town Park, Harlem Road, Cheektowaga, New York for the following contracts:

- Contract #1. Asphaltic, Concrete, Paving, Tennis Court and Tennis Court Fencing Work.
- Contract #2. Reconstruction of Baseball Diamond and Site Development of Wildy Recreation Corridor.
- Contract #3. Plumbing - Installation of Drinking Fountains and Related Work.
- Contract #4. Tennis Court Lighting.

and BE IT FURTHER

RESOLVED that the Project Manuel, including Specifications and Drawings may be examined and copies thereof may be obtained at the office of Frederick Marzak Architects, P.C., 3374 Genesee Street, Cheektowaga, New York 14225, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., Eastern Daylight Savings Time on August 17, 1981, at which time said sealed proposals will be publicly opened and read.

* * * * *

INVITATION TO BID

IMPROVEMENTS TO THE TOWN PARK CHEEKTOWAGA, NEW YORK

You are invited to bid on the following contracts for the construction work at Town Park on Harlem Road, Cheektowaga, New York, described in general as follows:

- Contract #1: Paved Parking Areas
Tennis Courts and Fencing
- Contract #2: Reconstruction of Baseball Diamond
Site Work at Wildy Park
- Contract #3: Installation of Drinking Fountains
- Contract #4: Tennis Court Lighting

The owner shall receive sealed proposals from qualified bidders for each of the above named Contracts until:

7:00 P.M. Local Time
Monday, August 17, 1981

at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which time said proposals shall be publicly opened and read aloud.

The proposed Contract Documents may be examined at the offices of the:

Architect
Frederick D. Marzak Architects, PC
3374 Genesee Street
Cheektowaga, New York 14225

Plan Room
F.W. Dodge, Inc.
5500 Main Street
Williamsville, New York 14221

7/20/81

Item No. 17 cont'd

Bona fide contract bidders may secure copies of the proposed Contract Documents from the Architect on the following basis:

1. One set of the Project Manual, including Specifications, plus one set of Drawings, upon payment of \$30.00 deposit, completely refundable if returned to the Architect within fifteen days after bid opening.
2. Additional copies of the Project Manual, including specifications, plus additional sets of prints of the Drawings, upon payment of \$30.00 per set, non-refundable, if available.
3. No partial sets will be issued.

Bid security in the amount of 10% of the Base Bid will be required to accompany bids. The Owner reserves the right to reject any or all bids and to waive irregularity in bidding.

* * * * *

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. Hedeker, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication *July 23, 1981* ;
last publication *July 23, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Hedeker

Sworn to before me this *24th*

day of *July*, 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*

Legal Notice

INVITATION TO BID IMPROVEMENTS TO THE TOWN PARK CHEEKTOWAGA, NEW YORK

You are invited to bid on the following contracts for construction work at Town Park on Harlem Road, Cheektowaga, New York, described in general as follows:

Contract #1: Paved Parking Areas, Tennis Courts and Fencing

Contract #2: Reconstruction of Baseball Diamond Site Work at Wildy Park

Contract #3: Installation of Drinking Fountains

Contract #4: Tennis Court Lighting

The Owner shall receive sealed proposals from qualified bidders for each of the above named Contracts until:

7:00 P.M. Local Time

Monday, August 17, 1981

at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which time said proposals shall be publicly opened and read aloud.

The proposed Contract Documents may be examined at the offices of the:

Architect, Frederick D. Marzak Architects PC, 3374 Genesee Street, Cheektowaga, New York 14225

Plan Room, F.W. Dodge Inc., 5500 Main Street, Williamsville, New York 14221

Bona fide contract bidders may secure copies of the proposed Contract Documents from the Architect on the following basis:

1. One set of the Project Manual, including Specifications, plus one set of Drawings, upon payment of \$30.00 deposit, completely refundable if returned to the Architect within fifteen days after bid opening.

2. Additional copies of the Project Manual, including specifications, plus additional sets of prints of the Drawings, upon payment of \$30.00 per set, non-refundable, if available.

3. No partial sets will be issued.

Bid security in the amount of 10 percent of the Base Bid will be required to accompany bids. The Owner reserves the right to reject any or all bids and to waive irregularity in bidding.

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: July 23, 1981

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

WHEREAS, there is a significant demand for quality ball diamonds in the Town which cannot be adequately met without increasing the number of ball diamonds, and

WHEREAS, the lighting of ball diamonds in Losson Park and behind Town Hall will significantly increase playing time without increasing the number of ball diamonds, and

WHEREAS, the Town Board has authorized the preparation of bid specifications for lighting the diamonds at Stiglmeier Park and Town Hall, and

WHEREAS, the Town's Consultants, Stuart Alexander and Associates, have prepared plans and specifications for bidding lighting equipment, and

WHEREAS, the funds are available for making lighting improvements from Capital Project Account #029 and #048, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders in connection with said ball diamond lighting project, notice to be published in the BUFFALO EVENING NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 17th day of August, 7:00 P.M., Local Time, for the purpose of receiving 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 BIDDERS: 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, until 7:00 P.M., Local Time on the 17th day of August, 1981 at which time and place they will be publicly opened and read aloud for the following work:

SPORTS LIGHTING

STIGLMEIER PARK AND TOWN HALL

Material to be provided under this proposal consists of Sports Lighting Equipment and Appurtenances for the Lighting of Five Baseball Diamonds (two softball and one hardball at Stiglmeier Park, 810 Losson Road, and two softball behind Town Hall, Broadway and Union Road).

Copies of the Contract Plans and Documents may be examined at the offices of the Consultant, Stuart Alexander and Associates, Inc., 1152 Main Street, Buffalo, New York 14209, during regular business hours. Copies of the Contract Plans and Documents may be secured at the Consultants upon payment of \$25.00 per set of documents. Checks shall be made payable to the Consultant.

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). pr 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.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Item No. 18 cont'd

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

DATE: July 20, 1981

* * * * *

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. Hechter of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Chapman* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication *July 23, 1981* ;
last publication *July 23, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Hechter

Sworn to before me this *24th*

day of *July*, 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*

**INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK**

NOTICE TO BIDDERS: 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, until 7:00 p.m., Local Time on the 17th day of August, 1981 at which time and place they will be publicly opened and read aloud for the following work:

**SPORTS LIGHTING
STIGLMEIER PARK AND
TOWN HALL**

Material to be provided under this proposal consists of Sports Lighting Equipment and Apurtenances for the Lighting of Five Baseball Diamonds (two softball and one hardball at Stiglmeier Park, 810 Losson Road, and two softball behind Town Hall, Broadway and Union Road.).

Copeis of the Contract Plans and Documents may be examined at the offices of the Consultant, Stuart Alexander and Associates, Inc., 1152 Main Street, Buffalo, N.Y. 14209, during regular business hours. Copies of the Contract Plans and Documents may be secured at the Consultants upon payment of \$25.00 per set of documents. Checks shall be made payable to the Consultant.

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.

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**

DATE: July 20, 1981

PUBLISHED: July 23, 1981

State of New York
ERIE COUNTY
CITY OF BUFFALO

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA, ERIE COUNTY, NY
NOTICE TO BIDDERS
 Proposals will be received by the Town Board of Cheektowaga, County of New York, at the Town and Union Road, Cheektowaga, New York, 14227, until 7:00 P.M. on the 17th day of August, 1981 at which time and place they will be publicly opened and read aloud for the following work:

SPORTS LIGHTING
STIGLMEIER PARK AND TOWN HALL

Material to be provided under this proposal consists of Sports Lighting Equipment and Appurtenances for the Lighting of Five Baseball Diamonds (two softball and one hardball at Stiglmeier Park, 810 Looson Road, and two softball behind Town Hall, Broadway and Union Road).

Copies of the Contract Plans and Documents may be examined at the offices of the Consultant, Stuart Alexander and Associates, Inc., 1152 Main Street, Buffalo, N.Y. 14203, during regular business hours. Copies of the Contract Plans and Documents may be

Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate envelope and must be accompanied by a deposit for one document only. Similar including material upon one returning the document the bid opening, will be half the amount of (\$12.50) for one complete set only.

A certified check or bond payable to the order of the Town of Cheektowaga, Negotiable U.S. Bonds (at par value), or bid bond executed by the acceptable surety, in an amount of five percent (5%) of the bid shall be submitted with the bid.

The Town of Cheektowaga reserves the right to reject any or all bids and to waive any informalities.

Bids may be held by Cheektowaga for a period of forty-five (45) days from the opening of bids for

by a certified check or bond payable to the order of the Town of Cheektowaga, Negotiable U.S. Bonds (at par value), or bid bond executed by the acceptable surety, in an amount of five percent (5%) of the bid shall be submitted with the bid.

The Town of Cheektowaga reserves the right to reject any or all bids and to waive any informalities.

Bids may be held by Cheektowaga for a period of forty-five (45) days from the opening of bids for

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn,
 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 ~~XXXXXXXXXXXX~~

~~XXXXXXXXXXXX~~ insertion being on the 23rd

day of July 1981 ~~and the date~~

~~insertion being on the XXXXX day of XXXXX~~

D. Eileen Perry

Sworn to before me this 27th day

of July 1981

Francis X. Volmer

FRANCIS X. VOLMER, JR.
 Notary Public, Erie County, N.Y.
 Qualified in 1978
 My Commission Expires 12/31/83

Notary Public, Erie County, N.Y.

State of New York
ERIE COUNTY
CITY OF BUFFALO

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
NOTICE TO BIDDERS: 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, until 7:00 P.M., Local Time on the 17th day of August, 1981 at which time and place they will be publicly opened and read aloud for the following work:
SPORTS LIGHTING
STIGLMER PARK AND
TOWN HALL
Material to be provided under this proposal consists of Sports Lighting Equipment and Appurtenances for the Lighting of Five Baseball Diamonds (two softball and one hardball at Stiglmeyer Park, 810 Lagoon Road, and two softball behind Town Hall, Broadway and Union Road).
Copies of the Contract Plans and Documents may be examined at the office of the Consultant, Stuart Alexander and Associates, Inc., 1152 Main Street, Buffalo, N.Y. 14209, during regular business hours. Copies of the Contract Plans and Documents may be

secured at the Consultants upon payment of \$25.00 per set of documents. Checks shall be made payable to the Consultant.
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 (\$22.50) 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%) of the total bid shall be submitted with each bid.
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

D. Lillean Perry
reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.
DATE: July 20, 1981
RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga,
New York

being duly sworn,
Principal Clerk

the BUFFALO EVENING NEWS, INC.,
owner of the BUFFALO EVENING NEWS, a
paper published in said city, that the notice of
in the annexed printed slip taken from said
paper is a copy, was inserted and published
in _____ once _____
insertion being on the 23rd
July 1981

insured being on the _____
D. Lillean Perry

Sworn to before me this 27th day
of July 1981

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. 19 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the signalization of Dick Road and North Creek Drive, which bids were duly received and opened at the Regular Town Board meeting of July 6, 1981, and

WHEREAS, said bids were referred to the consulting engineer, David J. Thielman, P.E., and the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in the letter from the Town Engineer to the Town Board dated July 16, 1981, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of labor and necessary materials for the signalization of Dick Road and North Creek Drive, as recommended in the Town Engineer's report of July 16, 1981 be and the same is hereby awarded to O'Connell Electric Company, 830 Phillips Road, Victor, New York 14564 for the bid price of \$47,479.55, said being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign the contract with said O'Connell Electric Company on behalf of this Town Board.

* See next page for letter from Town Engineer



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-686-3448

July 16, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Dick Road/North Creek Drive
Traffic Signal

Gentlemen:

At the Regular Town Board Meeting of July 6, 1981 bids were received for the signalization of the intersection of Dick Road and North Creek Drive. Five (5) bids were received and are as follows:

O'Connell Electric Company	\$47,479.55
Reynders Electric Service	\$48,225.39
Robert A. Caldwell	\$48,370.00
Tri-City Electric Company, Inc.	\$50,371.80
Ferguson Electric Construction Co., Inc.	\$52,233.00

The bids were reviewed by the consulting engineer, David J. Thielman, P.E., and it is the recommendation of both the consulting engineers and ourselves that the bid be awarded to O'Connell Electric Company, 830 Phillips Road, Victor, New York 14564 for the submission of the lowest bid meeting the requirements of the specifications. This bid being in the amount of \$47,479.55.

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 Councilman Rogowski, seconded by Councilman Dux

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the furnishing and installation of four (4) winches for refuse packers for the Sanitation Department, which bids were duly received and opened at the Town Board Meeting of July 6, 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 and installation of four (4) winches be awarded to:

Truckmobile Equipment Corp.
85 Michigan Avenue
Buffalo, New York 14204

for their bid in the amount of \$9,892.00 for the winches, said bid being the lowest bid meeting the specifications.

* See next page for letter



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-686-3448

July 16, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Bid Award - Four (4) Winches
for Refuse Packers

Gentlemen:

On July 6, 1981 bids were received and opened for the furnishing and installation of four (4) winches on refuse packers for the Sanitation Department. One (1) bidder submitted a bid as follows:

BIDDER	BID PRICE
Truckmobile Equipment Corp.	\$ 9,892.00

It is recommended that the bid be awarded to the lowest bidder meeting the specifications as designated in the bid proposal. Truckmobile Equipment Corp, 85 Michigan Avenue, Buffalo, New York 14204 should receive the bid award at this time and would be in the amount of \$9,892.00.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

By:

Steven T. Marcynski,
Senior Engineer Assistant

CLB:STM:mjh

Item No. 20 cont'd

Upon Roll Call....

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

Item No. 21a Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that Change Order #1, Contract #3B, for the Town's Sanitary Sewer District #5 Main Pump Station, in the amount of \$6,084.16 as an addition to the contract of Aquasan Corporation, 227 Thorn Avenue, Orchard Park, New York 14127 be approved. The reason for each change, description and cost are defined in a letter from the Town Engineer dated July 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 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

July 16, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order #1
Contract No. 3B
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 #1 - Add \$6,084.16

This Change Order consists of six (6) different changes which are described as follows:

- | | |
|---|-----------------|
| 1) Furnish and install three (3) flange filler pieces for the 3" force main to provide additional clearance at the catwalk support. | Add \$284.40 |
| 2) Furnish and install two (2) 42" diameter dresser couplings at pump #2 and #3 to provide ease of disassembly for future maintenance of header valves. | Add \$3,066.00 |
| 3) Eliminate aluminum plate hatch at wet well sump pump. Redesigned for easier access. | Deduct \$290.00 |
| 4) Furnish and install eleven (11) double solenoid type controls for the pneumatically operated butterfly valves to insure that valves hold their position in the event of a power failure. | Add \$1,996.50 |
| 5) Provide additional piping, valves, etc. to flush pressure gauges, switches and transducers to insure ease of maintenance. | Add \$482.94 |

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS

July 16, 1981
Page 2

- 6) Furnish and install one (1) chain wheel operator to 24" butterfly valve on #2 pump due to limited access of operator from the catwalk. Add \$544.32

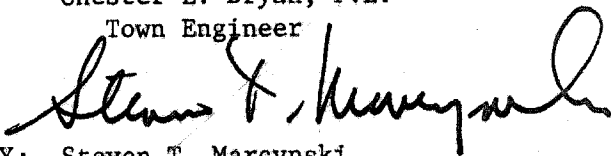
Total Added \$6,084.16

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. 21a cont'd

Upon Roll Call....

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

Item No. 21b Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the consulting engineering firm of McFarland-Johnson Engineers, Inc. have approved the following Change Orders on the Scajaquada Creek Structure Replacement Project, and

WHEREAS, the scope of work on each Change Order on the Structure Replacement Project is described in a letter from the Town Engineer dated July 16, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that the following Change Orders on the Box Culvert Supplementary Agreement portion of the Structure Replacement Project, as a total reduction of \$5,278.20 to the contract of Frank L. Ciminelli Construction Company, Inc. be approved:

Change Order #2 - Beryl Drive Box Culvert Add \$ 550.00

Change Order #3 - Beryl Drive Box Culvert Add \$4,728.20

Total \$5,278.20

and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town

* See next two (2) pages for lette



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-686-3448

July 16, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Orders
Scajaquada Creek
Structure Replacement

Gentlemen:

The attached resolutions are submitted for your consideration on the Scajaquada Creek Structure Replacement Project. Separate resolutions are required, one for the bridge replacement and one for the box culvert replacement for accounting purposes.

These Change Orders are to balance out the increases and decreases in the quantities used or work performed at the unit bid prices and additional items of work that were evident on the final inspection, or to correct problems brought to our attention by resident complaints. A complete breakdown of each Change Order is on file in the Engineering Department.

BRIDGES

Change Order #2 - McNaughton Avenue

Revise the design to furnish and install four (4) new sump drains to eliminate any possible back-up of storm waters into basements of four (4) homes on McNaughton Avenue. Add \$2,497.48

Change Order #4 - McNaughton Avenue

Replace five (5) maple trees and twelve (12) rose bushes that would have died or been buried due to ground elevation changes. Add \$2,560.00

Change Order #5 - McNaughton Avenue

To balance out increases and decreases at unit bid prices. Add \$80.25

Change Order #5 - Rosewood Terrace

To balance out increases and decreases at unit bid prices. Add \$816.47

TO THE SUPERVISOR AND
TOWN BOARD MEMBERS

July 16, 1981
Page 2

Change Order #3 - Parkedge Drive

To balance out increases and decreases at unit bid prices Add \$1,315.92

Total Bridges \$7,270.12

BOX CULVERTS

Change Order #2 - Beryl Drive

Furnish and install 4' high fencing on both ends of the box culvert to insure the safety of residents. Add \$550.00

Change Order #3 - Beryl Drive

Furnish and install additional catch basin to provide proper drainage, addition of rip-rap to prevent erosion and to balance increases and decreases at unit bid prices. Add \$4,728.20

Total Box Culverts \$5,278.20

The vouchers in the amount of \$37,115.22 submitted for this meeting as final payment will include all contract costs, all Change Orders and all retentions, except \$2,000 to be retained to maintain the contract with the Frank L. Ciminelli Construction Company, Inc. in force. The NYSDEC, on a final inspection of the structures, requested additional rip-rap at the Central Boulevard bridge to improve erosion prevention. This change is under consideration by the consulting engineers at this time and will result in one (1) more cost Change Order.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

S. Marcynski

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 21b cont'd

Upon Roll Call.....

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

Item No. 21c Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the consulting engineering firm of McFarland Johnson Engineers, Inc. have approved the following Change Orders on the Scajaquada Creek Structure Replacement Project, and

WHEREAS, the scope of work on each Change Order on the Structure Replacement Project is described in a letter from the Town Engineer dated July 16, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that the following Change Orders on the bridge portion of the Structure Replacement Project, as a total addition of \$7,270.12 to the contract of Frank L. Ciminelli Construction Company, Inc. be approved:

Change Order #2 - McNaughton Avenue Bridge	Add \$2,497.48
Change Order #4 - McNaughton Avenue Bridge	Add \$2,560.00
Change Order #5 - McNaughton Avenue Bridge	Add \$ 80.25
Change Order #5 - Rosewood Terrace Bridge	Add \$ 816.47
Change Order #3 - Parkedge Drive Bridge	Add <u>\$1,315.92</u>
	\$7,270.12

and BE IT FURTHER

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

* 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

July 16, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Orders
Scajaquada Creek
Structure Replacement

Gentlemen:

The attached resolutions are submitted for your consideration on the Scajaquada Creek Structure Replacement Project. Separate resolutions are required, one for the bridge replacement and one for the box culvert replacement for accounting purposes.

These Change Orders are to balance out the increases and decreases in the quantities used or work performed at the unit bid prices and additional items of work that were evident on the final inspection, or to correct problems brought to our attention by resident complaints. A complete breakdown of each Change Order is on file in the Engineering Department.

BRIDGES

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Revise the design to furnish and install four (4) new sump drains to eliminate any possible back-up of storm waters into basements of four (4) homes on McNaughton Avenue. Add \$2,497.48

Change Order #4 - McNaughton Avenue

Replace five (5) maple trees and twelve (12) rose bushes that would have died or been buried due to ground elevation changes. Add \$2,560.00

Change Order #5 - McNaughton Avenue

To balance out increases and decreases at unit bid prices. Add \$80.25

Change Order #5 - Rosewood Terrace

To balance out increases and decreases at unit bid prices. Add \$816.47

TO THE SUPERVISOR AND
TOWN BOARD MEMBERS

July 16, 1981
Page 2

Change Order #3 - Parkedge Drive

To balance out increases and decreases at unit bid prices Add \$1,315.92

Total Bridges \$7,270.12

BOX CULVERTS

Change Order #2 - Beryl Drive

Furnish and install 4' high fencing on both ends of the box culvert to insure the safety of residents. Add \$550.00

Change Order #3 - Beryl Drive

Furnish and install additional catch basin to provide proper drainage, addition of rip-rap to prevent erosion and to balance increases and decreases at unit bid prices. Add \$4,728.20

Total Box Culverts \$5,278.20

The vouchers in the amount of \$37,115.22 submitted for this meeting as final payment will include all contract costs, all Change Orders and all retentions, except \$2,000 to be retained to maintain the contract with the Frank L. Ciminelli Construction Company, Inc. in force. The NYSDEC, on a final inspection of the structures, requested additional rip-rap at the Central Boulevard bridge to improve erosion prevention. This change is under consideration by the consulting engineers at this time and will result in one (1) more cost Change Order.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

S. Martynski

BY: Steven T. Martynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 21c cont'd

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 Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located on the Northwest corner of William Street and Vern Lane (vacant lot), Cheektowaga, New York, Map Cover 1894, Sublot 1, Tax Account Number 38-142 and according to the Assessor's Office is owned by Alessi Brothers, Inc., 147 Jewett Parkway, Buffalo, New York 14214, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 22b Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located South of 73 Concord Drive (vacant lots), Cheektowaga, New York, Map Cover 1533, Sublots 11, 12, 13, 14, Tax Account Nos. 20-125, 20-126, 20-127, 20-128, and according to the Assessor's Office is owned by Eleanor Tepe et al, 89 Dawnbrook Lane, Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located East of 315 Zoerb Avenue, (vacant lot) Cheektowaga, New York, Map Cover 2194, Tax Account Number 3-810 and according to the Assessor's Office is owned by Benderson Development Corp., 570 Delaware Avenue, Buffalo, New York 14202, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Item No. 22c cont'd

Upon Roll Call....

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

Item No. 22d Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located East of 208 Vern Lane (vacant lot) Cheektowaga, New York, Map Cover 527, Sublot 51, Tax Account Number 37-341 and according to the Assessor's Office is owned by Irving Smith, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 22e Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 43 Rosedale Drive (vacant lot), Cheektowaga, New York, Map Cover 1704-1713, Sublot 64, Tax Account Number 31-139 and according to the Assessor's Office is owned by Kulback's Construction Company, Inc., 8455 Merrihurst Drive, Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris be removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 23a Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department to help conduct its 1981 summer programs:

PLAYGROUND SUPERVISOR - \$1,650.00 - 10 weeks

Donald Levan

RECREATION ATTENDANT - \$3.10 per hour

Lisa Zanghi

Item No. 23a cont'd

BASKETCHECKER - \$2.25 per hour

Christopher Maleck

AND BE IT FURTHER

RESOLVED that the following individual be and hereby is hired as a Laborer in the Sewer Maintenance Department at the rate of \$3.10 per hour retroactive to June 30, 1981:

Nicholas Serio

Depew, N.Y. 14043

Upon Roll Call....

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

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

WHEREAS, Eugene Ruszkowski, , Cheektowaga, New York has been hired as a Part-Time Laborer in the Facilities Department, Parks Division, and

WHEREAS, Mr. Ruszkowski has been re-assigned to the Facilities Department, Maintenance Division, Street Lighting Painting Program, NOW, THEREFORE, BE IT

RESOLVED that Eugene Ruszkowski, , Cheektowaga, New York, is hereby hired as a Seasonal Laborer at \$5.00 per hour in the Facilities Department, Maintenance Division, retroactive to June 29, 1981, and BE IT FURTHER

RESOLVED that the wages be charged against Account A7110.149, General Lighting District.

Upon Roll Call....

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

Item No. 23c Motion by Councilman Johnson, seconded by Councilman Dux

BE IT RESOLVED that the following individual be and hereby is hired, as a Seasonal Laborer in the Central Garage, at the rate of \$3.10 per hour, effective July 20, 1981:

Mark Baumeister

Upon Roll Call....

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

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

BE IT RESOLVED that the below listed individuals be hired in the Cheektowaga Youth Bureau at the titled position and rate of pay per hour:

HOMETOWN BEAUTIFICATION/HERITAGE PROGRAM - A.7310.187

Participants --\$3.10 per hour

--John Grandillo

Cheektowaga, New York 14225

--Joanne Lynch

Cheektowaga, New York 14225

--Wendy A. Troidl

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.

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 Wegner

WHEREAS, a temporary job opening for Clerk Typist exists in the Cheektowaga Police Department, due to a leave of absence, and

WHEREAS, said temporary job opening was properly posted in accordance with the bargaining agreement presently in effect between the Town of Cheektowaga and the Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED that Lorraine Ackerman, of Depew, New York, whose name presently appears on the current Civil Service List of eligibles for Clerk Typist, be and hereby is appointed to the temporary Clerk Typist position in the Police Department, for a six (6) month period, effective July 21, 1981, at a salary in accordance with the above mentioned bargaining agreement.

Upon Roll Call....

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

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

WHEREAS, the Cheektowaga Facilities Department, Parks Division, currently has one vacancy, a General Mechanic position, and

WHEREAS, said vacancy has been properly posted as per the Collective Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association, NOW, THEREFORE, BE IT

RESOLVED that John Rogowski, Cheektowaga, N.Y. 14212, is hereby appointed to the position of General Mechanic in the Cheektowaga Facilities Department, Parks Division.

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. 27a 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 July 11 to July 25, 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, retroactive to July 11, 1981 through July 27, 1981.

Upon Roll Call....

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

Item No. 27b Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, John Huntz, Police Officer in the Cheektowaga Police Department, has applied for a military leave, from July 11, 1981 to July 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 John Huntz, retroactive to July 11, 1971 through July 27, 1981.

Upon Roll Call....

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

Item No. 27c Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, be granted a leave of absence from July 24th through August 7th, 1981 to attend active duty training with the United States Army Reserve at Fort Leonard Wood, Missouri.

Upon Roll Call....

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

Item No. 28 Motion by Councilman Wegner, seconded by Councilman Dux

WHEREAS, the following list of personnel employed in the Cheektowaga Facilities Department, various divisions, are no longer employed by the Town of Cheektowaga, and

WHEREAS, the Cheektowaga Town Board must terminate employees, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby terminated the following personnel on the dates listed:

<u>NAME</u>	<u>TERMINATION DATE</u>
Robert Kiszewski - Seasonal Mtce. Mechanic	7/8/81
Cheektowaga, New York 14206	

Item No. 28 cont'd

Robert Nowak - Seasonal Laborer

6/29/81

Cheektowaga, New York 14227

John Rogowski - Seasonal Mtce. Mechanic

7/1/81

Cheektowaga, New York 14206

James Woanizk - Seasonal Mtce. Mechanic

7/1/81

Cheektowaga, New York 14227

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski

NAYES: 0

ABSENT: 0

Item No. 29 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Buffalo-Niagara Frontier Safety Council, in cooperation with the New York State Department of Motor Vehicles and the New York State Department of Insurance, sponsors a 8-hour Defensive Driving Course, and

WHEREAS, it would be in the best interest of the Town of Cheektowaga to have its motor vehicle operators participate in said Defensive Driving Course in order to improve their driving and accident avoidance skills, and

WHEREAS, said program would be conducted on Town premises at a cost of \$15.00 per person, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes the motor vehicle operators in the Highway, Sanitation, Facilities and Sewer Maintenance Departments to participate in the Defensive Driving Course, and BE IT FURTHER

RESOLVED that funds be charged to Account #A.1920.413 for said course.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski

NAYES: 0

ABSENT: 0

Item No. 30 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Town has applied for and received approval of Community Development Block Grant Funds for fiscal year 1981-82 for the United States Department of Housing & Urban Development, and

WHEREAS, the Town has assigned Community Development Funds for technical services to facilitate project and program implementation; and

WHEREAS, the Town has certain technical and programmatic responsibilities to Community Development Block Grant Consortium Villate members, and

WHEREAS, Stuart Alexander & Associates has submitted a proposal to the Town for said technical services, NOW, THEREFORE, BE IT

RESOLVED that the firm of Stuart Alexander and Associates, Inc. be and hereby is retained to provide necessary and appropriate technical services for the Town Community Development Block Grant Program, as per the attached proposal, at a fee not to exceed \$58,500.

* See next five (5) pages for proposal

STUART ALEXANDER AND ASSOCIATES

1152 MAIN STREET
BUFFALO, NEW YORK 14209
716-884-5600

Scope of Services:

Town of Cheektowaga

Community Development Block Grant

Fiscal Year 1981-82

As per the approval of the 1981-82 Community Development Block Grant Program by the U.S. Department of Housing and Urban Development the following technical services have been budgeted and are herein specified and defined as eligible as per Section 570.205 of the C.D.B.G. Rules and Regulations.

I. Management Services

1. Review and approve contract documents which utilize Community Development Block Grant Funds for consistency and appropriateness with respective policies and procedures of the U.S. Department of Housing & Urban Development.
2. Assist in the formulation of fiscal control guidelines and implementation of same with Town Community Development and Fiscal Affairs Personnel.
3. Appraise contractors of procedures and verify compliance with affirmative action/ Equal Employment Opportunity and with Davis Bacon wage rates, vis-a-vis on-site inspection and review of submitted compliance forms.
4. Preparation of annual performance report data as required by U.S. Department of Housing & Urban Development C.D.B.G. Program Rules and Regulations.
5. Provide technical assistance to Community Development Director for the preparation of necessary and appropriate documents requested as a result of periodic monitoring visits and application approval review by U.S. Department of H.U.D. personnel, (see attachment #1).
6. Monitoring of C.D.B.G.. Loan/Grant program for eligible low moderate homeowners in the Town and participating Villages. Assist Community Development Director prepare amendments and re-negotiations with participating bank as per contract requirements.
7. Assist Community Development Director conduct pre-construction meetings to appraise contractors of responsibility pursuant to C.D.B.G. contracts.
8. Assist Community Development Director prepare F.Y. 1981-82 C.D.B.G. application including Housing Assistance Plan (H.A.P.).
9. Prepare the Fair Housing Strategy Plan as per application requirements.
10. Review and coordination of consortium member contract and performance documents (Villages of Sloan and Depew) pursuant to management responsibilities as delineated above.

\$18,675

II. Planning and Design Services

A. Cedargrove Heights:

1. Prepare plans, bids, specifications and perform on-site inspection for the Cedargrove recreation corridor.
2. Prepare capital improvement strategies for the Stage II, Phase II, Cedargrove Heights community.
3. Prepare final plans and bid documents for access to open space areas from "Tiorunda Ditch."
4. On-site inspection and coordination of design for street improvements in Stage II, Phase II.

\$15,725

B. Walden Avenue:

1. Prepare final plans and specifications for Walden Avenue Street landscape improvements;
2. Coordinate plans for water line replacement on Alexander Street.
3. Coordinate plans and fiscal program needs for utility line replacement.
4. Coordinate with National Fuel Gas (N.F.G.) for sidewalk replacement - north side utilizing fiscal credits..
5. On-site inspection and coordination of street improvements.

\$ 8,500

C. Chapel/Beach Areas:

1. Designate areas within target areas for street and sidewalk improvements.
2. Prepare neighborhood improvement plans for designated street improvements.
3. Coordinate design and capital improvement fiscal program for storm/sewer improvements in Beach Road Target areas.

\$ 5,725

D. Village of Depew:

1. Monitor design and capital improvement programs for:
 - removal of architectural barriers
 - Arlington Place water & sewer improvement programs
 - Terrace Boulevard flood and drainage facilities

\$ 2,175

E. Village of Sloan:

1. Monitor design and capital improvement programs for:
 - street improvements
 - recreation improvements
 - clearance activities

\$ 3,175

F. Prepare necessary environmental Impact Assessments for capital improvement projects for the Town and Villages of Sloan and Depew.

\$ 2,500

G. Monitor progress on Housing Loan Grant Program, 312 Loans and Section 8 Moderate Rehabilitation Programs for consortium members and prepare necessary documents for H.U.D. and consortium members.

\$ 750

H. Attend public meetings to present preliminary and final plans for comment and review.

\$ 750

I. Attend formal Citizen Advisory Committee meetings and provide input and direction as required.

\$ 525

\$58,500

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 Councilman Johnson, seconded by Councilman Rogowski

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to energize 2-7000 lumen post top mercury fixtures on Barbados Drive (Standard No. 35) and on Woodgate Drive (Standard No. 4) at an annual energy and lamp bulb rate of \$35.00 each, for a total annual increase to the General Lighting District of \$70.00, in accordance with the attached proposal which is hereby made a part of this resolution, and BE IT FURTHER

RESOLVED that fixtures, 18-foot standards, and conductors which have been supplied by the developer are to be owned and maintained by the Town of Cheektowaga and the connections, energy and lamp bulb replacements are to be supplied, owned and maintained by New York State Electric & Gas Corporation.

* See next two (2) pages

Upon Roll Call....

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

June 19, 1981

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
CATHEDRAL HEIGHTS SUBDIVISION, PHASE II

Barbados Drive - Std. #35
Woodgate Drive - Std. #4

Connect 2 - 7000 lumen post top mercury fixtures

Energy & lamp bulb rate @ \$35.00 ea. ----- \$ 70.00

(see attached sketch)

TOTAL ANNUAL INCREASE ----- \$ 70.00

Fixtures, 18-ft. standards, and conductors have been supplied and installed by developer; to be owned and maintained by the Town of Cheektowaga

Connections, energy and lamp bulb replacements to be supplied, owned, and maintained by New York State Electric & Gas Corporation.

NEW YORK STATE ELECTRIC & GAS CORPORATION



▲ PROPOSED STREET LIGHT

30' - 3" PLASTIC CONDUIT
INSTALLED FOR NYT Co. BY
NYSEEC CORP.

CASTLEWOOD DR.

L-305E
PELW W/O BREASTWOOD DR.
16 PAARAC, 72/12.17KV

BARBADOS DRIVE

L-D449

WOODBATE DRIVE

BARBADOS DRIVE
EXISTING ON
PHASE I

EXISTING ON
PHASE I
BARBADOS DRIVE

N.Y.S.E. & G. CORP.	
CATHEDRAL HEIGHTS PHASE II	
CHEEKTOWAGA TOWN	
UNDERGROUND ST. LT. LAYOUT	
SUBSTA. CODE 40	CKT. CODE 03
SW. CAP.	LINE CAP.
OR 1 TV	2.00 10.00

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

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

HIGHWAY FUND

From:	5142.170 (Snow Removal Labor)	\$35,000.00
To:	5110.473 (Ready Mix)	18,000.00
	5110.170 (Labor General)	17,000.00

GENERAL FUND

From:	3310.449 (Signal Repair)	25,500.00
	3310.450 (Control Signal Upgrade)	10,000.00
	3120.443 (Equip. Repair & Maint.)	30,000.00
	7140.161 (Recreation Supervisor)	5,780.00
	7141.144 (Laborer)	16,550.00
	9010.810 (State Retirement)	3,884.05
	9015.811 (Police Retirement)	2,872.00
	1990.480 (Contingency)	5,093.95
	3121.151 (Captain's Salary)	20,455.00
	7310.491 (Publications, Printing)	75.00
	7181.419 (Miscellaneous)	100.00
	7144.220 (Furnishings)	1,331.50
	6260.100 (Participant Salaries)	21,485.43
	6260.110 (Supervision Salaries)	639.87
	6260.402 (Supplies)	223.60
	6260.408 (Auto Allowance)	43.95
	6260.420 (Other Costs)	444.48
	6260.900 (Participant Fringes)	15,000.00
	4737.101 (YCCIP Revenues)	36,354.72
	1623.429 (Maintenance Tool Replacement)	1,000.00
	1625.447 (Buildings & Improvements)	2,000.00
TO:	3310.225 (Traffic Safety Lights)	40,000.00
	7410.444 (Heating & Air. Cond. Contract)	900.00
	1220.400 (Office Supplies)	4,000.00
	1220.401 (Printed Forms)	750.00
	1640.443 (Equipment Repair & Maint.)	30,000.00
	7140.160 (Senior Recreation Supervisor)	5,780.00
	7141.143 (Laborer)	16,550.00
	3121.150 (Grant's Officers)	20,455.00
	7310.406 (Publications, Membership)	75.00
	7181.231 (Equipment)	100.00
	7141.400 (Office Supplies)	1,000.00
	7143.220 (Furnishings)	331.50
	1920.413 (Defensive Driving Course)	1,700.00
	6257.100 (Administrative Staff Salaries)	2,244.56
	6457.813 (Workmen's Compensation)	134.67
	6257.408 (Administrative Mileage)	110.00
	6257.420 (Administrative Other Costs)	173.44
	6258.100 (Supervision Salaries)	13,677.25
	6258.810 (State Retirement)	1,176.24
	6258.812 (Social Security)	3,516.01
	6258.813 (Workmen's Compensation)	3,172.34
	6258.815 (Life Insurance)	810.00
	6258.814 (Medical Insurance)	456.00
	6258.817 (Unemployment Insurance)	5,287.23
	6258.408 (Supervision Mileage)	33.00
	6258.110 (Participant's Salaries)	39,195.00
	6258.449 (Safety Equipment)	600.00
	6258.420 (Other Costs)	4,001.50
	6260.814 (Medical Insurance)	234.81
	1622.445 (Bldg. & Grounds Repair & Maint.)	3,000.00

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

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 vouchers and warrants submitted to the Town of Cheektowaga prior to July 29th, 1981 are hereby approved and the Supervisor is ordered to pay same.

<u>FUND</u>	<u>CHECK NO.</u> <u>FROM</u> <u>TO</u>	<u>AMOUNT</u>
GENERAL FUND	18917, 18924-18943, 18945 18946, 11782, 11814, 11964-12156	\$1,845.385.71
SPECIAL DIST. FUND	8248-8262, 8268, 10665-10720	1,359,213.27
HIGHWAY FUND	6116-6122, 10433-10463	389,390.98
F.R.S. FUND	1009, 10217-10224	162,233.19
CAPITAL FUND	465, 473-479	410,963.11
TRUST & AGENCY FUND	981-985, 1000-1001	221,905.99
H.U.D.- C.D.B.G. FUND	355-359	248,669.00
PART TOWN FUND	442, 456, 463-468, 476-480	34,044.21
H.U.D. - N.P.P. FUND	152	<u>2,250.00</u>
		<u>\$4,674,055.46</u>

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 34 Supervisor's Statement of Funds Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 35 N.Y.S.D.O.T. - Application and decision re: D & F Transit, Inc. for temporary certificate of public convenience (bus line)
Copies were sent to: Captain H. Kempinski, Police Department; Council Secretary; Cheektowaga Traffic Safety Commission.
This item was Received and Filed.

Item No. 36 Stimm Assoc., Inc. - Letter regarding Harlem Road Reconstruction
This item was Received and Filed.

Item No. 37 NOTICE OF CLAIM - Mrs. Edwin Jakubik, on behalf of son, Daniel 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.
This item was Received and Filed.

Item No. 38 NOTICE OF CLAIM - George Melber vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Sewer Maintenance Department; E.T. Clauss, Insurance Company.
This item was Received and Filed.

Item No. 39 NOTICE OF PETITION - Dominic & Helen Slomczewski vs Ronald Marten, Building Inspector
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Ron Marten, Building and Plumbing Inspector; E.T. Clauss, Insurance Company.
This item was Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Wegner to suspend the rules to include the following three (3) items.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski

NAYES: 0

ABSENT: 0

Item No. 40 Decision on application for Billboard Signs

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Whitmier & Ferris Co., Inc. has requested permission to erect two 14ft. X 48 ft. billboard signs, one facing East and one facing West on the South side of the Kensington Expressway 800 feet East of Union Road, 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 the Whitmier & Ferris Co., Inc. be and is hereby denied permission to erect the following billboard signs:

Two 14 ft. X 48 ft. billboard signs, one facing East and one facing West on the South side of the Kensington Expressway 800 feet East of Union Road.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski

NAYES: 0

ABSENT: 0

Item No. 41 Notice to Bidders for Cedargrove Heights Neighborhood Improvement Project, Stage II, Phase II

Motion by Councilman Johnson, seconded by Councilman Dux

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 Program, which is to include improvement of the section of Glenwood Court, with some similar work on the interior courts said improvements will significantly improve the character and quality of the area, and

WHEREAS, the Town Engineer advised the Town Board that plans and specifications are ready for Stage II, Phase II, of the Cedargrove Heights Neighborhood Improvement Program, and

WHEREAS, Community Development Funds have been appropriated for this project, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders in connection with said Stage II, Phase II construction, notice to be published in the BUFFALO EVENING NEWS, COURIER EXPRESS, BUFFALO CRITERION and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Clerk obtain certified copies of the publications of said Notice to Bidders from each newspaper, and BE IT FURTHER

RESOLVED that this Town Board will meet on the 3rd day of August, 1981 at 7:00 P.M., Local Time, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at the public meeting held for that purpose.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 3rd day of August, 1981 at 7:00 P.M., Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, constituting Stage II, Phase II of the Cedargrove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc. upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Cedargrove Heights, Neighborhood Improvement Program, Stage II, Phase II."

The right to reject any and all bids, to waive any informalities in, or to make an award for any combination of bid sections, or to make an award other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Item No. 41 cont'd

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidders may withdraw his bid within 45 days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for the opening of bids.

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

This contract shall be completed no later than 120 consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's certificate of non-collusion. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

TOWN OF CHEEKTOWAGA, NEW YORK
RICHARD M. MOLESKI, TOWN CLERK

DATED: July 20, 1981

PUBLISHED: July 23, 1981

* * * * *

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. Sichter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication..... July 23, 1981 ;
last publication..... July 23, 1981 ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sichter
Sworn to before me this 24th
day of July, 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 TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 3rd day of August, 1981, at 7:00 p.m. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, constituting Stage II, Phase II of the Cedargrove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be

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

This contract shall be completed no later than 120 consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's certificate of non-collusion. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

**TOWN OF CHEEKTOWAGA
NEW YORK**

RICHARD M. MOLESKI
Town Clerk

DATED: July 20, 1981

PUBLISHED: July 23, 1981

State of New York

ERIE COUNTY
CITY OF BUFFALO

NOTICE TO BIDDERS
NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 3rd day of August, 1981, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, constituting Stage II, Phase II

NOONHOUT TAYLOR
let all bids
of Education receives the right to re-
opened at the same office. The Board
Specifications and bid forms may be
place all bids will be publicly opened.
August, N.Y. 14221 at which time the
Board Room, 1981 Street, Town of
August 1, 1981 at the District
Bids will be received until 2:00 P.M.
FURNITURE
with the submission of sealed bids and
Anders and Townships, hereby in-
The Board of Education of Town of
Home Central School District, Town of
New York
Town of Cheektowaga
Town Clerk
RICHARD M. WELLS
DATE: July 29, 1981
reviewing the bids and investigating
the qualifications of bidders prior to
awarding the contract.

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn,
deposes and says that he is Principal Clerk

of the BUFFALO EVENING NEWS, INC.

Publisher of the BUFFALO EVENING NEWS, a

newspaper published in said city, that the notice of

which the annexed printed slip taken from said

newspaper is a copy, was inserted and published

therein once xxxxxxxxxxxxxxxx

xxxxxxx insertion being on the 23rd

day of July 19 81 xxxxxxx

insertion being on xxxxxxxxxxxxxxxx

D. Eileen Perry

Sworn to before me this 27th day

of July 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

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 3rd day of August, 1981, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work constituting Stage II, Phase II of the Cedar Grove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc. upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the

Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Cedar Grove Heights, Neighborhood Improvement Program, Stage II, Phase II."

The right to reject any and all bids, to waive any informalities in, or to make an award for any combination of bid sections, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved. Each proposal must be accompanied

by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidders may withdraw his bid within 45 days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for the opening of bids.

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

This contract shall be completed no

later than 120 consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's certificate of non-collusion. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

DATED: July 21, 1981

Town of Cheektowaga,
New York
RICHARD M. MOLESKI,
Town Clerk

JR.
York

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn,
deposes and says that he is Principal Clerk

of the BUFFALO EVENING NEWS, INC.,
Publisher of the BUFFALO EVENING NEWS, a
newspaper published in said city, that the notice of

which the annexed printed slip taken from said
newspaper is a copy, was inserted and published

therein ONCE ~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXX~~ insertion being on the 23rd

day of July 19 81 ~~XXXXXXXXXX~~

~~insertion being on the XXXXXXXXXXXXXXXX~~

D. Eileen Perry

Francis X. Volchey
Qualified in Erie County
My Commission Expires March 30, 1983
Notary Public, Erie County, N. Y.

SS.

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowick, County of Erie, State of New York, on the 1st day of August, 1961, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowick, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, consisting of Section 1, Item II of the Contracting Bids, Neighborhood Improvement Program, complete, in place and ready for use in accordance with the Contract Documents.

Year	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

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 ..23.... day of July..... 19 81 and the last insertion being on the day of, 19 .., and not more than days intervened between any two publications thereof.

Chie Anderson

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

Commission Expires March 30, 1987

Sworn before me this ..23 day
of.....July..... 19 81.

Notary Public, Erie County, N. Y.

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

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 23rd day of August, 1981, at 7:30 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, constituting Stage II, Phase II of the Cedar Grove Heights Neighborhood Improvement Program, complete, in place and ready for use in accordance with the Contract Documents thereto, including Plans, Specifications, Instructions to Bidders, etc., prepared by Numbauer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 370 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Numbauer & Clarke, Inc., upon payment of \$25.00 per set of documents. Two checks, each for one-half the amount of deposit, shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bid, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be claimed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14221, and marked as "Proposal for the Cedar Grove Heights Neighborhood Improvement Program, Stage II, Phase II."

The right to reject any and all bids, to waive any information in, or to make an award for any combination of bids, sections, or to make an award in other than the best bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or held with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidders may withdraw his bid within 45 days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for the opening of bids.

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

This contract shall be completed no later than 120 consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 2204 of the Public Authorities Law which requires a bidder's certificate of incorporation. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11494, THE REQUIREMENTS FOR BIDDERS, AND CONTRACTORS UNDER THIS ORDER WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

TOWN OF CHEEKTOWAGA,
NEW YORK
RICHARD M. MOLESKI, TOWN CLERK
DATED: July 21, 1981

Alice Anderson
City of Buffalo, being duly sworn, deposes and says that he is chief clerk in the office of BUFFALO HER-EXPRESS a daily newspaper published in the City of Buffalo, that the notice, of which the annexed slip taken from said newspaper is a copy, was inserted and published therein... once for weeks the first insertion on the ..23.... day of July..... and the last insertion being on the day of 19 .., and not more than intervened between any two publications

Alice Anderson

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

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 there-
in once a week for one
weeks, the first insertion being on the 22nd day of
..... July 1981 and the last insertion be-
ing on the day of
19.....

..... Frank E. Merriweather
.....

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 7th day of
August 81
....., 19.....

..... Frank E. Merriweather
.....

~~NOTARY PUBLIC, No.~~

Commissioner
of Deeds
12-82

Notice to Bidders

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 3rd day of August, 1981, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, constituting Stage II, Phase II of the Cedargrove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc., upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Cedargrove Heights, Neighborhood Improvement Program, Stage II, Phase II."

The right to reject any and all bids, to waive any informalities in, or to make an award for any combination of bid sections, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent [5%] of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent [5%] of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidders may withdraw his bid within 45 days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for the opening of bids.

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

This contract shall be completed no later than 120 consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's certificate of non-collusion. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

BIDDERS ON THIS WORK WILL BE
REQUIRED TO COMPLY WITH THE
PRESIDENT'S EXECUTIVE ORDER NO.
11246. THE REQUIREMENTS FOR
BIDDERS AND CONTRACTORS UNDER

Item No. 42 Call for public hearing for amendment to Traffic Ordinance -
Article XIII "Truck Exclusions"

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 3rd day of August, 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 20th day of July, 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 3rd day of August, 1981 at 7:00 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. No person, firm or corporation shall drive or operate, or permit to be driven or operated, any truck of any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town 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

The prohibition herein above provided shall not be construed to prevent such vehicles from crossing said highways at regular street intersections where such vehicles are permitted to operate, not to prevent the necessary delivery of merchandise or other property, tow trucks or service vehicles to any premises located in or upon any highway above mentioned, provided the tow truck, service vehicle or delivery vehicle by which any such delivery or service call is made, shall enter and leave any such designated highway by the nearest accessible street to the place where said delivery, tow truck or service vehicle shall remain on said prohibited highway for a period of time no longer than necessary and reasonable to make such delivery, service call or to complete a loading of such vehicle.

Item No. 42 cont'd

A conspicuous and legible sign shall be placed
at each entrance to said street herein designated
clearly indicating such restriction.

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

RICHARD M. MOLESKI, Town Clerk

July 20, 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. Richter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Chloe* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks:
first publication..... *July 23, 1981* ;
last publication..... *July 23, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Richter
Sworn to before me this *24th*
day of *July* , 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*

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 20th day of July, 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 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 3rd day of August, 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.

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

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 20th day of July, 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 3rd day of August, 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. No person, firm or corporation shall drive or operate, or permit to be driven or operated, any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town 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

The prohibition herein above provided shall not be construed to prevent such vehicles from crossing said highways at regular street intersections where such vehicles are permitted to

operate, nor to prevent the necessary delivery of merchandise or other property, tow trucks or service vehicles to any premises located in or upon any highway above mentioned, provided the tow truck, service vehicle or delivery vehicle by which any such delivery or service call is made, shall enter and leave any such designated highway by the nearest accessible street to the place where said delivery or service call is made and provided such delivery, tow truck or service vehicle shall remain on said prohibited highway for a period of time no longer than necessary and reasonable to make such delivery, service call or to complete a loading of such vehicle.

A conspicuous and legible sign shall be placed at each entrance to said street herein designated clearly indicating such restriction.

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

RICHARD M. MOLESKI

Town Clerk

DATED: July 20, 1981

PUBLISHED: July 23, 1981

Item No. 43

Motion by Councilman Wegner, seconded by Councilman Swiatek
to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

* * * *
B I D S
* * * *

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 18 - August 3, 1981</u>		
2	Cedargrove Heights Neighborhood Improvement Program - Stage II, Phase II - Resurfacing of streets and related work.	1
3	Highway - Snow plow blades, wing blades, cutting edges, wing and front plow shoes, grader blades, etc.	1
<u>Meeting No. 19 - August 17, 1981</u>		
2	Improvements to Town Park.	1
3	Sports Lighting - Stiglmeier Park and Town Hall.	1
4	One (1) tractor with loader and back-hoe for Sewer Maintenance Dept.	1

P U B L I C H E A R I N G S

NO.

ITEM

PAGE

Meeting No. 18 - August 3, 1981

4	Amendment to Traffic Ordinance - Article XIII: "Truck Exclusions", enactment of new Section 130 - All Trucks Excluded, (Chapel Avenue, Eggert Road).	1-2
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R E S O L U T I O N S

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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 18 - August 3, 1981</u>		
5	Decision on amendment to Traffic Ordinance - Article XIII: "Truck Exclusions", enactment of new Section 130 - All Trucks Excluded, (Chapel Ave. & Eggert Road).	2-3
6	Decision on amendment to Traffic Ordinance - Article X: "Parking, Standing, Stopping", enactment of new Section 105 - Restriction on oversized vehicles from parking on residential streets.	4
7	Adoption and enactment of "Amusement Arcade Ordinance".	5-6
8	Award of bids for Police and Court Bldg. Renovation Project (General Construction, Heating & Air Conditioning, Plumbing, Electrical).	7-8
9	Award of bid for furnishing #2 diesel fuel oil, kerosene, motor oils, lubricants, etc. for Highway Department.	8-9
10	Award of bid for furnishing of Premium Unleaded Gasoline for Highway Department.	9-10
11	Advertise for bids for one (1) tractor with loader and back-hoe for Sewer Maintenance Department.	10-11
12	Memorialize Assemblyman Arthur Kremer to allow legislation out of committee re: Assembly Bill 3800.	12
13	Memorialize U.S. Congress to consider alternative proposals to tentative legislation re: New tax-exempt savings certificate.	12
14	Memorialize N.Y.S.-D.O.T. to place Harlem Road Improvement Project as high priority project and urge immediate design work for drain- age system from Cleveland Drive south to Scajaquada Creek.	12-13
15	Retention of attorney to process appeal relative to the rezoning of property at 500 Dick Road.	13
16	Authorization for Appraiser to prepare easement appraisal re: Beach Road Drainage Project, Phase II.	13
17	Authorization for Supervisor to execute Employment and Training Consortium Agreement.	14-15
18	Authorization for Supervisor to sign agreements to secure services of performing artists re: Polish-American Arts Festival.	15
19	Authorization for N.Y.S. Electric & Gas Corporation to remove and replace street lights on Rossler Street.	15-16
20	Hiring of Seasonal/Summer Help: a). Facilities Department - Seasonal Laborer b). Sanitation Department - Seasonal Laborers c). Youth Bureau - Youth Conservation Corps Program	16 16 16-17
21	Appointment to position of Sewage Treatment Plant Operator Trainee in Wastewater Treatment Plant No. 5.	17
22	Leave of absence for employee in Highway Department.	17-18
23	Authorization for Traffic Safety Commission Member to attend convention in Syracuse, New York.	18
24	Clean up of Property: a). Southeast corner of William St. & Glidden St. (vacant Property) b). 494 Beach Road (rear of property) c). 147 Chapel Avenue (rear of property) d). 1062 Walden Avenue (rear of building) e). 11 A-D Trent Square	18 18-19 19 19 20
25	Transfer of Funds.	20
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RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 19 - August 17, 1981</u>		
5	Date change for next regular Town Board Meeting.	1
6	Call for Public Hearing to amend Traffic Ordinance - Article X: "Parking, Standing, Stopping" (Seminole Pkwy. & Barbados Dr.).	1-2
7	Call for Public Hearing for rezoning of property located at 849 Borden Road.	3
8	Call for Public Hearing for rezoning of property located at 2695 Harlem Road.	4
9	Advertise for bids for the reroofing of three (3) swimming pool buildings.	5
10	Approval of legislative contract between Town of Cheektowaga and Town of Cheektowaga Employees Association.	6-7
11	Award of bid for construction of Cedargrove Heights Neighborhood Improvements, Stage II, Phase II and allocation of funds for same.	7-8
12	Acceptance & approval of proposal agreement with Nussbaumer & Clarke, Inc. relative to Cedargrove Heights Neighborhood Improvements, Stage II, Phase II.	8
13	Acceptance & approval of proposal relative to Northcrest-Southcrest drainage improvements; allocation of funds for same.	8
14	Acceptance & approval of proposal relative to Dick Road/George Urban Blvd. signal upgrading.	8-9
15	Approval of Change Orders: a). Chapel Avenue Reconstruction Project, Phase II. b). Chapel-Smith Drainage Project and Chapel Avenue Reconstruction, Phase I. c). Buffalo Sewer Authority Connection of Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program.	9-10 10-11 11-12
16	Authorization for Supervisor to sign Grant Amendment Application and Addendum Agreement re: Sewer System Evaluation Survey (SSES) in Sewer District No. 7.	12
17	Authorization for Supervisor to sign Right-of-Way Agreement with National Fuel Gas re: Relocation of 20" high pressure gas line.	12
18	Approval and authorization for Supervisor to sign Loss Control Survey Agreement with Aetna Technical Services, Inc. (AETNATEC).	13-14
19	Authorization for Supervisor to sign compliance agreement relative to Affirmative Action Program.	14
20	Authorization for Supervisor to sign agreement with In-Home Support Services Corp. of W.N.Y. re: Energy conservation & weatherization services for Town residents.	14-15
21	Authorization for Supervisor to sign agreement with Housing Assistance Center of Niagara Frontier, Inc. re: Town housing services.	15
22	Rescind resolutions of 12/17/79 & 7/20/81 re: Authorization for Chief to issue permits to individuals to equip vehicles with Police receivers; authorization for Chief to issue said permits only to specific individuals.	15-16
23	Retention of appraiser to prepare "court ready" appraisal of Cheektowaga Industrial Park re: Eminent domain proceeding commenced by Town.	16-17
24	Appointment to permanent position of Detective in Cheektowaga Police Department.	17
25	Appointment of Natural Disaster Services Coordinator.	17
26	Hiring of Law Clerk in Town Attorney's Office.	17-18
27	Retention of Seasonal Laborers for Town's Street Light Standard Painting and/or Repair Program.	18
28	Four (4) interim appointments to Cheektowaga Traffic Safety Commission.	18
29	Authorization for Clerk of Justice Court to attend Town & Village Court Clerks Seminar in Grossingers, N.Y.	19

RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
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30	Decisions on billboard sign applications:	
	a). Santoro Sign Company	19
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31	Clean up of Property:	
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	b). 1476 Harlem Road	20
	c). 16 Dubonnet Drive (vacant lot)	20-21
	d). 132 Cayuga Road (rear portion of property - Southwest corner of Maryvale Drive and Cayuga Road)	21
	e). 475 Cayuga Creek Road (front portion of property)	21
	f). East of 570 French Road (vacant lot)	21-22
	g). East of 12 Freda Avenue	22
	h). Southeast corner of French Road & Theresa Drive (vacant lot)	22
	i). 152 Peinkofer Drive	22-23
	j). 3 & 4 Sprucewood Drive (vacant property)	23
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32	Transfer of Funds.	24
33	Warrant List.	24

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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
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27	Building Permits.	21
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34	Dr. Louis Vendetti - Health report for month of July, 1981.	25

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G E N E R A L C O M M U N I C A T I O N S

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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 18 - August 3, 1981</u>	
28	Notice of Claim - Joseph L. Nader vs. Town of Cheektowaga, et al.	21
29	Notice of Claim - Melvin L. Maciejewski vs. Town of Cheektowaga and Cheektowaga Police Department.	21
30	Notice of Claim - Allstate Insurance Company for Carolyn Gesicki vs. Town of Cheektowaga and Cheektowaga Police Dept.	21
31	Notice of Claim - Eugene F. Finnegan for Patrick Finnegan (Son) vs. Town of Cheektowaga and Cheektowaga Recreation Dept.	21-22
32	Stimm Associates, Inc. - Correspondence re: Harlem Road Bridge.	22
33	Elizabeth R. Bille, representing residents of Merrymont Road & Harlem Road - Request to speak at Town Board meeting; resident petition re: Condition of property located at 3829 Harlem Road.	22
34	Raymond J. Klembczyk, - Correspondence re: Installation of curbing on The Avenue.	22
	<u>Meeting No. 19 - August 17, 1981</u>	
35	Erie County Legislature - Copy of resolution adopted 7/23/81 re: Support of Town of Cheektowaga request to assess N.F.T.A. with share of cost of sewer service in Districts 5 & 7.	25
36	Notice of Claim - Mr. Joseph P. Wolf vs. Town of Cheektowaga.	25
37	Mrs. Daniel R. Jedrzejewski, - Resident complaint against City Mattress located at 3637 Union Road.	25

W A I V E R O F R U L E S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 18 - August 3, 1981</u>	
35	Authorization for Town Attorney's Office to appeal decision of Town Justice with reference to lawsuit.	22-23

	<u>Meeting No. 19 - August 17, 1981</u>	
38	Authorization for Town Assessor to attend workshop in Syracuse, NY.	25
39	Authorization for Supervisor to sign agreement with Nussbaumer & Clarke regarding Sanitary Sewer District No. 3.	25-26
40	Authorization for Supervisor to sign agreement with Lockwood Mapping, Inc. regarding Sanitary Sewer District No. 3.	26
41	Appointment to position of Sewage Treatment Plant Operator.	26-27

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of August, 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, Jr.
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Theodore DeFedericis, Chief of Police; Sal LaGreca, Assistant Manpower Program Director I; Ronald Marten, Building & Plumbing Inspector; Donald Merritt, Deputy Town Attorney; Julia Reinstein, Town Historian; 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 Cedargrove Heights Neighborhood Improvement Program - Stage II, Phase II - Resurfacing of streets and related work.

Bids referred to Chester L. Bryan, Town Engineer.

Item No. 3 Highway - Snow plow blades, wing blades, cutting edges, wing & front plow shoes, grader blades, etc.

Bids referred to Alfred Wnek, Highway Superintendent.

II. PUBLIC HEARING

Item No. 4 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment 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. No person, firm or corporation shall drive or operate, or permit to be driven or operated, any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town 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

Item No. 4

The prohibition herein above provided shall not be construed to prevent such vehicles from crossing said highways at regular street intersections where such vehicles are permitted to operate, nor to prevent the necessary delivery of merchandise or other property, tow trucks or service vehicles to any premises located in or upon any highway above mentioned, provided the tow truck, service vehicle or delivery vehicle by which any such delivery or service call is made, shall enter and leave any such designated highway by the nearest accessible street to the place where said delivery or service call is made and provided such delivery, tow truck or service vehicle shall remain on said prohibited highway for a period of time no longer than necessary and reasonable to make such delivery, service call or to complete a loading of such vehicle.

A conspicuous and legible sign shall be placed at each entrance to said street herein designated clearly indicating such restriction.

* * * * *

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 at this point (see Item No. 5).

III. RESOLUTIONS

Item No. 5 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 3rd day of August, 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. No person, firm or corporation shall drive or operate, or permit to be driven or operated, any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town 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

The prohibition hereinabove provided shall not be construed to prevent such vehicles from crossing said highways at regular street intersections where such vehicles are permitted to operate, nor to prevent the necessary delivery of merchandise or other property, tow trucks or service vehicles to any premises located in or upon any highway above mentioned, provided the tow truck, service vehicle or delivery vehicle by which any such delivery or service call is made, shall enter and leave any such designated highway by the nearest accessible street to the place where said delivery or service call is made and provided such delivery, tow truck or service vehicle shall remain on said prohibited highway for a period of time no longer than necessary and reasonable to make such delivery, service call or to complete a loading of such vehicle.

A conspicuous and legible sign shall be placed at each entrance to said street herein designated clearly indicating such restriction.

2. 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.

3. 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.

4. 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. Sechite, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication..... *August 6, 1981* ;
last publication..... *August 6, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sechite
Sworn to before me this *7th*
day of *August* , 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*

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 3rd day of August 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 3rd day of August, 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. No person, firm or corporation shall drive or operate, or permit to be driven or operated, any truck or any other vehicle used solely or principally for commercial or delivery purposes, whether loaded or unloaded, into, on, along or through the following designated town 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

The prohibition herein above provided shall not be construed to prevent such vehicles from crossing said highways at regular street intersections where such vehicles are permitted to operate, nor to prevent the necessary delivery of merchandise or other property, tow trucks or service vehicles to any premises located in or upon any highway above mentioned, provided the tow truck, service vehicle or delivery vehicle by which any such delivery or service call is made, shall enter and leave any such designated highway by the nearest accessible street to the place where said delivery or service call is made and provided such delivery, tow truck or service vehicle shall remain on said prohibited highway for a period of time no longer than necessary and reasonable to make such delivery, service call or to complete a loading of such vehicle.

A conspicuous and legible sign

shall be placed at each entrance to said street herein designated clearly indicating such restriction.

2. 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.

3. 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.

4. 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 August 3 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 3rd day of August, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: August 6, 1981

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting a parking restriction amendment to the TRAFFIC ORDINANCE of the Town of Cheektowaga and gave due notice thereof as required by law, and

WHEREAS, a public hearing on said proposed amendment was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 20th day of July, 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 X of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Parking, Standing and Stopping," be amended by the enactment of a new Section 105 providing as follows:

Section 105. Restriction on oversized vehicles from parking on residential streets. In addition to the restrictions provided for in Sections 101 through 104, no vehicle longer than 225 inches, inclusive of load and bumper, or wider than 80 inches as measured by the body, or higher than 81 inches as measured from the underside of the tire to the top of the vehicle, shall park upon any street within any Residential District in the Town of Cheektowaga.

The provisions of this ordinance shall not apply to:

- (a) Vehicles parked because of an emergency or at a police officer's direction, or
- (b) Vehicles of the Town of Cheektowaga, fire apparatus, ambulances or vehicles engaged in the work of a public utility, or
- (c) Vehicles engaged in making pick-ups or deliveries or rendering services in or upon any property adjacent to the street where said vehicles are parked.

2. RESOLVED that the amendment above set forth shall take effect when properly posted, if required, 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 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.

3. RESOLVED that the amendment shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the Villages of Depew and Sloan.

4. RESOLVED 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 this amendment 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. Richter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication..... August 6, 1981 ;
last publication..... August 6, 1981 ;
and that no more than six days intervened be-
tween publications.

Gladys M. Richter
Sworn to before me this 7th
day of August 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

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 Aves., in said Town on the 3rd day of August, 1981 at 7:00 o'clock P.M. Easter 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 has called a public hearing to consider the advisability of adopting a parking restriction amendment to the TRAFFIC ORDINANCE of the Town of Cheektowaga and gave due notice thereof as required by law; and

WHEREAS, a public hearing was held by this Town Board at Cheektowaga Town Hall, cor-

ner of Broadway and Union Road, Cheektowaga, New York on the 20th day of July, 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 X of the Traffic Ordinance of the Town of Cheektowaga, which pertains to and is entitled "Parking, Standing and Stopping," be amended by the enactment of a new Section 105 providing as follows:

Section 105. Restriction on oversized vehicles from parking on residential streets. In addition to the restrictions provided for in Sections 101 through 104, no vehicle longer than 225 inches, inclusive of load and bumper, or wider than 80 inches as measured by the body, or higher than 81 inches as measured from the under

side of the tire to the top of the vehicle, shall park upon any street within any Residential District in the Town of Cheektowaga.

The provisions of this ordinance shall not apply to:

(a) Vehicles parked because of an emergency or at a police officer's direction, or

(b) Vehicles of the Town of Cheektowaga, fire apparatus, ambulances or vehicles engaged in the work of a public utility, or

(c) Vehicles engaged in making pick-ups or deliveries or rendering services in or upon any property adjacent to the street where said vehicles are parked.

2. RESOLVED that the amendment above set forth shall take effect when properly posted, if required, 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 shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

3. RESOLVED that the amendment shall apply to all of the

Town of Cheektowaga, Erie County, New York outside of the Villages of Depew and Sloan.

4. RESOLVED 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 this amendment specifying the date of adoption thereof.

Upon roll call...

Supervisor

Meyers

Councilmen:

Swiatek

Johnson

Dux

Wegner

Rogowski

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 August 3, 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 3rd day of August, 1981.

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: August 6, 1981

Item No. 7

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board, at a regular meeting held on the 1st day of June, 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 15th day of June, 1981 at 7:00 o'clock P.M. to consider the advisability of adopting and enacting an "AMUSEMENT ARCADE 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 "AMUSEMENT ARCADE ORDINANCE" was duly held by this Town Board at the Cheektowaga Town Hall in the Town of Cheektowaga, New York, on the 15th day of June, 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 an "AMUSEMENT ARCADE ORDINANCE."

NOW, THEREFORE, BE IT RESOLVED, that an "AMUSEMENT ARCADE ORDINANCE" be, and the same hereby is adopted and enacted, providing as follows:

*See next six (6) pages for copy of "AMUSEMENT ARCADE ORDINANCE."

No. 15

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 or rides.
- (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 amusement devices and proposed location.
 - (4) Serial number or other identifying information of each amusement device.
 - (5) A description of the size and location of said premises.
 - (6) Such further information as the Town Clerk shall require.

4. FEES.

Upon the approval of the Town Clerk, a license shall be issued for an amusement arcade upon payment of an annual fee of Five hundred dollars (\$500.00) plus Ten dollars (\$10.00) per amusement device.

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, church, or any R District Boundary.
- (b) No license shall be issued or reissued to any applicant convicted of a misdemeanor or felony, which in the judgment of the Town Clerk renders the applicant unfit or undesirable to carry on the operation, maintenance or ownership of the amusement arcade.

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 amount provided in Section 4. hereof. 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 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 amusement device shall be permitted to operate if said device delivers or may readily be converted to deliver,

to the player any coins, slugs or metal tokens on certain scores, if such delivery of coins, slugs or metal tokens is or is held to be contrary to any law or ordinance.

- (b) Any amusement arcade shall not open prior to 10:00 A.M. and shall close by 10:00 P.M. each day of the week, with the exception of those amusement arcades located on premises licensed by the State Liquor Authority.
- (c) 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. SUBSTITUTION, DELETION OR ADDITION OF AMUSEMENT DEVICES.

- (a) Any amusement device may be substituted or deleted by the owner or operator without additional fee under the license then in existence, provided that the Town Clerk receives the information required by Section 3(b) regarding any such amusement device proposed to be substituted or deleted.
- (b) Amusement devices may be added by the owner or operator of the amusement arcade upon payment of a fee of Ten Dollars (\$10.00) per additional amusement device, provided that the Town Clerk receives the information required by Section 3(b) regarding any such amusement device proposed to be added.

9. SUPERVISION

An amusement arcade, whenever operated or used, shall be supervised by a person eighteen (18) years of age or older. Such person shall ensure that the premises are used or operated in an orderly manner.

10. TRANSFER OF LICENSE.

Every amusement arcade license shall apply only to the person to whom granted and for the premises stated in the application and shall not be transferable.

11. SUSPENSION OR REVOCATION OF LICENSE.

Any license issued under the provisions of this ordinance may be suspended or revoked by the Town Clerk if the applicant has violated the provisions of this ordinance or made a false statement on the application for license, or if the use and operation of the amusement arcade constitutes a breach of the peace or a menace to the health, safety or general welfare of the public.

12. DENIAL, SUSPENSION OR REVOCATION.

Any person aggrieved by a decision of the Town Clerk in denying, suspending or revoking any application for a license or license issued hereunder may apply to the Town Board for review. Such request for review shall be made within thirty (30) days after the rendition of the decision of the Town Clerk by the filing of a notice of appeal, specifying the grounds therefor.

The Town Board shall fix a reasonable time for the hearing of such appeal.

13. 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 Checktowaga Police Department.

14. 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. 7 Cont'd.

and

BE IT FURTHER RESOLVED, that a copy of this Resolution, and the "AMUSEMENT ARCADE 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 this ordinance shall take effect ten (10) days after such publication.

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.

Shady 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 Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication... *August 6, 1981* ...;
last publication... *August 6, 1981* ...;
and that no more than six days intervened be-
tween publications.

Shady M. Hechter
Sworn to before me this *7th*
day of *August*, 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*

**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 3rd day of August, 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, at a regular meeting held on the 1st day of June, 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 15th day of June, 1981 at 7:00 o'clock P.M. to consider the advisability of adopting and enacting an "AMUSEMENT ARCADE 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 "AMUSEMENT ARCADE ORDINANCE" was duly held by this Town Board at the Cheektowaga Town Hall in the Town of Cheektowaga, New York, on the 15th day of June, 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 an "AMUSEMENT ARCADE ORDINANCE."

NOW, THEREFORE, BE IT RESOLVED, that an "AMUSEMENT ARCADE ORDINANCE" be, and the same hereby is adopted and enacted, providing as follows:

**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 or rides.

(c) "Person" includes individuals, natural persons, partnerships, joint ventures, societies, associations, clubs,

ing 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 amusement devices and proposed location.

(4) Serial number or other identifying information of each amusement device.

(5) A description of the size and location of said premises.

(6) Such further information as the Town Clerk shall require.

4. FEES.

Upon the approval of the Town Clerk, a license shall be issued for an amusement arcade upon payment of an annual fee of Five hundred dollars (\$500.00) plus Ten dollars (\$10.00) per amusement device.

**5. RESTRICTIONS ON IS-
SUANCE 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, church, or any R District Boundary.

(b) No license shall be issued or reissued to any applicant convicted of a misdemeanor or felony, which in the judgment of the Town Clerk renders the applicant unfit or undesirable to carry on the operation, maintenance or ownership of the amusement arcade.

**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 amount provided in Section 4. hereof. 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 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 amusement device shall be permitted to operate if said device delivers or may readily be converted to deliver, to the player any coins, slugs or metal tokens on certain scores, if such delivery of coins, slugs or metal tokens is or is held to be contrary to any law or ordinance.

(b) Any amusement arcade shall not open prior to 10:00 A.M. and shall close by 10:00 P.M. each day of the week, with the exception of those amusement arcades located on premises licensed by the State Liquor Authority.

(c) 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. SUBSTITUTION, DELE-
TION OR ADDITION OF
AMUSEMENT DEVICES.**

(a) Any amusement device may be substituted or deleted by the owner or operator without additional fee under the license then in existence, provided that the Town Clerk receives the information required by Section 3(b)

be supervised by a person eighteen (18) years of age or older. Such person shall ensure that the premises are used or operated in an orderly manner.

10. TRANSFER OF LICENSE.

Every amusement arcade license shall apply only to the person to whom granted and for the premises stated in the application and shall not be transferable.

**11. SUSPENSION OR
REVOCATION OF LICENSE.**

Any license issued under the provisions of this ordinance may be suspended or revoked by the Town Clerk if the applicant has violated the provisions of this ordinance or made a false statement on the application for license, or if the use and operation of the amusement arcade constitutes a breach of the peace or a menace to the health, safety or general welfare of the public.

**12. DENIAL, SUSPENSION
OR REVOCATION.**

Any person aggrieved by a decision of the Town Clerk in denying, suspending or revoking any application for a license or license issued hereunder may apply to the Town Board for review. Such request for review shall be made within thirty (30) days after the rendition of the decision of the Town Clerk by the filing of a notice of appeal, specifying the grounds therefor.

The Town Board shall fix a reasonable time for the hearing of such appeal.

**13. PENALTIES FOR OF-
FENSES.**

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 provision of this ordinance shall be administered and enforced by the Town of Cheektowaga Police Department.

14. 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.

BE IT FURTHER RESOLVED, that a copy of this Resolution, and the "AMUSEMENT ARCADE 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 this ordinance shall take effect ten (10) days after such publication.

Upon roll call...

Supervisor

Meyers

Councilmen:

Swiatek

Johnson

Dux

Wegner

Rogowski

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

HERRY CERTIFY as follows:

the whole the minutes referred to in

3. Said minutes the time when convened, the meeting was members of tended said m

IN WITNESS have hereunto corporate seal of day of August

RICHARD

Town
PUBLISHED

Item No. 8 Motion by Supervisor Meyers, seconded by Councilman Rogowski

WHEREAS, bids were duly received on July 20, 1981 as the result of advertisement for the Police and Court Building Renovation Project, and

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

WHEREAS, said Town Engineer has submitted same dated July 28, 1981, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Police and Court Building Renovation Project, as recommended by the Town Engineer, be and the same is hereby awarded to Transcon Associates, Inc., 331 Grote Street, Buffalo, New York 14207 for general construction work in the amount of \$128,500.00; Mollenburg-Betz Machine Company, 300 Scott Street, Buffalo, New York 14204 for heating and air conditioning work in the amount of \$24,122.00; Kipphut & Neumann Company, Inc., 4131 Sheridan Drive, Buffalo, New York 14221 for plumbing work in the amount of \$4,922.00 and Zablotny Electric, Inc., 1311 Walden Avenue, Buffalo, New York 14211 for electrical work in the amount of \$26,780.00; said firms submitting the lowest bids meeting the requirements of the specifications in each of their categories, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed and authorized to sign the agreements with said successful bidders, and BE IT FURTHER

RESOLVED that all costs associated with this project be chargeable to the recently enacted bond issue for the Police and Court Building Renovation Project.

*See next two (2) pages for copy of 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

July 28, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Police and Court
Building Renovation

Gentlemen:

At the Regular Town Board meeting on July 20, 1981, bids were received and opened for the Police and Court Building Renovation Project. As required by New York State Law, bids were taken in four (4) categories. Following is a summation of the bids as received on that date.

GENERAL CONSTRUCTION - Six (6) bids were received for General Construction Work. Contractors participating and their bid amounts are as follows:

Transcon Associates, Inc.	\$128,500.00
George Herman & Associates, Inc.	135,624.00
Hallock & Migliore Construction	136,200.00
Rekoon Construction Company	138,874.00
Holler Brothers Construction Company, Inc.	138,923.00
N.A.I. Construction Company, Inc.	139,635.00

HEATING AND AIR CONDITIONING - Four (4) bids were submitted for Heating and Air Conditioning as follows:

Mollenburg-Betz Corporation	\$24,122.00
Frank C. Kellner Company Inc.	27,415.00
Davis Refrigeration Company	27,989.00
Hamberger Heating Company	31,345.00

PLUMBING CONSTRUCTION - In this category there were nine (9) bids submitted as follows:

Kipphut & Neumann Company, Inc.	\$4,922.00
C & C Plumbing & Heating Corporation	4,925.00
Mutual Plumbing & Heating Company, Inc.	5,981.00
Frontier Plumbing & Heating, Inc.	6,200.00
Ackerman & Huebsch Inc.	6,545.00
Rudy Slazyk Plumbing & Heating Inc.	7,190.00
George H. Sander Inc.	7,830.00
Robert Jacobs Plumbing	7,983.00
M.R.J. Plumbing and Heating Inc.	9,700.00

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS

July 28, 1981
Page 2

ELECTRICAL WORK - Eight (8) bidders participated in bidding for electrical work as follows:

Zablotny Electric Inc.	\$26,780.00
Energy Conservation Systems	27,950.76
Metro Electrical Construction Corporation	28,495.00
Warrens Electric	29,784.00
Camtel Electric Company, Inc.	31,600.00
D & E Electrical	32,495.00
Gordon & Zoerb Electric	33,980.00
Dobkin & Gold Electric	37,000.00

It is the recommendation of Jerome V. Biedny, Architect, who reviewed all of the specifications, and ourselves that the bid be awarded to the lowest bidder in each construction category. The bid recommendations are:

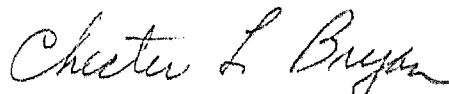
General Construction	Transcon Associates, Inc. 331 Grote Street Buffalo, New York 14207	\$128,500.00
Heating and Air Conditioning	Mollenburg-Betz Machine Company 300 Scott Street Buffalo, New York 14204	24,122.00
Plumbing Construction	Kipphut & Neumann Company, Inc. 4131 Sheridan Drive Buffalo, New York 14221	4,922.00
Electrical Work	Zablotny Electric, Inc. 1311 Walden Avenue Buffalo, New York 14211	26,780.00

Total of Proposals \$184,324.00

The recent bond issue enacted by the Town Board was in the amount of \$237,000 as allocated by the Police and Court Building Renovation Project.

Very truly yours,

TOWN OF CHEEKTOWAGA



Chester L. Bryan, P.E.
Town Engineer

CLB:dms

CC: John Gruber

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 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on July 20, 1981 for the furnishing of #2 diesel fuel oil, lubricants, motor oils, etc., 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 several pages for copy of tabulation and report.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: ~~6830013702~~
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

July 29, 1981

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

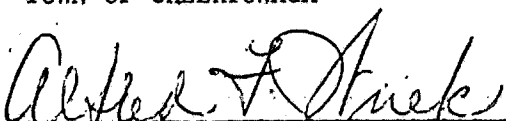
Re: AWARD OF BIDS FOR - #2 Diesel Fuel oil, Kerosene, Motor oils,
Lubricants, etc.

Gentlemen:

Bids were opened and read at the Town Board meeting of July 20, 1981, to supply the Highway Department with #2 Diesel Fuel oil, lubricants, motor oils, etc., and after careful review of the submitted bids, I recommend that the Honorable Body award the contract to the lowest responsible bidder, as per attached tabulated copy of bids therefor.

I trust this will meet with your kind approval.

Respectfully yours,
TOWN OF CHEEKTOWAGA


ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg

cc: Town Atty.
Town Clerk
file
encl.

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

	OIL SALES OF AMERICA 651 Delaware Ave. Bflo., NY 14202	PETROLEUM SALES & SERV. INC. 300 Ohio St. Buffalo, NY 14204	SUPERIOR LUB. CO. INC. 32 Ward Rd. N. Tonawanda NY 14120
KEROSENE OIL PER GALLON	No Quote	\$ 1.0989 per gal.	693 8050
HYDRAULIC OIL # 300 R/O HYDR. PER GALLON	WYLIE SUPREME 5 gal. pail \$2.98/\$14.90	ARCO DURO AWS 315 3.25	\$1.98
PER 55 Gal. Dr.	\$2.27/\$125.23	178.75	\$108.90
PENETRATING OIL (AEROSOL CANS) per case	No Quote	ATLAS (12 oz) \$15.90/cs - of 6	\$44.40/24 cans
MOTOR OILS SAE 30 Non Det. per case	NO QUOTE	KENDALL \$24.52	WOLF HEAD M/O Non Det. 30W \$22.50
per 55 gal. dr.	WYLIE SUPREME \$2.40/\$132.00	\$200.06	\$119.90
XHD #30 per case	GULF LUBE SINGLE G CC \$.83 Qt./\$19.92	CHEVRON 200 \$20.28	WOLF HEAD M/O Heavy Duty \$22.50
per 55 gal dr.	\$2.60/ \$143.00	\$160.19	\$142.45
SUPER D #30 Service #CACBCCCD per case	GULF PRIDE SINGLE G CD 92¢ Qt./\$22.08	KENDALL SUPER D \$25.08	WOLF HEAD SPEC DUTY \$22.80
per 55 gal. dr.	\$2.73/\$150.15	\$204.87	\$147.95
SPECIAL 10W-40 per case	WYLIE SUPREME 80¢ Qt./\$19.92	KENDALL SUPER 100 \$27.00	WOLF HEAD SUPE DUTY \$ 25.14
per 55 gallon dr.	\$2.77/\$152.35	\$222.75	\$ 145.20
GEAR AND TRANSMISSION OILS Transmission Type A per lb.	GULF Dexron II 89¢ qt./\$21.36	AMOCO DEXRON II \$5.03/gal \$30.18/cs of quts.	\$.39
per 120 lb. drum	Wylie Supreme \$2.59/\$142.45	\$73.83	\$46.80
Multi Purpose GEAr oil SAE 90 per lb.	NO QUOTE 80W/140	AMOCO MPGO 90 \$.71	\$.46
per 120 lb. drum	Gulf \$4.08 gal/\$65.28	\$85.50	\$55.20
Multi Purpose Gear Oil SAE 140 per lb.	85W/140	AMOCO MPGO 140 \$.71	85W-140 \$.49
per 120 lb. drum	\$4.08/gal/\$65.28	\$85.50	\$58.80
FWD #50 per 5 lb. pail	No Quote		\$.55/lb. per 35 lb. pail
per 120 lb. drum	No quote		.45 per lb equals to \$54

	DU BOIS CHEMICALS 261 Gr. Arrow Dr. Buffalo, NY 14207	AMERICAN LUB. INC. 619 Bailey Ave. Bflo. NY 14206	DAVIS HOWLAND OIL ANDERSON AVE ROCHESTER NY 14607
KEROSENE OIL PER GALLON	NO BID	No BID	\$113.30 per 55 gal \$2.06 gal
HYDRAULIC OIL # 300 R/O HYDR. PER GALLON	NO BID	#1043 - 300 R&O \$2.69	DSL CONVIS OC 300 \$2.60
PER 55 Gal. Dr.	NO BID	\$147.95	\$143.00
PENETRATING OIL (AEROSOL CANS) per case	ALTERNATE JAO-6 \$46.94	NO BID	\$25.18
MOTOR OILS SAE 30 Non Det. per case	NO BID	#1033 \$20.00	DSL REG. M/O SAE 30 \$21.06
per 55 gal. dr.	NO BID	\$156.20	\$138.05
XHD #30 per case	NO BID	\$24.00	DSL XXHD M/O SAE 30 \$22.26
per 55 gal dr.		\$158.95	\$149.05
SUPER D #30 Service #CACBCCCD per case	NO BID	\$22.00	DSL UNIV.m/c SAE 30 \$24.12
per 55 gal. dr.		\$161.70	\$166.10
SPECIAL 10W-40 per case	NO BID	\$24.00	DSL SUPER PREM. 10W40 \$23.46
per 55 gallon dr.		\$171.05	\$160.05
GEAR AND TRANSMISSION OILS Transmission Type A per lb.	NO BID	.5416 per lb.	.518 per
per 120 lb. drum		65.00	\$62.16
Multi Purpose Gear oil SAE 90 per lb.	NO BID	.52 per lb.	.520 per
per 120 lb. drum		\$62.40	\$62.40
Multi Purpose Gear Oil SAE 140 per lb.	NO BID	.52 per lb.	.540 per
per 120 lb. drum		\$62.40	\$64.80
FWD #50 per 5 lb. pail	NO BID	#1056 no bid	DSL SMGO 9 \$16.75/40
per 120 lb. drum		\$66.46	\$50.25

	EDW. J. FISCHER OIL CO. INC. 115 Manitoba St. Bflo. NY 14206	SOUTHGATE OIL CO. P.O. Box A Elma, New York	
KEROSENE OIL PER GALLON	-----	\$1.25 per gal.	
HYDRAULIC OIL # 300 R/O HYDR. PER GALLON	-----	see supplement	
PER 55 Gal. Dr.	-----	attached hereto	
PENETRATING OIL (AEROSOL CANS) per case	12/14 oz. - \$20.52	see suppl. attached hereto	
MOTOR OILS			
SAE 30 Non Det. per case	\$21.30 per case \$3.55 per gallon		
per 55 gal. dr.	\$180.40 per drum \$3.28 per gal.		
XHD #30 per case	-----		
per 55 gal dr.	-----		
SUPER D #30 Service #CACBCCCD per case	HDX UNIV. FLEET M/O \$22.02 per case \$3.67 per gallon		
per 55 gal. dr.	\$182.60 per drum \$3.32 per gal.		
SPECIAL 10W-40 per case	DeLuxe 10W40 \$23.94 per case \$3.99 per gallon		
per 55 gallon dr.	\$191.95 per drum \$3.49 per gallon		
GEAR AND TRANSMISSION OILS Transmission Type A per lb.	DEXRON II \$3.73 per gallon	see supplement attached hereto	
per 120 lb. drum	\$59.68		
Multi Purpose Gear oil SAE 90 per lb.	Super Quadrolube Gear Lub SAE80W90 .58 per lb.		
per 120 lb. drum	\$69.60		
Multi Purpose Gear Oil SAE 140 per lb.	Super Quadrolube Gear Lub.SAE85W140 .58 per lb.		
per 120 lb. drum	\$69.60		
FWD #50 per 5 lb. pail	-----		
per 120 lb. drum	-----		

	KURK FUEL OIL CO. 1276 Harlem Rd. Cheekt. NY 14206	ALLIED OIL CO. DIV. OF ASHLAND OIL INC. OF 2630 Elmwood Ave. Kenmore, NY 14217	
KEROSENE OIL PER GALLON	\$1.289 per gal.		
HYDRAULIC OIL # 300 R/O HYDR. PER GALLON	no bid		
PER 55 Gal. Dr.			
PENETRATING OIL (AEROSOL CANS) per case	no bid		
MOTOR OILS SAE 30 Non Det. per case	no bid		
per 55 gal. dr.			
XHD #30 per case			
per 55 gal dr.			
SUPER D #30 Service #CACBCCCD per case			
per 55 gal. dr.			
SPECIAL 10W-40 per case			
per 55 gallon dr.			
GEAR AND TRANSMISSION OILS Transmission Type A per lb.	no bid		
per 120 lb. drum			
Multi Purpose Gear oil SAE 90 per lb.			
per 120 lb. drum			
Multi Purpose Gear Oil SAE 140 per lb.			
per 120 lb. drum			
FWD #50 per 5 lb. pail per 120 lb. drum			

Oil delivery unit. Petroleum, Schenectady, Superior Fuel

600 Delaware Ave. Bflo. NY	SERV. INC. 300 Ohio St. Buffalo, NY 14204	No. Tonawanda Rd. 14120 693 8050
-------------------------------	---	--

Lubriplate #630-2		KENDALL L - 426	Wolf Head Super Dt Lithium Moly
per 35 lb. pail	No Quote	\$28.44	\$28.00
per 120 lb. drum	No quote	\$88.50	\$91.20
LUbriplate #70.		KENDALL L 421	WOLF HEAD MULTI DUTY LITHIUM
per 35 lb. pail	No quote	\$27.56	@\$24.15
per 120 lb. drum	no Quote	\$86.25	\$78.00
EXTRA HEAVY DUTY BRAKE FLUID		ATLAS 550 -\$15.80 gal.	
per Gallon	No quote	ATLAS 450- \$11.78 gal.	\$11.95
per 5 gallon pail	No quote		\$59.85
PERMANENT ANTI FREEZE		NATIONWIDE	
per gallon	No quote	\$4.18	\$3.79
per 55 gallon drum	\$3.65/\$200.75	\$230.31	\$208.45
CHEVRON DELCO 400 Motor Oil SAE 15-W-40 or equal	GULF LUBE MXHD		
per case (quts.)	.82 qt/19.68 case	\$24.00	\$24.12
per 55 gal. drum	WYLIE SUPREME \$2.82/158.51	\$196.63	\$153.45
DELIVERIES IN 55 Gallon Drums and in cases		*** Drum Dep. RPM - 20.00 BP 20.00 ARCO - 18.00 Kendall 12.00	\$17.00
DRUM DEPOSIT	\$20.00	add \$.06 if FET to oil if applicable	
#2 DIESEL FUEL OIL			
PER GALLON	no quote	\$1.0289	---

	DU BOIS CHEMICALS 261 Gr. Arrow Dr. Buffalo, NY 07	AMERICAN LUB. INC. 619 Bailey Ave. Bflo. NY 14206	DAVIS BROS. OIL CO. ANDERSON RD. ROCHESTER, NY
<u>Lubriplate #630-2</u>	DU BOIS CL 5350 \$87.30	#1118	
per 35 lb. pail	\$1.94 per (45 lb. pail)	\$35.62	\$40.60
per 120 lb. drum	@ 1.94 -- \$232.80	\$112.53	\$133.20
<u>Lubriplate #70</u>			
per 35 lb. pail	NO BID	no bid	\$37.80
per 120 lb. drum		no bid	\$123.60
<u>EXTRA HEAVY DUTY BRAKE FLUID</u>			
per Gallon	NO BID	no bid	\$9.90
per 5 gallon pail		no bid	\$49.50
<u>PERMANENT ANTI FREEZE</u>			
per gallon	NO BID	\$3.88 per gal.	\$3.85 per gal.
per 55 gallon drum		\$213.40	\$211.75
<u>CHEVRON DELCO 400 Motor Oil SAE 15-W-40 or equal</u>	NO BID	\$24.00 per case qts.	\$24.18
per case (qts.)			
per 55 gal. drum		\$164.45	\$166.65
<u>DELIVERIES IN 55 Gallon Drums and in cases</u>		\$15.00 Sun oil \$18.00 American	\$17.00
<u>DRUM DEPOSIT</u>	NO BID		
<u>#2 DIESEL FUEL OIL</u>			
PER GALLON	NO BID	no bid	no bid

	EDW. J. FISCHER OIL CO. INC. 115 Manitoba St. Bflo. NY 14206	SOUTHGATE OIL CO. P.O. Box A Elma, New York 14059	
<u>Lubriplate #630-2</u> per 35 lb. pail	MULTI PURP. LUB. LITHIUM EP NLGI #2 \$26.60	See supplement attached hereto	
per 120 lb. drum	\$87.60		
<u>Lubriplate #70</u> per 35 lb. pail	MULTI PURP. LUB. LITHIUM EP NLGI #2 \$26.60		
per 120 lb. drum	\$87.60		
<u>EXTRA HEAVY DUTY BRAKE FLUID</u> per Gallon	\$15.72	see supplement attached hereto	
per 5 gallon pail	\$78.58		
<u>PERMANENT ANTI FREEZE</u> per gallon	----	bulk - \$3.80 per gal. drops of 500 gals. or more	
per 55 gallon drum	----	Drummed - \$3.96 per gallon	
<u>CHEVRON DELCO 400 Motor Oil</u> SAE 15-W-40 or equal	HDX 15W40 \$23.10 per case	see supplement attached hereto	
per case (quts.)	\$3.85 per gal.		
per 55 gal. drum	\$189.75 per dr. \$3.45 per gallon		
<u>DELIVERIES IN 55 Gallon Drums</u> and in cases			
<u>DRUM DEPOSIT</u>	\$10.00	\$12.00	
<u>#2 DIESEL FUEL OIL</u> PER GALLON	-----	\$1.05 per gal.	

all prices are
subject to changes
are exclusive of
all taxes State
and Federal -
and Sales

	Product	gallon/pound	55g/400 lb.	gal/pound	16g/120 lb.	gal/pound	5g/38 lb.	misc.
c Oil #300 R &)	Sunvis 931	2.96 gal	162.94			3.46 gal	17.32	
ting Oil (Aerosol cans)	—							
on-Detergent Motor Oil	Sunfleet Regular 30	3.05 gal	167.75					
	Sunfleet HP 30	3.13 gal	172.15					
#30 (CA, CB, CC, CD)	Sun Presolube XL 30	3.55 gal	195.25					
10W-40	Sunfleet XL 10W 40	3.38 gal	185.90					
ssion "A" (Dextron)	Sunoco Dextron	3.42 gal	188.10					
urpose Gear Oil SAE 90	Sun GL-5 80W 90	3.75 gal	206.25	4.00 gal	64.00	4.25 gal	21.25	
urpose Gear Oil SAE 140	Sun GL-5 85W 140	3.83 gal	210.65	4.09 gal	65.44	4.33 gal	21.65	
late 630-2	Sunaplex Moly EP-2	.85 lb	340.00	.8875 lb	106.50	.9125	34.67	55.05
late #70								60 CT CASE CARTRID
Heavy Duty Brake Fluid								
ment Anti-Freeze								
on Delo 400 SAE 15W-40	Sun Presolube 15W 40	3.62	199.10					

	Product	gallon/pound	55g/400 lb.	gal/pound	16g/120 lb.	gal/pound	5g/38 lb.	misc.
lic Oil #300 R &)	(AW 68) Kendall R10-053 EP							
rating Oil (Aerosol cans)								
Non-Detergent Motor Oil	Kendall Non-Net 30	3.48 gal	191.40					3.94 g/23.64 c
30	Kendall FL Select 30	3.41 gal	187.55					3.87 g/23.22 c
D-#30 (CA, CB, CC, CD)	Kendall Super D ^{III} (B)-30W	3.50 gal	192.50					3.96 g/23.76 c
al 10W-40	Kendall Super 10W40	3.89 gal	213.95					4.36 g/26.16 c
mission "A" (Dextron)	Kendall Dexton	3.57 gal	196.35					4.06 g/24.36 c
purpose Gear Oil SAE 90	Kendall NS-MP 80W90	.65 lb	260.00	.675 lb	80.40	.72 lb	25.20 (35lb)	
purpose Gear Oil SAE 140	Kendall NS-MP 85W140	.65 lb	260.00	.675 lb	80.40	.72 lb	25.20 (35lb)	
50	SR-12 X					.79 lb	30.81	33.12 12 CT CASE
plate 630-2	Kendall L-427	1.29 lb	516.00	1.32 lb	158.40	1.40 lb	49.00 (35lb)	
plate #70								
a Heavy Duty Brake Fluid								
anent Anti-Freeze								
ron Delo 400 SAE 15W-40	Kendall Super D-III 15W40	3.29 gal	208.45					4.23 g/25.38 c

	Product	gallon/pound	55g/400 lb.	gal/pound	16g/120 lb.	gal/pound.	5g/38 lb.	misc.
lic Oil #300 R &)	Mobil DTE ^{HEAVY} MEDIUM	3.29 gal	180.95			3.29 gal	22.70	
ating Oil (Aerosol cans)								
Non-Detergent Motor Oil	Mobil Regular 30W	3.20 gal	176.00					3.59 g / 21.54 c
0	Mobil HD 30W	3.63 gal	199.65					3.97 g / 23.82
D-#30 (CA, CB, CC, CD)	Mobil Delvac 1330	3.61 gal	198.55					3.94 g / 23.64
al 10W-40	Mobil Super 10W 40	4.19 gal	230.45					4.51 g / 27.06 c
ission "A" (Dextron)	Mobil ATF -220	3.86 gal	212.30					4.27 g / 25.62
urpose Gear Oil SAE 90	Mobilube HD 80W 90	.6025 lb	241.00	.690 lb	82.80			
urpose Gear Oil SAE 140	Mobilube HD 85W 140	.6025 lb	241.00	.690 lb	82.80			
50	Mobil TAC E (EDWARD)							
plate 630-2	Mobil Grease Special	.8313 lb	332.52	.9188 lb	110.25	.9875 lb	66.33	39.64 ^{12 CAN} SPRAY CASE
plate #70								66.33 ^{60 CAN} CASE CART.
a Heavy Duty Brake Fluid								
anent Anti-Freeze	Mobil							
ron Delo 400 SAE 15W-40	Delvac Super 15W 40	4.00 gal	220.00					4.39 g / 26.34 c

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 Rogowski, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on July 20, 1981 for the furnishing of Premium Unleaded Gasoline 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 bid be awarded to Ashland Oil Company, P.O. Box 391, Ashland, Kentucky at a quoted price of \$1.170 per gallon; 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.

*See next page for copy of tabulation and report.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 686 3450
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

July 29, 1981

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

Gentlemen:

Re: Award of Gasoline (premium unleaded)
bids

As a result of an advertising for Premium Unleaded Gasoline bids, for the Cheektowaga Highway Department, on July 9, 1981, and opening thereof on July 20, 1981, please be advised that I have made a study of the bids, and present them as follows:

PETROLEUM SALES AND SERVICE INC.
300 Ohio St., Buffalo, NY 14204

\$1.1749 per gallon (exclusive of taxes)

ASHLAND OIL CO.
P.O. Box 391
Ashland, Kentucky, 41101

\$1.170 per gallon (excluding all taxes
and fees (based on 28,000 gallons))

KURK FUEL OIL CO.
1276 Harlem Rd.
Cheektowaga, NY 14206

\$1.2039 per gallon (exclusive of State,
Federal and/or Sales Tax)

In view of the above, I recommend that the Honorable Body award the contract effective this date, to the lowest responsible bidder, ASHLAND OIL CO. P.O. BOX 391 - Ashland Kentucky, at the quoted price of \$1.170 per gallon.

I trust this will meet with your honorable approval.

Respectfully yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg
cc: Town Atty.
Town Clerk

RECEIVED

Richard M. Moleski, Town Clerk

JUL 30 1981

A.M. P.M.
6/7/8/9/10/11/12/1/2/3/4/5/6

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

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 Swiatek, seconded by Councilman Wegner

WHEREAS, the Sewer Maintenance Department is in need of a tractor with a loader and back-hoe to make emergency sanitary sewer repairs, and

WHEREAS, funds are available in Sanitary Sewer Remedial Budget Accounts, NOW, THEREFORE, BE IT

RESOLVED, that 1/3 of the cost of said equipment be taken from Sewer District No. 3 Remedial Account 8323.493 and 2/3 of the cost of said equipment be taken from Sewer District No. 5 Remedial Account 8525.493, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one (1) tractor with a loader and back-hoe for the Sewer Maintenance 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 August 17, 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 August 17, 1981 at 7:00 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, for one (1) tractor with loader and back-hoe.

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

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

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: August 3, 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.

WILLIAM L. WIELINSKI

Item No. 11 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. Dechter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication...August 6, 1981.....;
last publication...August 6, 1981.....;
and that no more than six days intervened be-
tween publications.

Gladys M. Dechter

Sworn to before me this7th.....

day ofAugust....., 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 TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on August 17, 1981 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for one (1) tractor with loader and back-hoe.

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

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

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

RICHARD M. MOLESKI

Town Clerk

DATED: August 3, 1981

PUBLISHED: August 6, 1981

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

WHEREAS, a bill has been introduced in the New York State Assembly, known as the Assembly Bill 3800, which would allow all interest earned on tax monies so deposited to belong to the Town and credited to the general fund, and

WHEREAS, such legislation could lead to an increase in interest income for the Town's general fund, NOW, THEREFORE, BE IT

RESOLVED that New York State Assemblyman Arthur Kremer be memorialized to encourage him to allow this important legislation out of committee, and BE IT FURTHER

RESOLVED that copies of this resolution be furnished to 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. 13 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the U.S. Senate Finance Committee and the House Ways and Means Committee have given tentative approval to a new type of tax-exempt savings certificate which would be offered by savings and loans and other financial institutions, and

WHEREAS, such legislation would have a serious detrimental effect on municipal borrowings by softening the demand for same, NOW, THEREFORE, BE IT

RESOLVED that the U.S. Congress be memorialized to consider alternative proposals to the above tentative legislation and that copies of this resolution be furnished to Congressman Kemp and Conable as well as Senators Moynihan and D'Amato.

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 Councilman Johnson

WHEREAS, the New York State Department of Transportation is actively involved in the construction and improvement of Harlem Road, S.H. 9381, from Broadway to William Street, with subsequent improvement to follow and include the section from William Street to Dingens Street, and

WHEREAS, there is need to continue the Harlem Road Improvement Project from Broadway north to Cleveland Drive, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board memorializes the Niagara Frontier Transportation Committee and the New York State Department of Transportation to place this Harlem Road Improvement Project as a high priority project, and BE IT FURTHER

RESOLVED, that because of the urgent need for resolving the drainage problem along Harlem Road, north of Scajaquada Creek, that design work start immediately by the New York State Department of Transportation for a drainage system from Cleveland Drive south to Scajaquada Creek so as to provide long overdue flooding relief for the areas tributary to this section of Harlem Road, and BE IT FURTHER

RESOLVED, that a copy of this resolution be sent to State Senator Dale Volker, State Assemblyman Dennis Gorski, Niagara Frontier Transportation Committee and Commissioner Hennessy of the New York State Department of Transportation.

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 Johnson

WHEREAS, by Resolution dated March 16, 1981, this Town Board denied the application of Dennis L. Repka for the rezoning of property owned by him and located at 500 Dick Road, Cheektowaga, New York, and

WHEREAS, on the 30th day of March, 1981 the Town of Cheektowaga was served with an Order to Show Cause and Petition in a Special Proceeding entitled "In the Matter of the Application of DENNIS L. REPKA, Petitioner -against- KENNETH J. MEYERS, Supervisor" et al., Respondents; which Special Proceeding called for the annulling of the aforementioned Resolution, and

WHEREAS, the Honorable Samuel L. Green, Justice of the Supreme Court, signed an Order, directing the Town Board "to grant the application of the petitioner for a change of zoning from R-Residential to RC-Restricted Business District for the property located at 500 Dick Road, Cheektowaga, New York," and

WHEREAS, an appeal of the decision and order of Justice Green was duly authorized by Resolution of this Town Board on April 21, 1981, NOW, THEREFORE, BE IT

RESOLVED that Mr. Peter M. Kooshoian, attorney-at-law, 69 Delaware Avenue, Buffalo, New York, who the Town Attorney advises has experience and specialized knowledge in appellate matters, be and he hereby is retained to process the previously authorized appeal on behalf of the Town, and BE IT FURTHER

RESOLVED that all reasonable legal fees and expenses of such appeal be paid by the Town.

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, this Town Board approved a resolution dated February 2, 1981 to authorize the Town Attorney to prepare the legal documents required to obtain an easement for the Beach Road Drainage Project, Phase II, at the corner of Maryvale Drive and Beach Road, and

WHEREAS, the owners of said property, Meatcutters Union Local 34, request reimbursement for said easement, and

WHEREAS, Mr. Robert LaPort, Appraiser, has submitted a quote of \$200 to prepare an appraisal in a letter dated July 23, 1981, NOW, THEREFORE, BE IT

RESOLVED, that Mr. LaPort be directed to prepare said easement appraisal for a fee of \$200.

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 Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Tonawanda and the Town of Cheektowaga have agreed to form a Consortium in order to receive grants under the Comprehensive Employment and Training Act of 1973, and

WHEREAS, a Consortium Agreement has been prepared, reviewed and approved, now, therefore, BE IT

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

*See next seven (7) pages for copy of Consortium Agreement.

CONSORTIUM AGREEMENT

THIS AGREEMENT made the 4th day of August, 1981
by and between the TOWN OF TONAWANDA, and the TOWN OF CHEEKTOWAGA,
all being municipal corporations of the State of New York and
collectively referred to herein as the ERIE CONSORTIUM.

WITNESSETH:

WHEREAS, the Department of Labor of the Government of
the United States of America, hereinafter referred to as the
Grantor, has notified the parties hereto that they are eligible
to receive grants under the Comprehensive Employment and Training
Act of 1973, hereinafter referred to as CETA, for the purposes
of combating and reducing conditions of unemployment and under-
employment, and to be fully eligible for such grants the parties
are required to enter into a Consortium Agreement; and

WHEREAS, Article 5G, Sec.119.0 and Article 5, 99-h(2)
of the General Municipal Law of the State of New York authorizes
the parties to accept and expend and to enter into this Agreement;
and

WHEREAS, each of the parties hereto has determined that
there is an administrative and program advantage to be gained
by entering into this Consortium; and

WHEREAS, the Supervisor of the Town of Tonawanda and
the Supervisor of the Town of Cheektowaga, are the chief elected
executive officials of the parties hereto; and

WHEREAS, the parties desire to qualify for such CETA grants;

NOW THEREFORE, IT IS AGREED BY AND AMONG THE PARTIES:

1. The Town of Cheektowaga and the Town of Tonawanda, hereby form themselves into a consortium and joint venture for the purpose of qualifying for, applying for, and if received, carrying out the terms of the CETA grants from the United States Department of Labor.

2. The geographical area to be served under grant contracts shall be the Buffalo labor market area, including the Towns of Tonawanda and Cheektowaga. The Erie Consortium shall first provide all training services under grant contracts to persons residing in the Towns of Tonawanda and Cheektowaga. If after a good faith and diligent effort by both Towns and the administrative unit to provide such services there are funds remaining under any title of CETA, then the Executive Board of the Consortium may vote to allow residents of other areas to be trained under the Erie Consortium grant contracts, except where there is a specific prohibition on such use stated in the CETA regulations.

3. The population to be served is approximately 200,000 including the population of the Town of Tonawanda of approximately 91,000 and of the Town of Cheektowaga of approximately 109,000.

4. All grant agreements with the Department of Labor shall be executed by both of the parties hereto and signed by the Chief Executive Officer of each party.

5. To the extent consistent with State, local laws and this Agreement, both towns jointly and separately accept responsibility for the operation of the programs under such CETA grants.

6. The Executive Board as herein established shall be responsible for establishing programs, budgets and policies governing the expenditure of funds for the CETA programs. Written approval of the Executive Board shall be obtained prior to entering into any contract with any public or private agency or person, except as provided in Paragraph 12 of this Agreement.

7. The Executive Board shall consist of the Supervisor of the Town of Tonawanda and the Supervisor of the Town of Cheektowaga.

8. All decisions of the Executive Board shall be by unanimous agreement.

9. The Executive Board may adopt by-laws by which its proceedings shall be governed, subject to the terms of this Agreement.

10. Each member of the Executive Board will appoint a Co-executive director of the Consortium to provide administrative direction to the staff. The Executive Directors will be responsible for assisting the Executive Board in the formulation of policy, general administrative oversight, monitoring of the program, and evaluation of programs. They will be responsible for implementation of all policy decisions made by the Executive Board, and shall convey all such decisions to the designated administrative unit.

11. The Towns hereby designate the Buffalo and Erie County Private Industry Council, Inc., hereinafter referred to as the Private Industry Council, Inc., as administrative unit for the purpose of operating CETA programs under this Agreement. The employees of the Private Industry Council are employees of that organization and are not employees of either town.

12. The Private Industry Council, Inc. will be responsible for development and implementing CETA programs. It is empowered to receive and expend funds; employ, organize, and train staff, develop procedures for program planning, operation, assessment, and fiscal management. It is additionally empowered to assess program performance, and to recommend the reallocation of resources to the Executive Directors. It is empowered to enter into sub-agreements for amounts not to exceed \$1,500.00 with prior approval of the Executive Directors.

13. A separate staff component will be established within the Private Industry Council, Inc. to operate programs under this Agreement. The Executive Directors shall provide direction to the staff director, and the staff director will be responsible for the day-to-day operation of the program. The staff will be subject to directives issued by the Executive Board and their Executive Directors, to the requirements and directives of the Department of Labor, and to all applicable laws and regulations, Federal, State, and local.

14. The Towns agree to contract with a certified public accounting firm to provide an annual, independent audit of all expenditures under this Agreement. These audits shall be conducted in accordance with all requirements for audits of these programs as established by the United States Department of Labor.

15. The Towns of Cheektowaga and Tonawanda will maintain CETA client intake offices in the respective Towns. Both offices will have the sole responsibility for determining eligibility for CETA programs and to perform appropriate client assessment as required in CETA regulations.

16. The Executive Board will establish the Employment and Training Advisory Council, which shall be charged with the responsibility of advising the Towns of Cheektowaga and Tonawanda in the operation of all programs under CETA. The parties agree to act upon the recommendations of this Council in good faith in all aspects of the CETA program. Final determination of priorities as well as all other aspects of the CETA program, shall be made by the Executive Board.

17. The Towns of Tonawanda and Cheektowaga shall perform such functions and responsibilities as shall be assigned to them by the Executive Board.

18. This Agreement shall continue during the period of contracts with the Grantor, or until rescinded or terminated by either party as hereinafter provided. Either party may elect to terminate and withdraw therefrom upon thirty (30) days written notice stating its intention to so terminate and withdraw. / Such notice shall be served upon the Chief Executive of the other party, either personally or by certified mail.

19. A party electing to terminate this Agreement shall not be released from any obligation arising under this Agreement prior to the effective date of such withdrawal except after written release to that effect is executed and delivered to it by the other party.

20. Any balance of CETA grant funds remaining upon termination shall either be returned to the U.S. Department of Labor or at the option of the parties, be used to continue the CETA program pursuant to an agreement to be made and executed by both parties.

21. This Agreement may be amended at any time upon the written agreement of the parties.

22. Should any part, term or provision of this Agreement be determined by a Court of competent jurisdiction to be illegal, void, or in conflict with any laws of the State of New York or the United States of America, or otherwise be rendered unenforceable or ineffectual, the parties may by subsequent agreement provide that the remaining conditions shall continue in effect.

23. This Agreement is made subject to approval by the respective Town Boards of the two Towns.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date and year first above written.

TOWN OF CHEEKTOWAGA

by: Kenneth J. Meyers
Supervisor

TOWN OF TONAWANDA

by: James H. Ryan
Supervisor

Approved:

Sanza J. Jurea
Executive Director, Town of Cheektowaga

James E. Fineman
Executive Director, Town of Tonawanda

Approved as to form:

James J. Kivisto
Town Attorney, Town of Cheektowaga

Jeffrey D. Brown
Town Attorney, Town of Tonawanda

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 Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga will sponsor a Polish-American Arts Festival August 21 - 23, 1981 in Cheektowaga Town Park, and

WHEREAS, the Festival is being held in recognition of the achievements and contributions of Polish-Americans to this nation's cultural and artistic enrichment, and

WHEREAS, the Town of Cheektowaga wishes to engage the services of various performing artists to present performances during the Festival, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign all agreements, on behalf of the Town of Cheektowaga, necessary to secure the services of various performing artists in relation to the Polish-American Arts Festival, which will be held from August 21 - 23, 1981 in the Town of Cheektowaga.

Upon Roll Call....

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

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

BE IT RESOLVED that New York State Electric and Gas Corporation be and hereby is authorized to remove 8 - 11000 lumen mercury lamps at \$62.00 each and to replace said lamps with 8 - 16000 lumen high pressure sodium lamps at \$75.00 each on Rossler Street, in the Town of Cheektowaga, for a total annual increase to the Town's General Lighting District of \$104.00, and BE IT FURTHER

RESOLVED that there will be a charge to the Town of \$543.76 by New York State Electric and Gas to replace the existing mercury vapor lights with high pressure sodium lamps, said charge is to recover the unrecovered cost New York State Electric and Gas has in the mercury vapor lights and the labor to remove them, and BE IT FURTHER

RESOLVED that said charge will be billed to the Town when all work is completed in the field, in accordance with the attached proposal which is hereby made a part of this resolution.

*See next page for copy of Lighting Proposal.

July 22, 1981

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Rossler Street

Install 8 - 16000 lumen HPS lamps @ \$75.00 ea. ----- \$ 600.00
(P-21,23,24,25,27,28,29,30)

Remove 8 - 11000 lumen mercury lamps @ \$62.00 ea. ----- \$ 496.00
(P-21,23,24,25,27,28,29,30)

TOTAL ANNUAL INCREASE ---- \$ 104.00

Replacement of these lights will coincide with the highway project planned for this section of Rossler Street. It will improve the lighting in this area by 45%, as well as conserve energy because the high-pressure sodium lights are more efficient.

To replace the existing mercury vapor lights with high-pressure sodium, there will be a charge of \$543.76 to the Town of Cheektowaga. This charge is to recover the unrecovered cost NYSEG has in the mercury vapor light and the labor to remove them. This amount will be billed to the Town of Cheektowaga when the work is completed in the field.

NEW YORK STATE ELECTRIC & GAS CORP.

Item No. 19 Cont'd.

Upon Roll Call....

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

Item No. 20A Motion by Councilman Rogowski, seconded by Councilman Johnson

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Laborers in the Facilities Department at an hourly rate of \$3.10:

EFFECTIVE - 8/4/81:

Michael Weigand

Cheektowaga, NY 14206

Michael Neri

Cheektowaga, NY 14225

Upon Roll Call....

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

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

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 Town of Cheektowaga Sanitation Department as Seasonal Laborers, at an hourly rate of \$3.10 per hour; said rate subject to 1981 hourly adjustment:

SEASONAL LABORERS:

Raymond Jablonski

Richard Perrino

Upon Roll Call....

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

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

BE IT RESOLVED, that the following individuals are hereby hired in the Cheektowaga Youth Bureau at the titled position and rate of pay per hour:

YOUTH CONSERVATION CORPS - A7310.185 - Participants - \$3.35 per hour

--Richard Todd Horvatis

--Loren Crowden (alternate)

Item No. 20C Cont'd.

YOUTH CONSERVATION CORPS - A7310.185 - Participants -
\$3.35 per hour Cont'd.

--Michael Moore (alternate)

--Michael Priester (alternate)

--Beth Post (alternate)

--Cynthia Saniewski (alternate)

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 Wegner

WHEREAS, the Town Board has previously adopted a resolution creating
the position of Sewage Treatment Plant Operator Trainee in the Wastewater Treat-
ment Plant No. 5 and said position was approved by the Erie County Personnel
Office, and

WHEREAS, said position was posted in accordance with the Agreement
between the Town of Cheektowaga and Local 1026, AFL-CIO, NOW, THEREFORE, BE IT

RESOLVED, that the following is hereby appointed to the position
of Sewage Treatment Plant Operator Trainee at the rate of \$5.70 per hour with
increments as established in the Town Agreement with Local 1026 and with said
appointment effective on August 10, 1981.

Robert S. Wojtaszczyk

Cheektowaga, New York 14227

Upon Roll Call....

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

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, James D. Demblewski, an employee in the Cheektowaga
Highway Department, has requested a six (6) month leave of absence without pay,
for the purpose of engaging in a self-employment opportunity out of State, and

WHEREAS, as per the bargaining agreement currently in effect
between the Town of Cheektowaga and the Cheektowaga Employees Association, a
leave of absence for the above stated reason may be granted at the discretion
of the Town Board, NOW, THEREFORE, BE IT

Item No. 22 Cont'd.

RESOLVED that James D. Demblewski, is hereby granted a six (6) month leave of absence, without pay, for the purpose of engaging in a self-employment opportunity; said leave to begin on September 28, 1981, and BE IT FURTHER

RESOLVED that James Demblewski, as per the bargaining agreement, shall not accrue seniority and benefits while on said leave of absence.

Upon Roll Call....

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

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

WHEREAS, the Annual New York State Traffic Safety Boards Convention is scheduled to be held on August 23 to August 26, 1981, in Syracuse, New York, and

WHEREAS, the Cheektowaga Traffic Safety Commission has requested permission for member Carl Perlino to attend said Convention, NOW, THEREFORE, BE IT

RESOLVED that Traffic Safety Commission member Carl Perlino, 263 Zoerb Avenue, be and hereby is authorized to attend the annual New York State Traffic Safety Boards Convention, August 23 to August 26, 1981, in Syracuse, New York, and BE IT FURTHER

RESOLVED that Carl Perlino shall be reimbursed for all necessary and reasonable travel expenses in connection with said Convention at a sum not to exceed \$300.00.

Upon Roll Call....

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

Item No. 24A Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at the Southeast corner of William Street and Glidden Street (vacant property), Cheektowaga, New York, Tax Account Number 3-861 and according to the Assessors' Office is owned by Emanuel Katz et al., 2956 Delaware Avenue, Kenmore, New York 14217, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris be removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 24B Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board

Item No. 24B Cont'd.

regarding high weeds on property located at 494 Beach Road (rear of property), Cheektowaga, New York, Tax Account Number 1-150 and according to the Assessors' Office is owned by Robert Birkmeyer, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 24C Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 147 Chapel Avenue (rear of property), Cheektowaga, New York, Map Cover 492, Sublot 57, and Tax Account Number 22-32, and according to Assessors' Office is owned by Lucy A. Wyrzanowski, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris be removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 24D Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 1062 Walden Avenue (rear of building), Cheektowaga, New York, Map Cover 267, Block 3, Sublot D, Tax Account Number 4-108 and according to the Assessors' Office is owned by National Electronic Technical School, 1062 Walden Avenue, Cheektowaga, New York 14211, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 11 A-D Trent Square, Cheektowaga, New York, Map Cover 1681-1686, Sublot 112, Tax Account Number 34-644 and according to the Assessors' Office is owned by Sandra L. Bruzga, Lackawanna, New York 14218, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

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.

HIGHWAY FUND:

FROM: 5148.402 (Highway Department-Supplies)	\$ 5,730.00
909 (Fund Balance-Improvement Fund)	145,000.00
909 (Fund Balance-Item IV)	89,000.00
909 (Fund Balance-Item IV)	83,000.00
TO: 5110.416 (Highway Department-Gasoline and Oil)	\$ 5,730.00
909 (Fund Balance-Item I)	145,000.00
909 (Fund Balance-Item III)	89,000.00
909 (Fund Balance-Item I)	83,000.00

GENERAL FUND:

FROM: 1990.480 (Contingency)	\$ 500.00
510 (2655.000)-(Estimated Revenues-Minor Sales)	6,467.88
510 (3321.000)-(Estimated Revenues-Federal Funds for Signs)	3,617.60
TO: 1410.425 (SEQR-Transcription Fees)	\$ 500.00
960 (1640.445)-(Central Garage-Equipment Repairs)	6,467.88
960 (3310.437)-(Street Signs and Markings)	3,617.60

H.U.D.-C.D.B.G. FUND:

FROM: 435114 (Code Enforcement)	\$ 4,394.06
435116 (Administration)	4,138.85
436112 (Walden)	8,532.91
TO: 435111 (Walden)	\$ 8,532.91
436115 (Code Enforcement)	4,394.06
436116 (Administration)	4,138.85

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

8/3/81

No. 19

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 August 3rd, 1981 are hereby approved and the Supervisor is ordered to pay same.

<u>FUND</u>	<u>CHECK NOS.</u>		<u>AMOUNT</u>
	<u>FROM</u>	<u>TO</u>	
GENERAL FUND	12157-12705		\$ 77,625.05
SPECIAL DISTRICT FUND	10721-10772		343,751.47
HIGHWAY FUND	10464-10497		37,681.06
FEDERAL REVENUE SHARING FUND	10225-10234		1,809.37
CAPITAL FUND	480-487		492,733.12
TRUST AND AGENCY FUND	1009-1015		2,043.75
H.U.D.-C.D.B.G. FUND	360		11,346.99
PART TOWN FUND	487-490		3,524.27
H.U.D. REHABILITATION FUND	109-114		5,827.67
DEBT SERVICE FUND	139-142		<u>69,200.00</u>
			<u>\$1,045,542.72</u>

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 27 Building Permits.
Received and filed.

V. GENERAL COMMUNICATIONS

Item No. 28 Notice of Claim - Joseph L. Nader vs. Town of Cheektowaga, et al.
Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Theodore DeFedericis-Chief of Police, Town Insurance Company; received and filed.

Item No. 29 Notice of Claim - Melvin L. Maciejewski vs. Town of Cheektowaga and Cheektowaga Police Department.
Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Theodore DeFedericis-Chief of Police, Town Insurance Company; received and filed.

Item No. 30 Notice of Claim - Allstate Insurance Company for Carolyn Gesicki vs. Town of Cheektowaga and Cheektowaga Police Department.
Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Theodore DeFedericis-Chief of Police, Town Insurance Company; received and filed.

Item No. 31 Notice of Claim - Eugene F. Finnegan for Patrick Finnegan (Son) vs. Town of Cheektowaga and Cheektowaga Recreation Department.

Item No. 31 Cont'd.

Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Mike Miecznikowski-Acting Recreation Director, Town Insurance Company; received and filed.

Item No. 32

Stimm Associates, Inc. - Correspondence re: Harlem Road Bridge. Item referred to Honorable Members of the Town Board, Jim Kirisits-Town Attorney, Chester L. Bryan-Town Engineer, Alfred Wnek-Highway Superintendent, Captain Kempiski-Police Department, Cheektowaga Traffic Safety Commission; received and filed.

Item No. 33

Item No. 33 Elizabeth R. Bille, representing residents of Merrymont Road and Harlem Road - Request to speak at Town Board Meeting; resident petition re: Condition fo property located at 3829 Harlem Road.

Item referred to Honorable Members of the Town Board and Ronald Marten, Building and Plumbing Inspector; received and filed.

Item No. 34

Raymond J. Klembczyk, - Correspondence re: Installa-
y on The Avenue.
Item referred to Chester L. Bryan, Town Engineer; received and filed.

* * * * *

Motion by Councilman Swiatek, seconded by Councilman Rogowski
to Waive the Rules to include Item No. 35.

Upon Roll Call....

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

* * * * *

VI. WAIVER OF RULES

Item No. 35

Item No. 35 Authorization for Town Attorney's Office to appeal decision of Cheektowaga Town Justice with reference to lawsuit.

Motion by Councilman Johnson, seconded by Supervisor Meyers

BE IT RESOLVED that the Town Attorney's Office be and hereby is authorized to Appeal the Decision of Honorable Dennis L. Repka, Cheektowaga Town Justice, with reference to the lawsuit entitled:

STATE OF NEW YORK
JUSTICE COURT

TOWN OF CHEEKTOWAGA

THE PEOPLE OF THE STATE OF NEW YORK

VS.

CHEEKTOWAGA POLICE DEPARTMENT
SIMPLIFIED TRAFFIC INFORMATION:

Michael J. Anello
Pasquale Attardo
Frank S. Balon
David E. Brader
Daniel Cammelleri
Ronald W. Church

No. 69773
No. 69958
No. 68996
No. 68995
No. 69762
No. 69287

Item No. 35 Cont'd.

Ralph R. Colucci	No. 69770
Thomas L. Conway	No. 69289
Peter F. Dominique	No. 69787
Robert J. Dominique	No. 68998
Urban A. Englert, Jr.	No. 69761
Robert Fuchs	No. 69771
Edward James Guenther	No. 68997
Craig A. Heer	No. 69001
James S. Henderson	No. 69000
William D. Holenstein	No. 68999
Alton C. Hough	No. 69002
Irving Hudson, Jr.	No. 69003
Herbert J. Jarvis	No. 69902
Gregory L. King	No. 69783
Paul J. Kosinski	No. 69781
Peter Lorrens	No. 69763
Harold Maracle	No. 69466
Richard W. Oddo	No. 69769
Mark L. Palmowski	No. 69764
Timothy A. Pfalzer	No. 69767
Paul H. Ruhland	No. 69786
Robert L. Rybak	No. 69789
S. Rzesiewscz, Jr.	No. 69788
W. L. Schechterly	No. 69785
Brian Scholl	No. 69768
Paul E. Sherman	No. 68766
Paul N. Stanley	No. 69784
Daniel D. Staszak	No. 69772
Dennis D. Urban	No. 69288
John A. Warner	No. 69782
Frank J. Williams	No. 69765
Mark James Williams	No. 69004
Karl J. Zimmerman	No. 69790
Alphonso Shack	No. 69144

Defendants

Upon Roll Call....

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

Item No. 36 Motion by Councilman Wegner, seconded by Councilman Swiatek to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of August, 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, Jr.
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Mary F. Holtz, Deputy Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; T. DeFedericis, Chief of Police; Mrs. Julia Reinstein, Town Historian; Pat Wojcik, Recreation Supervisor-Senior Citizens; Ken Kopacz, Executive Director of the Youth Bureau; Estelle Halicki, Recreation Department; Pat Staniszak, Youth Bureau.

I. BIDS

Item No. 2 Improvements to Town Park
Bids were referred to Frederick D. Marzak Architects PC
3374 Genesee Street, Chktg., N.Y. 14225

Item No. 3 Sports Lighting - Stiglmeier Park and Town Hall
Bids were referred to Stuart Alexander and Associates, Inc.,
(Consultants) 1152 Main St., Bflo, N.Y. 14209

Item No. 4 One (1) tractor with loader and back-hoe for Sewer Maint. Dept.
Bids were referred to Chester Bryan, Town Engineer.

II. RESOLUTIONS

Item No. 5 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the date of the next regularly scheduled Town Board meeting is Monday, September 7, 1981, and

WHEREAS, Monday, September 7, 1981, is a legal Holiday, namely, Labor Day, NOW, THEREFORE, BE IT

RESOLVED that the date of the next regularly scheduled Town Board meeting is hereby changed to Wednesday, September 9, 1981, at 7:00 P.M.

Upon Roll Call....

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

Item No. 6 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 9th day of September, 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 20th day of August, 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 9th day of September, 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:

SEMINOLE PARKWAY	North side	from the west curbline of SEMINOLE LANE
	and West side	to the north curbline of NOKOMIS PARKWAY

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:

SEMINOLE PARKWAY	South side	from the north curbline of NOKOMIS PARKWAY (westerly portion) to its intersection with NOKOMIS PARKWAY (easterly portion)
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BARBADOS DRIVE	South side	from the west curbline of WOODGATE DRIVE to the east curbline of BARBADOS DRIVE.
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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. Sediter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clara* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication... *August 20, 1981* ;
last publication... *August 20, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sediter
Sworn to before me this *21st*
day of *August*, 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
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 9th day of September, 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:

SEMINOLE PARKWAY, North side and west side from the west curbline of Seminole Lane to the north curbline of Nokomis Parkway

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:

SEMINOLE PARKWAY, South side from the north curbline of Nokomis Parkway (westerly por-

tion) to its intersection with Nokomis Parkway (easterly portion)

BARBADOS DRIVE, South side from the west curbline of Woodgate Drive to the east curbline of Barbados Drive.

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

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: August 20, 1981

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

WHEREAS, Richard M. Stiegler has made application and has requested the rezoning of property located at 849 Borden Road, Cheektowaga, New York from R-Residential District to RC-Restricted Business District; said applicant being the owner of property hereinbefore mentioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on September 9, 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

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

Gladys M. Becker, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication..... *August 20, 1981*;
last publication..... *August 20, 1981*;
and that no more than six days intervened be-
tween publications.

Gladys M. Becker

Sworn to before me this *21st*

day of *August*, 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*

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 9th day of September 1981, at
6:30 o'clock P.M., Eastern
Daylight Saving Time of said day
for the purpose of considering the
application of Richard M.
Stiegler to Rezone from
R-Residential District to RC-
Restricted Business District on
property located at 849 Borden
Road and amend the Zoning Map
and Ordinance accordingly, pur-
suant to Section 10-00 of the Zon-
ing Ordinance of the Town of
Cheektowaga, New York.

LEGAL DESCRIPTION
#849 BORDEN ROAD
Beginning at a point at the
center line of Losson Road and
center line of Borden Road,
thence south 660' to the point of
beginning, thence south 118'
along the center line of Borden
Road, thence east 195' parallel
with the center line of Losson
Road, thence north 118', thence
west 195' to the point of
beginning.

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

**BY ORDER OF THE TOWN
BOARD**

Supervisor Kenneth J. Meyers
Councilmen

Frank E. Swiatek

Thomas M. Johnson, Jr.

Frank J. Dux

Donald J. Wegner

William P. Rogowski

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: August 20, 1981

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

WHEREAS, Edward M. Recoon has made application and requested the rezoning of property located at 2695 Harlem Road, Cheektowaga, New York from R-Residential District to RC-Restricted Business District; said applicant being the owner of property hereinbefore mentioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on September 9, 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

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

Madys M. Sechster, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clara* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication... *August 20, 1981* ...;
last publication... *August 20, 1981* ...;
and that no more than six days intervened be-
tween publications.

Madys M. Sechster

Sworn to before me this *21st*

day of *August*, 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*

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 9th day of September 1981, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Edward M. Recoon to Rezone from R-Residential District to RC-Restricted Business District on property located at 2695 Harlem 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 that tract or parcel of land, situate in the Town of Cheektowaga, County of Erie and

State of New York, being part of Lot Twenty-five (25), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey; and further distinguished as being part of Subdivision Lots Sixteen (16) and Seventeen (17) as shown on map entitled Pine Ridge Heights No. 2 filed in the Erie County Clerk's Office under cover number 1469.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: August 20, 1981

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

WHEREAS, roofs of the swimming pool buildings at the Dingsen, Maryvale and Harlem Road Town Park and the roof at the George Urban Pump Station are in need of immediate repair, and

WHEREAS, funds have been budgeted for said repairs, and

WHEREAS, the Facilities Department desires to apply the Carlisle Tire and Rubber Company system of roof repair application that insures a ten (10) year watertight warranty, NOW, THEREFORE, BE IT

RESOLVED that the request to reroof the four (4) buildings be granted and that the Town Clerk be directed to publish a Notice to Bidders for said reconstruction, with notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 9th day of September, 1981 at 7:00 P.M., Eastern Daylight Savings Time, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on September 9, 1981 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for reroofing three swimming pool buildings and one dump station building in the Town of Cheektowaga, New York.

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

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

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: August 17, 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. Dickster, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clark* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication... *August 20, 1981* ...;
last publication... *August 20, 1981* ...;
and that no more than six days intervened be-
tween publications.

Gladys M. Dickster

Sworn to before me this *21st*

day of *August*, 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 TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on September 9, 1981 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for reroofing three swimming pool buildings and one dump station building in the Town of Cheektowaga, New York.

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

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

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

The successful bidder will be

required to furnish a performance bond acceptable to the owner, in an amount equal to the contract award.

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

RICHARD M. MOLESKI

Town Clerk

DATED: August 17, 1981

PUBLISHED: August 20, 1981

Item No. 10 Motion by Supervisor Meyers, seconded by Councilman Dux

RESOLVED that the Town of Cheektowaga be and hereby approves the memorandum of agreement as attached between the Town of Cheektowaga and the Town of Cheektowaga Employees Association and authorizes to execute the final agreement on behalf of the Town of Cheektowaga.

* See next three pages for Memorandum of Agreement

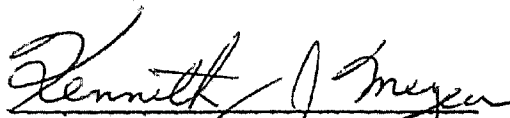
MEMORANDUM OF AGREEMENT

BETWEEN


THE TOWN OF CHEEKTOWAGA AND

THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION

The Town of Cheektowaga and the Town of Cheektowaga Employees Association hereby agrees to the attached modification of the expired contract of December 31, 1980. The modifications are listed from item 1 to item 3 of the attached sheets.



Kenneth J. Meyers, Supervisor
Town of Cheektowaga



William Gomolski, President
Town of Cheektowaga Employees Association

MODIFICATION OF AGREEMENT

1. Hospitalization Upon Retirement

Section 14: A new subsection "d" shall be added to read as follows:

(i) The Town shall provide health insurance coverage for employees who retire after August 17, 1981 at no cost to the employee. The coverage shall be the same as provided to the current employees except that all retirees must reduce such coverage to complimentary coverage at the age of sixty-five (65) as provided with our current health insurance carrier. Such coverage shall extend for the life of the employee.

(ii) Included in this contract all members of the Town of Cheek-towage Employees Association who have retired between January 1, 1981 and August 17, 1981, shall have their coverage paid in full commencing September 1, 1981, provided the retiree has elected at the time of retirement to be a participant in our health insurance plan. The coverage shall be the same as provided in (i) above.

2. Salaries

All employees in the bargaining unit shall have their salaries increased as follows: Effective January 1, 1981 six (6%) percent, effective July 1, 1981 an additional five (5%) percent. Effective January 1, 1982, twelve hundred (\$1200.00) dollars shall be added to their salaries.

3. All other agreements shall be discussed among the parties
for the correct terminology.

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 Johnson, seconded by Councilman Rogowski

WHEREAS, bids were received and publicly opened at the Town Board Meeting of August 3, 1981 for the construction of Cedargrove Heights Neighborhood Improvements, Stage II, Phase I; and

WHEREAS, said bids were referred to the consulting firm of Nussbaumer and Clarke, Inc. and the Highway Superintendent, and

WHEREAS, the Town Highway Department, in his letter hereto attached and dated August 13, 1981, will award the bid to Destro Brothers Concrete Company, Inc. in the amount of \$312,440.50, said bid being the lowest bid complying with the specifications, and

WHEREAS, this Town Board is in agreement with the award of the contract to Destro Brothers Concrete Company, Inc., and

WHEREAS, it is necessary that funds be allocated to cover construction work performed under this contract, NOW, THEREFORE, BE IT

RESOLVED that this Town Board authorizes the necessary funds to cover the bid award to Destro Brothers Concrete Company, Inc. for the construction of Cedargrove Heights Neighborhood Improvements, Stage II, Phase I, and BE IT FURTHER

RESOLVED that funding for this project is to be provided from the Community Development Block Grant Fund.

* See next page for letter

SUPERINTENDENT

OFFICE: ~~866 3450~~

686 3450

ROBERT KARASZEWSKI
Deputy Superintendent



ERIE COUNTY, NEW YORK

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

August 13, 1981

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

Re: CHEEKTOWAGA NEW YORK
Construction of Cedargrove Heights Neighborhood Improvements
Stage II - Phase II - Glenwood Cts.

Gentlemen:

At a regular Town Board meeting of August 3, 1981, the following bids were received. The bids represent total bids for all four bid sections from each bidder:

1. Destro Bros. Concrete Co. Inc.	\$ 312,440.50
2. DePizio Const. Co. Inc.	357,708.50
3. Jos. Kelly Blacktop Inc.	367,426.25
4. Northern State Contracting	386,450.00
5. Accadia Enterprises Inc.	430,895.20
6. Depew Development Inc.	501,416.00
7. LeBis Contracting	710,890.00

Bid compilation was done by the firm of Nussbaumer & Clarke, who also did the design work, as well as preparation of the contract documents.

Based on the information supplied me by Nussbaumer & Clarke, I award the contract for the work in Glenwood Cts., to the apparent low bidder, Destro Bros. Concrete Co. Inc.

I expect that your Honorable Body will appropriate the necessary funds required to complete this work.

The original proposals by DiPizio, Kelly, Northern States, Accadia, Depew Development and LeBis are on file in this department.

The original proposal by Destro Bros. Concrete Co., Inc., is part of the contract for this job.

Very truly yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
ALFRED F. WNEK, SUPT. OF HIGHWAYS

Thaddeus Skowron
THADDEUS SKOWRON, SR. ENG. ASST.

Mr. P. Frandina - County of
Erie

cc: Town Eng.

Town Clerk - When better roads are built - Cheektowaga will build them

Bldg. Insp. - Town Atty. - file

Item No. 11 cont'd

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 Rogowski

WHEREAS, this Town Board provided funds for the construction of Cedargrove Heights Neighborhood Improvements, Stage II, Phase I, and

WHEREAS, there is need for consulting engineering services to be provided for this construction project, NOW, THEREFORE, BE IT

RESOLVED that the proposal of services during construction as submitted by the consulting firm of Nussbaumer & Clarke, Inc. to the Town Engineer in their letter of August 11, 1981 be and hereby is accepted and approved, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed to sign said Proposal Agreement with Nussbaumer & Clarke, Inc. and BE IT FURTHER

RESOLVED that costs for this service are to be provided by the Community Development Block Grant Fund.

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 Wegner

WHEREAS, there is need for drainage improvements on Northcrest Avenue and Southcrest Avenue, NOW, THEREFORE, BE IT

RESOLVED that the proposal of McFarland-Johnson Engineers, Inc. for preparation of plans as submitted in their letter to the Town Engineer and dated August 12, 1981 is accepted and approved, and BE IT FURTHER

RESOLVED that the sum of \$15,000 is hereby allocated from Community Development Block Grant Funds to do the engineering work and to undertake drainage improvements on Northcrest Avenue and Southcrest Avenue.

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, this Town Board, in their resolution dated July 20, 1981, awarded the bid for the signalization of Dick Road and North Creek Drive, and

WHEREAS, the Erie County Highway Permit for the signalization of Dick Road and North Creek Drive requires that the Town also upgrade the traffic signal at Dick Road and George Urban Boulevard, and

WHEREAS, there is need for professional services to provide the necessary signal upgrading documentation, NOW, THEREFORE, BE IT

RESOLVED that this Town Board accepts and approves the proposal of David J. Thielman, consulting engineer, as outlined in his letter of June 9, 1981 to this Town Board to prepare the necessary plans, specifications and documents for the Dick Road/George Urban signal upgrading.

Item No. 14 cont'd

Upon Roll Call....

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

Item No. 15a Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the consulting firm of McFarland-Johnson Engineers, Inc. have approved the following Change Order #2 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 August 6, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order #2 on the Chapel Avenue Reconstruction Project, Phase II, in the sum of \$889.82 as an addition to the contract of Webber Trucking & Excavating Company, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order #2 on behalf of the Town of Cheektowaga.

* See next page for letter



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-686-3448

August 7, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order #2
Chapel Avenue Reconstruction
Phase II

Gentlemen:

The consulting engineering firm of McFarland-Johnson Engineers, Inc. have recommended the processing of Change Order #2 for the Chapel Avenue Reconstruction, Phase II. Change Order #2 will reimburse the contractor, Webber Trucking and Excavating Company, Inc., for additional restoration work which was performed on the north side of Chapel Avenue on property owned by the Niagara Frontier Transportation Authority.

This property was used as a parking area by the residents during the installation of curbing, driveway aprons, subbase and pavement. The use of this property for a resident parking area kept the immediate construction area clear of automobiles so as not to hinder the road reconstruction project.

Restoration of this parcel entailed the re-establishment of grass growth and filling of tire ruts to return this property to a mowable state. This Change Order will increase the restoration item by a quantity of 889.82 square yards resulting in an increase of \$889.82 in the amount of the contract.

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:dms

Item No. 15a cont'd

Upon Roll Call....

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

Item No. 15b Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the consulting firm of McFarland Johnson Engineers, Inc. have approved the following Change Order #5 for the Chapel-Smith Drainage Project and Chapel Avenue Reconstruction, Phase I, and

WHEREAS, the scope of work in the Change Order is described in a letter from the Town Engineer dated August 6, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 5 on the Chapel-Smith Drainage Project and Chapel Avenue Reconstruction, Phase I, in the sum of \$2,689.81 as an addition to the contract of N.A.I. Construction Company, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order #5 on behalf of the Town of Cheektowaga.

* See next page for letter



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-686-3448

August 7, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order #5
Chapel-Smith Drainage Project
and Chapel Avenue Reconstruction
Phase I

Gentlemen:

The consulting engineering firm of McFarland-Johnson Engineers, Inc. have recommended the processing of Change Order #5 for the Chapel-Smith Drainage and Chapel Avenue Reconstruction, Phase I. Change Order #5 will reimburse the contractor, N.A.I. Construction Company Inc., for additional grading and restoration work performed on properties thru which the main 24" R.C.P. was installed and outside of the required work area to achieve the maximum benefit from the newly installed receivers. This Change Order will also reimburse the contractor for additional materials incorporated into the project for the purpose of increasing drainage efficiency. Additional pipe, fittings, lawn drain, and end sections were installed for the above stated purpose.

Additional grading and restoration was also performed in the transition area on Smith Street both east and west of the new pavement. Wooden posts were installed along this section of Smith Street which lacks curbs to outline the edge of pavement providing traffic safety benefits, particularly during the winter months, for the motoring public.

The direct cost attributed to the additional grading and restoration, and for the additional materials included in Change Order #5 is in the amount of \$2,689.81.

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:dms

Item No. 15b cont'd

Upon Roll Call.....

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

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

BE IT RESOLVED that Change Order No. 5 for the Buffalo Sewer Authority Connection of the Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program in the amount of \$28,560 as an addition of the Amadori Construction Company, Inc., Contract No. 5, be approved. This addition is defined in a letter from the Town Engineer dated August 13, 1981 and considered part of this resolutuion, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga Sewer District No. 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

August 13, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: BSA Connection
Change Order No. 5

Gentlemen:

Attached for Town Board approval is a resolution authorizing a change on the Buffalo Sewer Authority Connection Project. This is Change Order No. 5 in the additional amount of \$28,560.00. This change involved the additional costs incurred by the contractor to furnish all labor, equipment and material necessary to revise a metering chamber at Sta. 0+18 and the sanitary chamber at Sta. 1+13 and adjacent landscaping to the satisfaction of Villa Maria College. The requirement for landscaping the area adjacent to the two chambers was inadvertently omitted from the original contract documents.

The change and costs were reviewed and approved by the consulting engineers, Nussbaumer & Clarke, Inc., and recommend its approval. A complete breakdown of items and costs is part of the Change Order and is on file with the Town Clerk.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dms

Item No. 15c cont'd

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 Wegner

WHEREAS, this Town Board, on July 7, 1980, did authorize the Town Supervisor to sign an agreement with Nussbaumer & Clarke, Inc. for engineering services associated with a Sewer System Evaluation Survey (SSES) in Sewer District #7, and

WHEREAS, in anticipation of the award of the Federal Grant C-36-323-05, the Supervisor did execute said agreement on March 16, 1981, and

WHEREAS, said Grant C-36-323-05 was awarded on April 27, 1981, and

WHEREAS, there has been a reduction in the estimated cost of eligible engineering services, and

WHEREAS, the New York State Department of Environmental Conservation requires a Grant Amendment to reduce the eligible project cost, and

WHEREAS, it is in the Town's best interest to reduce the project cost, thereby reducing the cost of District #7, authorizes and directs the Supervisor to sign the Grant Amendment Application, and BE IT FURTHER

RESOLVED that this Town Board, acting as Board of Managers of Sewer District #7, authorizes and directs the Supervisor to sign the Grant Amendment Application, and BE IT FURTHER

RESOLVED that this Town Board authorizes and directs the Supervisor to sign the addendum to the March 16, 1981 Agreement with Nussbaumer & Clarke, Inc. as submitted to the Town Engineer with their letter of August 12, 1981.

Upon Roll Call....

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

Item No. 17 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the State of New York, Department of Transportation, is revitalizing the intersection of Harlem Road and Clinton Street, and

WHEREAS, National Fuel Gas Distribution Corporation is required to relocate an existing 20" high pressure gas line which is presently in the highway right-of-way of Harlem Road, and

WHEREAS, the Town of Cheektowaga owns the southwest corner of the intersection which is the site of our former Treatment Plant #3, and

WHEREAS, National Fuel Gas requires a Right-of-Way Agreement to lay said 20" high pressure line approximately 150' south of the Clinton Street south property line, NOW, THEREFORE, BE IT

RESOLVED that this Town Board grant National Fuel Gas Corp. said Right-of-Way Agreement described and shown on National Fuel Gas drawing F25075A and on file in the Engineering Department, and BE IT FURTHER

RESOLVED that the Supervisor be authorized to sign said Agreement on behalf of the Town.

Upon Roll Call....

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

8/17/81

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town has elected to self-insure its obligations under the Worker's Compensation Law of the State of New York, and

WHEREAS, loss control services under the adopted self-insurance program have been provided by Aetna Technical Services, Inc. (called AETNATEC) under a certain Loss Control Survey Agreement; however, such Agreement has expired, and

WHEREAS, the Town and its consultant, Mr. Ernest A. Holfoth, CPCU, ARM, have evaluated proposals for the continuation of loss control services, which services it is anticipated will result in improved loss control under the adopted self-insurance program,

NOW, THEREFORE, BE IT RESOLVED that Aetna Technical Services, Inc. (called AETNATEC) be and hereby is retained to provide a maximum of sixty (60) hours of loss control services to the Town of Cheektowaga as are provided for in a Loss Control Survey Agreement, a copy of which is annexed to this Resolution, at a cost of \$2,940.00, and BE IT FURTHER

RESOLVED that the cost of such services be paid from the Worker's Compensation Unallocated Insurance Budget, and BE IT FURTHER

RESOLVED that the said Loss Control Survey Agreement be and hereby is accepted and that the Supervisor on behalf of this Town Board is directed to sign said Agreement.

* See next two (2) pages for agreement

JUL 28 1981

*AETNATEC Agreement

This agreement, EXECUTED this day by and between CUSTOMER (hereinafter called "CUSTOMER") and AETNA TECHNICAL SERVICES, INC., (hereinafter called "AETNATEC").

WHEREAS, CUSTOMER desires to have AETNATEC perform certain services for CUSTOMER, and

WHEREAS, AETNATEC desires to perform these services for CUSTOMER,

NOW THEREFORE, in consideration of the premises and the mutual covenants and agreements set forth, CUSTOMER and AETNATEC agree as follows:

1. AETNATEC will perform the activities as described on Schedule A attached to this agreement.
2. This agreement applies only to the activities as described in Schedule A attached to this agreement. This agreement does not apply to any surveys calling for the use of personnel from AETNATEC's Home Office and does not apply to any activities not described on such attached Schedule A.
3. AETNATEC is not warranting that it will discover existing or potential hazards or that the implementation of any recommendation will result in the elimination of any unsafe condition at CUSTOMER's locations or will result in compliance with the safety standards of any state or federal statute, including the Occupational Safety and Health Act.
4. AETNATEC may engage the services of any person or firm or other entity to perform any of the services provided for in paragraph 1, all at AETNATEC's expense with continuing responsibility for performance by AETNATEC.
5. CUSTOMER will pay AETNATEC for these activities in accordance with Schedule A attached to this agreement.
6. The term of this agreement shall be from 7/1/81 to 7/1/82 unless sooner terminated by one of the parties as provided herein. Either party may terminate this agreement by giving the other party not less than thirty (30) days written notice prior to termination. The mailing of the notice as foresaid shall be sufficient proof of notice.
7. In the event of such termination, the CUSTOMER will immediately pay to AETNATEC the total amount of all fees for activities performed by AETNATEC less all payments previously made to AETNATEC by the CUSTOMER. If at the time of such termination, the total amount of fees for activities performed by AETNATEC is less than the total amount of payments previously made by CUSTOMER to AETNATEC, then AETNATEC will immediately repay the difference between such total amounts to the CUSTOMER.
8. AETNATEC may assign this agreement or delegate any obligation hereunder to any subsidiary, affiliated or associated company or corporation as now or may thereafter be constituted with continuing responsibility for performance by AETNATEC.
9. This agreement will be effective in any given state only so long as it is not prohibited by, and the service can lawfully be performed under the laws of that state.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by the persons authorized to act in their respective names.

Signed this 19th day of Aug., 19 81.

TOWN OF CHEEKTOWAGA

By Kenneth J. Meyer
Supervisor
(Title)

Signed this 17th day of July, 19 81.

AETNA TECHNICAL SERVICES, INC.

By Robert H. Warrick
Vice President
(Title)



Aetna Technical Services, Inc.
one of the AETNA LIFE & CASUALTY companies

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*AETNATEC — Schedule A TOWN OF CHEEKTOWAGA

11. AETNATEC WILL visit the CUSTOMER'S specified location and provide sixty (60) hours of loss control service(s) to:
 - a. Inspect facilities, equipment and vehicles.
 - b. Evaluate accident exposures.
 - c. Develop recommendations to upgrade safety performance and relate these recommendations to the standards of the Occupational Safety and Health Act.
 - d. Prepare a written report for each visit with recommendations relating to observed hazards.
 - e. Assist in the development of Safety Training Programs for supervisory personnel.
 - f. Develop Loss Analysis material.
 - g. Attend and assist at safety meetings, review boards, etc., held during the scheduled visit and evaluate their effectiveness.
 - h. Review our reports with your Key Personnel for the purpose of discussing any problems or trends that may be developing.
12. CUSTOMER will pay AETNATEC Two Thousand Nine Hundred Forty Dollars (\$2,940.00) for the visits and services stated in paragraph one (1) above. Additional visits are available upon request and at the rate of Forty Nine Dollars (\$49.00) per hour. The hourly rate includes travel, on site and report writing time.
13. Special technical assistance by AETNATEC'S Home Office personnel is available at the CUSTOMER'S request for a fee of Fifty Nine Dollars (\$59.00) per hour plus expenses. The hourly rate includes travel, on site and report writing time. Expenses include air fare, meals, and motel and car rental if required.
14. Billing will be made as the services are rendered and CUSTOMER agrees to pay invoices within Thirty (30) days of the invoice date.

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 Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, it has always been, and continues to be, the policy of the Town of Cheektowaga to foster equality in employment and business opportunity regardless of race, color, creed, age, sex or national origin, and

WHEREAS, one of the manifestations of the aforesaid policy of the Town occurred on the 26th day of February, 1979, when an Affirmative Action Program was adopted, and

WHEREAS, the Office Revenue Sharing, United States Department of the Treasury, has requested that the Town implement and show compliance with its Affirmative Action Program by submitting various documents and/or reports concerning its present personnel, its future vacancies and its recruitment efforts,

NOW, THEREFORE, BE IT RESOLVED that the Town hereby accepts the compliance agreement prepared by the Office of Revenue Sharing, United States Department of Treasury, and received by the Town on July 20, 1981, and BE IT FURTHER

RESOLVED that the Supervisor be and he hereby is authorized to sign such agreement on behalf of the Town and his Town Board.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga has received funds from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974, and

WHEREAS, an eligibility activity under the Community Development Block Grant Program is the provision of energy conservation programs to assist low-income renters and homeowners, and

WHEREAS, In-Home Support Services Corporation of Western New York has submitted a proposal to the Town for the provision of energy conservation and weatherization services for low-income Town residents, and

WHEREAS, funding for such services has been included in the Town's 1981-82 Community Development Block Grant application, which was subsequently approved by the U.S. Department of Housing and Urban Development, and

WHEREAS, said proposal has been reviewed by the Community Development Director, Town Attorney, and C.D.B.G. Consultant, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized to sign an agreement with In-Home Support Services Corporation of Western New York for the provision of energy conservation and weatherization services for Town residents, and BE IT FURTHER

RESOLVED that the fee paid to In-Home Support Services be in the amount of \$7,500, said fee to be paid from Fiscal Year 1981-82 Community Development Block Grant funds.

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 Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Town has received funding from the U.S. Department of Housing & Urban Development under the Housing Community Development Act of 1974, and

WHEREAS, one of the purposes of said act is to expand and improve the quality and quantity of community services which are essential for sound community development and for the development of viable urban communities, and

WHEREAS, the Housing Assistance Center of Niagara Frontier, Inc. located at 1490 Jefferson Avenue, Buffalo, New York, 14208 has submitted a proposal to the Town for the provision of such services for Town residents, including, but not limited to comprehensive housing counseling, rent delinquency and mortgage default counseling, and provision of information to low and moderate income residents, and

WHEREAS, funding for the provision of such said services has been included in the Town's 1981-82 Community Development Block Grant Application and which was subsequently approved by the U.S. Department of Housing & Urban Development, and

WHEREAS, the proposal submitted by the Housing Assistance Center has been reviewed by the Community Development Director, Town Attorney and C.D.B.G. Consultant, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized to sign an Agreement with the Housing Assistance Center of Niagara Frontier, Inc., for the provision of said services, and BE IT FURTHER

RESOLVED that the fee paid to the Housing Assistance Center be in the amount of \$3,500, said amount to be paid from Fiscal Year 1981-82 Community Development Block Grant funds.

Upon Roll Call....

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

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

WHEREAS, Section 397 of the New York State Vehicle and Traffic Law permits a municipality to authorize a person to issue permits to individuals to equip non-police vehicles with receivers capable of receiving signals allocated for police use, and

WHEREAS, by resolutions dated December 17, 1979 and July 20, 1981, this Board has authorized the Chief of Police to issue such permits to certain individuals, and

WHEREAS, the Chief of Police has requested clarification from the Town Board as to the scope of his authority to issue such permits, NOW, THEREFORE, BE IT

RESOLVED that the foregoing resolutions be and they hereby are rescinded, and BE IT FURTHER

RESOLVED that the Chief of Police is designated, pursuant to Section 397 of the New York State Vehicle and Traffic Law, as the person authorized to issue permits for equipping motor vehicles with radio receiving sets capable of receiving signals on the frequencies allocated for police use to persons, such as

Item No. 22 cont'd

tow truck operators, ambulance operators, firemen and medical technicians, who demonstrate that they might be called upon to provide emergency services and require such a receiver in order to facilitate the rendition of said services.

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

WHEREAS, the Town of Cheektowaga and the owners of Cheektowaga Industrial Park, located on the south side of Walden Avenue in an area generally between Harlem Road and the Buffalo-Cheektowaga City Line, conferred and met on numerous occasions in the past regarding proposals for the construction of a retention basin and related storm sewers on such property and in furtherance of the Town's Walden Avenue Storm Sewer Project, and

WHEREAS, the Town's offer for necessary land and/or easement acquisitions has not been accepted by the owners of the said Cheektowaga Industrial Park, and

WHEREAS, in pursuance of the aforesaid public project, the Town has commenced a proceeding under the Eminent Domain Procedure Law against the owners of the said Cheektowaga Industrial Park for the purpose of establishing just compensation for the land acquired by the Town, and

WHEREAS, a new "court-ready" appraisal is now necessary because both the legal description and type of land acquisition have changed since the date of the last appraisal report,

NOW, THEREFORE, BE IT RESOLVED that Mr. Robert C. Laport, whose office is at the Niagara Frontier Building, 290 Main Street, Buffalo, New York, be and he hereby is retained to prepare the necessary "court-ready" appraisal on and in furtherance of the eminent domain proceeding commenced by the Town against the owners of the Cheektowaga Industrial Park, and be it further

RESOLVED that Mr. Robert C. Laport be paid the sum of \$1,500.00 for his services to the Town in this matter, as same is quoted in his letter dated August 4, 1981, a copy of which is annexed hereto.

* See next two (2) pages for letter

Robert C. Laport
APPRAISER

Niagara Frontier Building
290 Main St./Buffalo, N.Y. 14202 856-5000

August 4, 1981

James J. Kirisits, Esq.
Town Attorney
Town of Cheektowaga
Broadway and Union Roads
Buffalo, New York 14225

RE: Drainage System:
Part Town of Cheektowaga
and Part City of Buffalo
S/S Walden Avenue
Harold Doran and others

Dear Mr. Kirisits:

This letter follows correspondence from Evan James dated July 17, 1981 regarding the above captioned property.

It now appears this matter will be subject to a court proceeding and in order to adequately prepare, a new and "court-ready" appraisal will be required.

I note from Mr. James's letter the acquisition was a taking in fee rather than a Permanent Easement as detailed in my August 30, 1979 report. I also note that the legal description now differs from that provided me two years ago.

Previous appraisal reports provided to Mr. Chester Bryan were in preliminary form and do not meet the requirements of the courts as to form or detail. In particular it will be necessary to have complete details on comparable sales, sales grids comparing the sales to the subject property showing appropriate adjustments, a thorough analysis of subject land, plus photographs and sketches of sales used and of the subject land.

Other problems are to secure documentation for the cost to construct a lift station to connect the property to the Walden Avenue sanitary system and the cost to bring water from Harlem Road to the property.

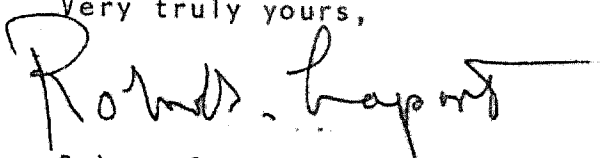
James J. Kirisits, Esq.

-2- August 4, 1981

The the work on the preparation of this report, I quote a fee of \$1,500. and will have my work completed within 45 days from the date of approval.

Thank you.

Very truly yours,



Robert C. Laport

CC: Honorable Kenneth Meyers
Cheektowaga Town Supervisor

Honorable Chester Bryan
Town Engineer

Evan James, Esq.

RECEIVED

AUG - 4 1981

TOWN ATTORNEY

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, Officer Stanley Keller of the Cheektowaga Police Department, was assigned to the Detective Bureau on February 2, 1981, to fill a vacancy created by the retirement of Lieutenant Frank Goshleski, and

WHEREAS, pursuant to Section 6.09 of the current contract with the Cheektowaga Police Club, Officer Keller has served his six (6) month probationary period in the position of Detective, NOW, THEREFORE, BE IT

RESOLVED that Officer Stanley Keller, be and hereby is appointed permanently to the position of Detective in the Cheektowaga Police Department, at a salary in accordance with the above mentioned contract; said appointment effective immediately.

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 Unanimous

WHEREAS, the Town Board has previously created the part-time position of "Natural Disaster Services Coordinator", at an annual salary of \$7,000.00; said appointment effective immediately.

WHEREAS, candidates that applied for this position have been properly interviewed, and their resumes and qualifications evaluated, NOW, THEREFORE, BE IT

RESOLVED that Earl Loder, of , Cheektowaga, New York, be and hereby is appointed to the part-time position of "Natural Disaster Services Coordinator", at an annual salary of \$7,000.00; said appointment effective immediately.

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

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 summer of 1981, THEREFORE, BE IT

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:

Michael Marszalkowski

Cheektowaga, New York

effective August 31, 1981, and BE IT FURTHER

RESOLVED that said employee shall not work in excess of 20 hours per week.

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 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, Seasonal Laborers were hired in the Facilities Department - Maintenance Division, for the Town's Street Light Standard Painting and/or Repair Program for a period of six (6) weeks, effective 6/29/81 and 7/13/81, and

WHEREAS, there is a need for the continuance of said Program as a result of the large number of street light standards which are badly in need of maintenance, and

WHEREAS, the six (6) week employment period for the Seasonal Laborers hired for said Program is expiring, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be retained as Seasonal Laborers for the purpose of painting and/or repairing Town-owned street light standards at the rate of \$3.10 per hour, effective as of the dates listed below through September 4, 1981:

EFFECTIVE August 10, 1981

Gary Catanzaro
Scott Oddo
Joseph Stallone

EFFECTIVE August 18, 1981

Eileen Christopher

EFFECTIVE August 24, 1981

Frank Gioia
Gerald Gill

Upon Roll Call....

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

Item No. 28 Motion by Councilman Wegner, seconded by Councilman Johnson

BE IT RESOLVED that the following interim appointments be and are hereby made to the Traffic Safety Commission, commencing September 1, 1981 and expiring December 31, 1981:

Anthony Osswald
Carl Scheffline
Richard Zynda
Rudy Santa Maria

Cheektowaga, New York
Cheektowaga, New York
Depew, New York
Depew, New York

Upon Roll Call....

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

Item No. 29 Motion by Councilman Rogowski, seconded by Councilman Johnson

WHEREAS, the State Office of Court Administration will be conducting a seminar for Town and Village Court Clerks in conjunction with New York State Association of Magistrates Judicial Conference from September 13 - 16, 1981 at Grossingers Hotel, Grossingers, New York, and

WHEREAS, topics to be discussed at said conference include: Department of Audit and Control, Criminal Disposition Reporting, Procedures Upon Appeal, Small Claims Proceedings, and Court Administrative Functions, and

WHEREAS, Town Justice Henry R. Gabryszak has requested permission from the Town Board to authorize Thomas Kolbert, Clerk of Justice Court, to attend said Conference, NOW, THEREFORE, BE IT

RESOLVED that Thomas Kolbert is hereby authorized to attend the seminar for Town and Village Court Clerks, September 13 - 16, 1981 at Grossingers Hotel, Grossingers, New York, and BE IT FURTHER

RESOLVED that Thomas Kolbert shall be reimbursed for all necessary and reasonable travel expenses in connection with said conference, at a sum not to exceed \$400.00.

Upon Roll Call....

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

Item No. 30a Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, the Santoro Sign Company has requested permission to erect a 6 ft. X 12 ft. billboard wall sign on the East wall of an existing building located at 665 Cleveland Drive, and

WHEREAS, the Town of Cheektowaga Zoning Ordinance requires Town Board approval of this type of billboard wall sign, NOW, THEREFORE, BE IT

RESOLVED that the Santoro Sign Company be and is hereby granted permission to erect the following sign:

One 6 ft. X 12 ft. billboard wall sign, said sign to be located on the East wall of an existing building located at 665 Cleveland Drive.

Upon Roll Call....

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

Item No. 30b Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, the National Advertising Company, has requested permission to erect two 36 ft. X 10½ ft. billboard signs, one facing East and one facing West on a vacant lot at the Southwest corner of Walden Avenue and Peppy Place, and

WEHREAS, 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 the National Advertising Company be and is hereby denied permission to erect the following billboard signs:

Two 36 ft. X 10½ ft. billboard signs, on facing East and one facing West on a vacant lot at the Southwest corner of Walden Avenue and Peppy Place.

Item No. 30b cont'd

Upon Roll Call.....

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

Item No. 31a Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on properties located at 1279, 1281 & 1287 Walden Avenue, Cheektowaga, New York, Map Cover 325, Block 5, Sublots 19-23, Tax Account Number 4-211 and 4-212 and according to the Assessor's Office is owned by Geiger Enterprises, 2300 W. Oakfield Road, Grand Island, New York 14072, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris be removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call.....

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

Item No. 31b Motion by Councilman Wegner, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 1476 Harlem Road, Cheektowaga, New York, Map Cover 307-311, Block 8, Sublot 35-40, Tax Account Number 7-483, 7-488 and according to the Assessor's Office is owned by Pelagia I. Fronckowiak, Cheektowaga, New York 14206, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call.....

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

Item No. 31c Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 16 Dubonnet Drive (vacant lot), Cheektowaga, New York, Map Cofer 2270, Sublot 53, Tax Account Number 44-138 and according to the Assessor's Office is owned by Starlite Builders, P.O. Box 1182, Tavernier, Florida 33070, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

Item No. 3lc cont'd

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 3ld Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 132 Cayuga Road (rear portion of property - Southwest corner of Maryvale Drive and Cayuga Road), Cheektowaga, New York, Tax Account Number 1-702 and according to the Assessor's Office is owned by Fred M. Calandra & One, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 3le Motion by Councilman Wegner, seconded by Councilman Dux

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 475 Cayuga Creek Road (front portion of property), Cheektowaga, New York, Tax Account Number 1-657 and according to the Assessor's Office is owned by John Olejniczak, Cheektowaga, New York 14227, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 3lf Motion by Councilman Wegner, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board, regarding high weeds on property located East of 570 French Road (vacant Lot), Cheektowaga, New York, Map Cover 2288, Sublot 165, Tax Account Number 45-516 and according to the Assessor's Office is owned by Sam Levy, c/o Dr. Lewis Edelman, 149 French Road, Cheektowaga, New York, 14227, and

Item No. 31f cont'd

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located East of 12 Freda Avenue, Cheektowaga, New York, Map Cover 1210, Sublot 35 & 36, Tax Account Number 6-1, 6-2 and according to the Assessor's Office is owned by Henry J. Szumigala, Cheektowaga, New York 14206, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 31h Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at the Southeast corner of French Road and Theresa Drive (vacant lot), Cheektowaga, New York, Map Cover 2230-2244, Sublot 3, Tax Account Number 41-390 and according to the Assessor's Office is owned by Theodore Kalbacki & 1, Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 31i Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 152 Peinkofer Drive, Cheektowaga, New

Item No. 3li cont'd

York, Map Cover 1672, Sublot 37, Tax Account Number 30-578 and according to the Assessor's Office is owned by Joseph Vanderheyden, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 3lj Motion by Councilman Wegner, seconded by Councilman Dux

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 3 & 4 Sprucewood Drive (vacant Property), Cheektowaga, New York, Map Cover 2292, Sublot 21 & 22, Tax Account Number 45-547, 45-546 and according to the Assessor's Office is owned by Coor Development, Inc., 2730 Transit Road, West Seneca, New York 14224, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 3lk Motion by Councilman Wegner, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located South of 31 The Avenue (Vacant property), Cheektowaga, New York, Map Cover 372, Tax Account Number 4-256, 4-257, 4-258, 4-259, and according to the Assessor's Office is owned by Roxborough Homes Corporation, 2909 Genesee Street, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located between 122 and 127 Mayberry Drive West, Cheektowaga, New York, Tax Account Number 2-306-10 and according to the Assessor's Office is owned by Western New York Properties, c/o Marc Equity Corp., 2730 Transit Road, West Seneca, New York 14224, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

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 Johnson

BE IT RESOLVED that funds in the amount of \$800.00 be transferred from account No. 8323.493 (Sewer Dist. No. 3-Remedial Work) to account No. 8323.408 (Sewer Dist. No. 3-Travel) in the Special Dist. Fund and BE IT FURTHER

RESOLVED that funds in the amount of \$86,156.39 be transferred from Account No. 3-ED-2.0 (Walden Ave. - Economic Development Funds) to a new account for Walden Avenue Storm Sewer Work (78-79 Funds) in the Community Development Fund.

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 vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to August 17th are hereby approved and the Supervisor is ordered to pay same.

<u>FUND</u>	<u>CHECK NOS.</u>		<u>AMOUNT</u>
	<u>FROM</u>	<u>TO</u>	
GENERAL FUND	12706-12851, 18943-18944, 18947-18965		\$ 916,606.97
SPECIAL DIST. FUND	10773-10841, 8263-8275		441,531.42
HIGHWAY FUND	10498-10529, 6123-6129		142,978.13
FEDERAL REVENUE SHARING FUND	10235-10244		4,216.75
CAPITAL FUND	488-492		72,087.15
TRUST AND AGENCY FUND	999-1008, 1017-1033		244,344.01
H.U.D. - C.D.B.G. FUND	361-366		24,483.89
PART TOWN FUND	442, 473-476, 481-486, 491		14,869.99
			<u>\$1,861,118.31</u>

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 34 Dr. Louis Vendetti - Health report for month of July, 1981.
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 35 Erie County Legislators - Copy of resolution adopted 7/23/81 re:
Support of Town of Cheektowaga request to assess N.F.T.A. with
share of cost of sewer service in Districts 5 & 7.
Copies were sent to: James Kirisits, Town Attorney
Received and Filed.

Item No. 36 Notice of Claim - Mr. Joseph P. Wolf vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits,
Town Attorney; Chester Bryan, Town Engineer; James Burst, Sewer
Department; Alfred Wnek, Highway Superintendent; E.T. Clauss,
Insurance Company.
Received and Filed.

Item No. 37 Mrs. Daniel R. Jedrzejewski, 32 Jamaica Lane - Resident Complaint
against City Mattress located at 3637 Union Road.
Copies were sent to: Kenneth J. Meyers, Supervisor; Council
Secretary; Chester Bryan, Town Engineer; Ron Marten, Building and
Plumbing Inspector.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Wegner
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. 38 Authorization for Town Assessor to attend workshop in Syracuse, N.Y.
This resolution was withdrawn.

Item No. 39 Authorization for Supervisor to sign agreement with Nussbaumer &
Clarke regarding S.S.D. #3

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the southwest section of Town is subject to frequent
street flooding and sanitary sewer overloading, which conditions contribute to
basement flooding in this area, which area is located in the Town's Sanitary
Sewer District #3, and

WHEREAS, this Town Board, by resolution dated March 16, 1981,
authorized the mapping and drainage study of the area west of Harlem Road, and

WHEREAS, it is desirable to include the remainder of the Sanitary
Sewer District #3 in that area located between Harlem Road and Union Road, NOW,
THEREFORE, BE IT

RESOLVED that the proposal, at a cost not to exceed \$8,800,
submitted by the consulting engineering firm of Nussbaumer & Clarke, Inc. in
their letter of August 6, 1981 to the Town Engineer be and hereby is accepted
and approved, and said consulting engineering firm is to provide the horizontal

Item No. 39 cont'd

and vertical control and related survey work for the mapping of the remainder of Sanitary Sewer District #3, and BE IT FURTHER

RESOLVED that the Supervisor is authorized and directed to sign the agreement with Nussbaumer & Clarke, Inc. for said survey work in the Town of Cheektowaga's Sanitary Sewer District #3, and BE IT FURTHER

RESOLVED that the costs of said survey work are to be charged to the Sanitary Sewer District #3 Fund Balance, which charge appears to be permissible as a means of arriving at the control of storm sewer inflow and infiltration into the Town's sanitary sewer system.

Upon Roll Call....

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

Item No. 40 Authorization for Supervisor to sign agreement with Lockwood Mapping regarding Sanitary Sewer District #3

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the southwest section of Town is subject to frequent street flooding and sanitary sewer overloading, which conditions contribute to basement flooding in this area, which area is located in the Town's Sanitary Sewer District #3, and

WHEREAS, this Town Board, by resolution dated March 16, 1981, authorized the mapping and drainage study of the area west of Harlem Road, and

WHEREAS, it is desirable to include the remainder of the Sanitary Sewer District #3 in that area located between Harlem Road and Union Road, NOW, THEREFORE, BE IT

RESOLVED that the proposal submitted by Lockwood Mapping, Inc., in their letter of July 28, 1981 to the Town Engineer in the amount of \$13,000 be and hereby is accepted, and said Lockwood Mapping, Inc. is to undertake the mapping program 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 Lockwood Mapping, Inc., and BE IT FURTHER

RESOLVED that the costs of said mapping are to be charged to the Sanitary Sewer District #3 Fund Balance, which charge appears to be permissible as a means of arriving at the control of storm sewer inflow and infiltration into the Town's sanitary sewer system.

Upon Roll Call....

AYES: Supervisor Meyers, Councilman Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 41 Appointment to position of Sewage Treatment Plant Operator

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town Board has previously adopted a resolution creating the position of Sewage Treatment Plant Operator Trainee in the Wastewater Treatment Plant No. 5 and said positions were approved by the Erie County Personnel Office, and

WHEREAS, said positions were posted in accordance with the Agreement between the Town of Cheektowaga and Local 1026, AFL-CIO, NOW, THEREFORE, BE IT

Item No. 41 cont'd

RESOLVED that the following is hereby appointed to the position of Sewage Treatment Plant Operator Trainee at the rate of \$5.70 per hour with increments as established in the Town Agreement with Local 1026 and with said appointment effective on September 1, 1981.

Ralph P. Fuerter

Cheektowaga, New York 14225

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski

NAYES: 0

ABSENT: 0

Item No. 42 Motion by Supervisor Meyers, seconded by Councilman Dux to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

* * * * *

B I D S

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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 20 September 9, 1981</u>	
2	Reroofing of three (3) swimming pool buildings and one dump station building in Town of Cheektowaga	1
	<u>Meeting No. 21 September 21, 1981</u>	
2	Furnishing of one (1) winch wrecker	1
3	Seasonal requirements for Cheektowaga Highway Department	1

* * * * *

P U B L I C H E A R I N G

* * * * *

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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 9th day of September, 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, Jr.
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; George Burst, Working Foreman-Central Garage; Chester L. Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; William Gomolski, President-Town of Cheektowaga Employees' Association; Sal LaGreca, Assistant Manpower Program Director I; James Kirisits, Town Attorney; Ronald Marten, Building & Plumbing Inspector; Julia Reinstein, Town Historian; Al Thrun, Vice-Chairman-Traffic Safety Commission; Dr. Louis Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent.

I. BIDS

Item No. 2 Reroofing of three (3) swimming pool buildings and one dump station building in Town of Cheektowaga.

Bids referred to Chester L. Bryan, Town Engineer.

II. PUBLIC HEARING

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. 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:

SEMINOLE PARKWAY	North side	from the west curblin
	and West side	to the north curblin

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. 3 Cont'd.

SEMINOLE PARKWAY	South side	from the north curbline of Nokomis Parkway (westerly portion) to its intersection with Nokomis Parkway (easterly portion)
BARBADOS DRIVE	South side	from the west curbline of Woodgate Drive to the east curbline of Barbados Drive.

* * * * *

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 Johnson

WHEREAS, the current Federal Revenue Sharing Act encourages public participation, and

WHEREAS, a major part of this participation is a Proposed Use Hearing for public input, and

WHEREAS, the Town is in the process of considering 1982 appropriations, NOW, THEREFORE, BE IT

RESOLVED that a Proposed Use Hearing be held on Monday, September 21, 1981 at 6:30 o'clock P.M., Eastern Daylight Saving Time, in the Council Chambers of the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, and BE IT FURTHER

RESOLVED that Notice of such hearing be published in the CHEEKTOWAGA TIMES on September 10, 1981.

* * * * *

NOTICE OF PUBLIC HEARING

PROPOSED USE OF FEDERAL REVENUE SHARING FUNDS - 6:30 P.M., Eastern Daylight Saving Time - Monday, September 21, 1981 at the Cheektowaga Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York.

At this time all residents of the Town of Cheektowaga may present written and oral comments on the proposed use of Federal Revenue Sharing Funds for the year 1982.

The Town annually receives approximately \$900,000.00 of such funds. If you cannot attend such hearing please direct written comments to the Office of the Supervisor, Cheektowaga Town Hall.

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 9, 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. Richter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication..... *September 14, 1981* ;
last publication..... *September 15, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Richter
Sworn to before me this *15th*
day of *September*, 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
PUBLIC MEETING
PROPOSED USE OF
FEDERAL REVENUE SHAR-
ING FUNDS 6:30 P.M. Eastern
Daylight Saving Time - Mon-
day, September 21, 1981 at the**

Cheektowaga Town Hall, corner
of Broadway and Union Road,
Town of Cheektowaga, New
York.

At this time all residents of the
Town of Cheektowaga may pre-
sent written and oral comments
on the proposed use of Federal
Revenue Sharing Funds for the
year 1982.

The Town annually receives
approximately \$900,000.00 of such
funds. If you cannot attend such
hearing please direct written
comments to the Office of the
Supervisor, Cheektowaga Town
Hall.

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
CHEEKTOWAGA, ERIE COUN-
TY, NEW YORK.**

RICHARD M. MOLESKI

Town Clerk

DATED: September 9, 1981

**PUBLISHED: September 10,
1981**

Item No. 5 Motion by Councilman Wegner, seconded by Supervisor Meyers

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 21st day of September, 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 10th day of September, 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 21st day of September, 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:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CRESCENT COURT	East-west	WHEATON DRIVE	Southbound	N.W. Corner
CRESCENT COURT	East-west	WHEATON DRIVE	Northbound	S.E. Corner

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 9, 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. Hedder of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Chief* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication..... *September 10, 1981* ;
last publication..... *September 10, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Hedder

Sworn to before me this *15th*

day of *September*, 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

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 21st day of September, 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, CRESCENT COURT;
Direction, East-west; Entrance
Street, WHEATON DRIVE;
Traffic Stops, Southbound; Sign
Location, N.W. Corner

Street, CRESCENT COURT;
Direction, East-west; Entrance
Street, WHEATON DRIVE;
Traffic Stops, Northbound; Sign
Location, S.E. Corner

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

RICHARD M. MOLESKI

Town Clerk

DATED: September 9, 1981

PUBLISHED: September 10,
1981

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

WHEREAS, the Chief of Police has recommended that truck traffic be excluded from West Sobieski Avenue, Cheektowaga, New York, NOW, THEREFORE, BE IT

RESOLVED that, in accordance with the provisions of the Vehicle and Traffic Law and Town Law of the State of New York, a public hearing be held on the 21st day of September, 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 Section 130 of the Traffic Ordinance of the Town of Cheektowaga, New York shall be amended by the inclusion of West Sobieski Avenue as a designated town highway from which truck traffic is excluded, 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 9th day of September, 1981, and in accordance with the provisions of the Vehicle and Traffic Law and the Town Law of the State of New York, a Public Hearing will be held on the 21st day of September, 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 Section 130 of Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to Truck Exclusions shall be amended by the inclusion therein of WEST SOBIESKI AVENUE as a designated town highway from which truck traffic is excluded.

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 9, 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. Hechter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clark* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks:
first publication *September 10, 1981* ;
last publication *September 10, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Hechter
Sworn to before me this *15th*
day of *September*, 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 9th day of September, 1981, and in accordance with the provisions of the Vehicle and Traffic Law and the Town Law of the State of New York, a Public Hearing will be held on the 21st day of September, 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 Section 130 of Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to truck exclusions shall be amended by the inclusion therein of WEST SOBIESKI AVENUE as a designated town highway from which truck traffic is excluded.

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 9, 1981
PUBLISHED: September 10, 1981

Item No. 7

WHEREAS, a request has been made by a committee from the Fire Chief's Mutual Aid Association to the Town Board of the Town of Cheektowaga that certain provisions of the "Fire Prevention Code" of the Town of Cheektowaga, New York be amended;

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 September, 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 interested parties and citizens shall have an opportunity to be heard; and at which time and place it shall be determined by the Town Board whether the "Fire Prevention Code" of the Town of Cheektowaga, New York shall be amended as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA 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 such hearing.

* * * * *

NOTICE OF HEARING ON PROPOSAL TO AMEND

FIRE PREVENTION CODE

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 9th day of September, 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 September, 1981 at 7:00 o'clock P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all interested parties and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the "Fire Prevention Code" of the Town of Cheektowaga, New York shall be amended and changed as follows:

1. RESOLVED THAT Section 1.1, which relates to the intent of the code, shall be amended by substituting "The latest edition of the National Fire Code, the Life Safety Code and approved safety standards as recommended by the National Fire Protection Association shall be deemed to be the nationally recognized good practice for conditions, details and subjects not covered in this Ordinance" in place of "Compliance with standards of the American Insurance Association or the National Fire Protection Association or other approved nationally recognized safety standards shall be deemed to be prima facie evidence of compliance with this intent."

2. RESOLVED THAT Section 1.4a, which relates to the inspection of buildings and premises, shall be amended by deleting the phrase "except the interiors of dwellings."

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

DATED: September 9, 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. Sechtle, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clark* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks:
first publication..... *September 10, 1981*;
last publication..... *September 10, 1981*;
and that no more than six days intervened be-
tween publications.

Gladys M. Sechtle
Sworn to before me this *15th*
day of *September*, 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*..

Legal Notice

NOTICE OF HEARING ON PROPOSAL TO AMEND FIRE PREVENTION CODE 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 9th day of September, 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 September, 1981 at 7:00 o'clock P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all interested parties and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the "Fire Prevention Code" of the Town of Cheektowaga, New York shall be amended and changed as follows:

1. RESOLVED THAT Section 1, which relates to the intent of the code, shall be amended by substituting "The latest edition of the National Fire Code, the Life Safety Code and approved safety

standards as recommended by the National Fire Protection Association shall be deemed to be the nationally recognized good practice for conditions, details and subjects not covered in this Ordinance" in place of "Compliance with standards of the American Insurance Association or the National Fire Protection Association or other approved nationally recognized safety standards shall be deemed to be prima facie evidence of compliance with this intent."

2. RESOLVED THAT Section 1.4 a., which relates to the inspection of buildings and premises, shall be amended by deleting the phrase "except the interiors of dwellings."

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

RICHARD M. MOLESKI

Town Clerk

DATED: September 9, 1981

PUBLISHED: September 10,
1981

Item No. 8 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the Town is interested in generating new industrial development, AND

WHEREAS, the requirements for industrial development need to be streamlined and modified to encourage industrial development while still protecting the Town environment, AND

WHEREAS, the Town has authorized the Industrial Guidelines Review Committee to work with the Town's Planning Consultant to prepare a set of Industrial Guidelines, AND

WHEREAS, said Guidelines have been prepared and distributed to all Department Heads for comment, AND

WHEREAS, all comments have been received, NOW, THEREFORE, BE IT

RESOLVED, that the Town hold a public hearing on September 28, 1981, at 7:00 P.M., at Cheektowaga Town Hall, on the proposed Industrial Guidelines for purposes of receiving further public input and discussion, and BE IT

FURTHER RESOLVED, that the Town Clerk publish a notice of said public hearing in the Cheektowaga Times on September 17, 1981.

* * * * *

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

ATTENTION TOWN OF CHEEKTOWAGA RESIDENTS

The Town of Cheektowaga will hold a public hearing on Monday, September 28, 1981 at 7:00 P.M. at Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on Industrial Design Guidelines proposed for adoption by the Town Board. These Industrial Design Guidelines establish certain minimum standards for industrial development including, but not limited to lot requirements, roadways, parking and service areas, landscaping, drainage, building design and lighting. The purpose of the public hearing is to receive comments and suggestions from all interested persons in the Town of Cheektowaga. Copies of the proposed Industrial Development Guidelines may be obtained at the Town Clerk's Office at Cheektowaga Town Hall.

* * * * *

Upon Roll Call....

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

AFFIDAVIT-NEXT PAGE

No. 21

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

Gladys M. Hecht of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication *September 17, 1981* ;
last publication *September 17, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Hecht
Sworn to before me this *18th*
day of *September* , 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*

**PUBLIC NOTICE
ATTENTION
TOWN OF CHEEKTOWAGA
RESIDENTS**

The Town of Cheektowaga will hold a public hearing on Monday, September 28, 1981 at 7:00 P.M. at Cheektowaga Town Hall, Corner of Broadway & Union Road, Cheektowaga, New York on Industrial Design Guidelines proposed for adoption by the Town Board. These Industrial Design Guidelines establish certain minimum standards for industrial development including, but not limited to lot requirements, roadways, parking and service areas, landscaping, drainage, building design and lighting. The purpose of the public hearing is to receive comments and suggestions from all interested persons in the Town of Cheektowaga. Copies of the proposed Industrial Development Guidelines may be obtained at the Town Clerk's Office at Cheektowaga Town Hall.
PUBLISHED: September 17, 1981

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

WHEREAS, the Town desires to provide recreation facilities for residents in the north section of Cheektowaga, and

WHEREAS, a parcel of privately owned property, known as the Nob Hill park site, has been identified as a potential site for such recreation facilities, and

WHEREAS, the Town desires to acquire said property for this public purpose under its power of eminent domain, NOW, THEREFORE, BE IT

RESOLVED, that in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a public hearing be held on the 21st day of September, 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 any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board shall make its determination and findings concerning the proposed public project; and, BE IT FURTHER

RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in two successive issues of the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein.

* * * * *

NOTICE OF HEARING

FOR ACQUISITION OF CERTAIN PROPERTY FOR

NOB HILL PARK SITE

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 9th day of September, 1981, and in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a Public Hearing will be held on the 21st day of September, 1981 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board shall make its determination and findings concerning the acquisition of certain privately owned property, known as the Nob Hill park site, said property being bounded by Cayuga Road, Ellen Drive and Terry Lane, by the Town's power of eminent domain, for the purpose of providing park and recreation facilities for residents in the north section of Cheektowaga.

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

DATED: September 9, 1981

RICHARD M. MOLESKI
Town Clerk

* * * * *

Upon Roll Call....

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

AFFIDAVITS-NEXT TWO PAGES

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

Gladys M. Sediter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clara* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication..... *September 10, 1981* ;
last publication..... *September 10, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sediter
Sworn to before me this *15th*
day of *September*, 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
FOR ACQUISITION OF
CERTAIN PROPERTY FOR
NOB HILL PARK SITE**

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 9th day of September, 1981, and in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a Public Hearing will be held on the 21st day of September, 1981 7:00 P. M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board shall make its determination and findings concerning the acquisition of certain privately owned property, known as the Nob Hill park site, said property being bounded by Cayuga Road, Ellen Drive and Terry Lane, by the Town's power of eminent domain, for the purpose of providing a park and recreation facilities for residents in the north section of Cheektowaga.

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 9, 1981

PUBLISHED: September 10,
1981

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

Gladys M. Seckter of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clara* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication *September 17, 1981* ;
last publication *September 17, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Seckter
Sworn to before me this *18th*
day of *September*, 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
FOR ACQUISITION OF
CERTAIN PROPERTY FOR
NOB HILL PARK SITE**

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 9th day of September, 1981, and in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a Public Hearing will be held on the 21st day of September, 1981 at 7:00 P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board shall make its determination and findings concerning the acquisition of certain privately owned property, known as the Nob Hill park site, said property being bounded by Cayuga Road, Ellen Drive and Terry Lane, by the Town's power of eminent domain, for the purpose of providing a park and recreation facilities for residents in the north section of Cheektowaga.

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 9, 1981

PUBLISHED: September 17,
1981

Item No. 10 Motion by Councilman Rogowski, seconded by Councilman Swiatek

WHEREAS, the Town advertised bids for Sports Lighting, Stiglmeier Park and Town Hall on July 20, 1981, and

WHEREAS, said bids were to be received on the 17th day of August, 1981, and

WHEREAS, one bid was received on the aforementioned date, and

WHEREAS, the single bid received did not provide the Town with a competitive cost comparison for lighting material purchase, and

WHEREAS, the bid advertisement reserved for the Town the right to reject any or all bids or to waive any informalities in the bidding, NOW, THEREFORE, BE IT

RESOLVED, that the single bid received for Sports Lighting, Stiglmeier Park and Town Hall be rejected, and BE IT

FURTHER RESOLVED, that the Town rebid the project for the purpose of receiving additional bids.

Upon Roll Call....

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

Item No. 11 Readvertise for bids for Sports Lighting - Stiglmeier Park and Town Hall.
Item Withdrawn.

Item No. 12 Motion by Supervisor Meyers, seconded Unanimously

WHEREAS, the Cheektowaga Town Board has retained the firm of Frederick D. Marzak, Architects PC, through previous resolution dated May 18, 1981, to prepare plans and specifications for construction of a Senior Citizens Center, AND

WHEREAS, said Senior Citizens Center is to be constructed on a publicly owned site east of the Cheektowaga Town Hall, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish an Invitation to Bidders for the construction of a Senior Citizens Center as per the following items:

- Item #1. General Construction Work
- Item #2. Heating/Ventilating/Air Conditioning Work
- Item #3. Plumbing Work
- Item #4. Electrical Work

and BE IT FURTHER

RESOLVED, that the Project Manual, including Specifications and Drawings may be examined and copies thereof may be obtained at the office of Frederick D. Marzak, Architects PC, 3374 Genesee Street, Cheektowaga, New York 14225, and BE IT FURTHER

RESOLVED, that the Town Board will meet at 5:30 P.M., Eastern Daylight Saving Time on September 28, 1981 at which time said sealed proposals will be publicly opened and read.

* * * * *

INVITATION TO BID

SENIOR CITIZENS CENTER
CHEEKTOWAGA, NEW YORK

Item No. 12 Cont'd.

YOU ARE INVITED TO BID on the following contracts for construction of a new Senior Citizens Center on a site located east of the Town Hall on Broadway in the Town of Cheektowaga, New York, described in general as follows:

General Construction Work
Heating/Ventilating/Air Conditioning Work
Plumbing Work
Electrical Work

The Owner shall receive sealed proposals from qualified bidders for each of the above named Contracts until:

5:30 P.M., Local Time
Monday, September 28, 1981

at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which time said proposals shall be publicly opened and read aloud.

The proposed Contract Documents may be examined at the offices of the:

Architect	Plan Room
Frederick D. Marzak, Architects PC	F. W. Dodge Inc.
3374 Genesee Street	5500 Main Street
Cheektowaga, New York 14225	Williamsville, New York 14221

Bona Fide contract bidders may secure copies of the proposed Contract Documents from the Architect on the following basis:

1. One set of the Project Manual, including Specifications, plus one set of Drawings, upon payment of \$50.00 deposit, completely refundable if returned to the Architect within fifteen days after bid opening.
2. Additional copies of the Project Manual, including Specifications, plus additional sets of prints of the Drawings, upon payment of \$50.00 per set, non-refundable, if available.
3. No partial sets will be issued.
4. Non-bidders deposit shall be forfeited.

Bid security in the amount of 10% of the Base Bid will be required to accompany bids. The Owner reserves the right to reject any or all bids and to waive irregularity in bidding.

RICHARD M. MOLESKI
Town Clerk

* * * * *

Upon Roll Call....

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

AFFIDAVITS-NEXT FOUR PAGES

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

Gladys M. Heister of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks:
first publication *September 19, 1981* ;
last publication *September 10, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Heister
Sworn to before me this *15th*
day of *September*, 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*

**INVITATION TO BID
SENIOR CITIZENS CENTER
CHEEKTOWAGA NEW YORK**

You are invited to bid on the following contracts for construction of a new Senior Citizens Center on a site located east of the Town Hall on Broadway in the Town of Cheektowaga, New York, described in general as follows:

General Construction Work;
Heating/Ventilating/Air Conditioning Work; Plumbing Work;
Electrical Work

The Owner shall receive sealed proposals from qualified bidders for each of the above named Contracts until: 5:30 P.M. Local Time Monday, September 28, 1981 at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which time said proposals shall be publicly opened and read aloud.

The proposed Contract Documents may be examined at the offices of the:

Architect; Frederick D. Marzak Architects PC, 3374 Genesee Street, Cheektowaga, New York 14225

Plan Room; F.W. Dodge Inc., 5500 Main Street, Williamsville, New York 14221

Bona Fide contract bidders may secure copies of the proposed Contract Documents from the Architect on the following basis:

1. One set of the Project Manual, including Specifications, plus one set of Drawings, upon payment of \$50.00 deposit, completely refundable if returned to the Architect within fifteen days after bid opening.
2. Additional copies of the Project Manual, including Specifications, plus additional sets of prints of the Drawings, upon payment of \$50.00 per set, non-refundable, if available.
3. No partial sets will be issued.
4. Non-bidders deposit shall be forfeited.

Bid security in the amount of 10 percent of the Base Bid will be required to accompany bids. The Owner reserves the right to reject any or all bids and to waive irregularity in bidding.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: September 10, 1981

State of New York
ERIE COUNTY
CITY OF BUFFALO

INVITATION TO BID
 SENIOR CITIZENS CENTER
 CHEEKTOWAGA, NEW YORK

You are invited to bid on the following contracts for construction of a new Senior Citizens Center on a site located east of the Town Hall on Broadway in the

Item	Description	Unit	Quantity	Unit Price	Total Price
1	Excavation	cubic yd.	100	1.25	125.00
2	Foundation	sq. ft.	500	2.50	1250.00
3	Concrete	cubic yd.	200	3.00	600.00
4	Reinforcing	lb.	1000	0.10	100.00
5	Formwork	sq. ft.	1000	0.50	500.00
6	Brickwork	sq. ft.	1000	1.00	1000.00
7	Masonry	sq. ft.	1000	1.00	1000.00
8	Plaster	sq. ft.	1000	0.50	500.00
9	Paint	gal.	100	5.00	500.00
10	Roofing	sq. ft.	1000	1.00	1000.00
11	Insulation	sq. ft.	1000	0.50	500.00
12	Windows	unit	10	10.00	100.00
13	Doors	unit	10	10.00	100.00
14	Interior	sq. ft.	1000	1.00	1000.00
15	Exterior	sq. ft.	1000	1.00	1000.00
16	Landscaping	unit	10	10.00	100.00
17	Lighting	unit	10	10.00	100.00
18	Heating	unit	10	10.00	100.00
19	Cooling	unit	10	10.00	100.00
20	Plumbing	unit	10	10.00	100.00
21	Electrical	unit	10	10.00	100.00
22	Telephones	unit	10	10.00	100.00
23	Furniture	unit	10	10.00	100.00
24	Fixtures	unit	10	10.00	100.00
25	Signage	unit	10	10.00	100.00
26	Other	unit	10	10.00	100.00
27	Subtotal				10000.00
28	Tax				1000.00
29	Total				11000.00

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn,
 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 ~~xxxxxx~~

~~xxxx~~ week, the first insertion being on the 10th
 day of September 19 81 ~~xxxxxx~~

~~xxxxxx~~ being on the ~~xxxxxx~~ day of ~~xxxxxx~~ 19 ~~xxxxxx~~
D. Eileen Perry

Sworn to before me this 11th day
September 81
 of 19

Francis X. Vollmer Jr.
 Notary Public, Erie County, N. Y. 83

State of New York
ERIE COUNTY
CITY OF BUFFALO

INVITATION TO BID
SENIOR CITIZENS CENTER
CHEEKTOWAGA, NEW YORK
 You are invited to bid on the following contracts for construction of a new Senior Citizens Center on a site located east of the Town Hall on Broadway in the Town of Cheektowaga, New York, described in general as follows:
 General Construction Work
 Heating/Ventilating/Air Conditioning Work
 Plumbing Work
 Electrical Work
 The Owner shall receive sealed proposals from qualified bidders for each of the above named Contracts until:
 5:30 PM Local Time
 Monday, September 23, 1981
 at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which time said proposals shall be publicly opened and read aloud.
 The proposed Contract Documents may be examined at the offices of the:
 Architect
 Frederick D. Marzot Architects PC
 3374 Genesee Street
 Cheektowaga, New York 14225
 Plan Room
 F.W. Dodge Inc.
 5500 Main Street
 Williamsville, New York 14221
 Bona Fide contract bidders may secure copies of the proposed Contract Documents from the Architect on the following basis:
 1. One set of the Project Manual, including Specifications, plus one set of Drawings, upon payment of \$50.00 deposit, completely refundable if returned to the Architect within fifteen days after bid opening.
 2. Additional copies of the Project Manual, including Specifications, plus additional sets of prints of the Drawings, upon payment of \$50.00 per set, non-refundable, if available.
 3. No partial sets will be issued.
 4. Non-bidders deposit shall be forfeited.
 Bid security in the amount of 10% of the Base Bid will be required to accompany bids. The Owner reserves the right to reject any or all bids and to waive irregularity in bidding.
RICHARD M. MOLESKI
 Town Clerk

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn,
 deposes and says that he is **Principal Clerk**

of the **BUFFALO EVENING NEWS, INC.**,
 Publisher of the **BUFFALO EVENING NEWS**, a
 newspaper published in said city, that the notice of
 which the annexed printed slip taken from said
 newspaper is a copy, was inserted and published
 therein **ONCE** ~~XXXXXX~~

~~XXXX~~ the first insertion being on the **10th**
 week, the first insertion being on the **10th**
 day of **September** 19 **81** ~~XXXXXX~~

~~insertion between the dates of XXXX and XXXX~~
D. Eileen Perry

Sworn to before me on the **11th** day
 of **September** 19 **81**

Francis X. Moller Jr.
 Notary Public, Erie County, N. Y.

FRANCIS X. MOLLER JR.
 Notary Public, State of New York
 Qualified in Erie County
 My commission expires March 30, 19**83**

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

INVITATION TO BID
 SENIOR CITIZENS CENTER
 CHEEKTOWAGA, NEW YORK

You are invited to bid on the following contracts for construction of a new Senior Citizens Center on a site located east of the Town Hall on Broadway in the Town of Cheektowaga, New York, described in general as follows:

General Construction Work
 Heating/Ventilating
 Air Conditioning Work
 Plumbing Work
 Electrical Work

The Owner shall receive sealed proposals from qualified bidders for each of the above named Contracts until:
 5:30 P.M. Local Time
 Monday, September 28, 1981

at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which time said proposals shall be publicly opened and read aloud.

The proposed Contract Documents may be examined at the office of the

going on 10," and Angel, a
 ster, Kristen, a fifth grader
 gently, sharing a seat with
 at 20 minutes. They sat
 home for Kevin and Sarah
 to the bathroom again.
 else and then decided he
 led to sneak out ahead of
 nber his bus number. Chris

Yvonne Mentro
 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 ..10.... day of September.
 19 81 and the last insertion being on the day
 of, 19 , and not more than
 days intervened between any two publications
 thereof.

Yvonne Mentro

Sworn before me this .. 24 day }
 of . September..... 19 81. }
 Notary Public, Erie County, N.Y.

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

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

INVITATION TO BID
SENIOR CITIZENS CENTER
CHEEKTOWAGA, NEW YORK

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Heating/Ventilating/
Air Conditioning Work
Plumbing Work
Electrical Work

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5:30 P.M. Local Time
Monday, September 28, 1981

at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which time said proposals shall be publicly opened and read aloud.

The proposed Contract Documents may be examined at the offices of the:

Architect
Frederick D. Marmak
Architects PC
3374 Genesee Street
Cheektowaga, New York 14225

Plan Room F. W. Dodge Inc.
5200 Main Street
Williamsville, New York 14221

Bona fide contract bidders may secure copies of the proposed Contract Documents from the Architect on the following basis:

1. One set of the Project Manual, including Specifications, plus one set of Drawings, upon payment of \$50.00 deposit, completely refundable if returned to the Architect within fifteen days after bid opening.
2. Additional copies of the Project Manual, including Specifications, plus additional sets of prints of the Drawings, upon payment of \$50.00 per set, non-refundable, if available.

3. No partial sets will be issued.
4. Non-bidders deposit shall be forfeited.

Bid security is the amount of 10% of the Base Bid will be required to accompany bids. The Owner reserves the right to reject any or all bids and to waive irregularity in bidding.

RICHARD M. MOLESKI
Town Clerk

Sw. of. September 24 day } 19 81.

Notary Public, Erie County, N.Y.

Yvonne Mentro

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 . . 10 . . . day of September 19 81 and the last insertion being on the . . . day of , 19 . . . , and not more than days intervened between any two publications thereof.

Yvonne Mentro

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

Item No. 13 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, the Town Engineer informed this Town Board that plans and specifications are ready for the "Construction of Drainage Improvements in the Town Park", NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is directed to publish a Notice to Bidders in connection with said construction of drainage improvements in the Town Park, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that this Town Board meet on the 28th day of September at 5:30 P.M., Local Time, for the purpose of receiving bids at which time they will be opened by the Town Board at a special 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 Roads, Cheektowaga, New York 14227 at 5:30 P.M., Local Time, on September 28, 1981 at which time and place they will be publicly opened and read aloud for the following work: "Construction of Drainage Improvements in the Town Park, Cheektowaga, New York".

The work to be accomplished under this proposal consists of the construction of two (2) reinforced concrete chambers, installation of approximately 170 linear feet of 60 inch reinforced concrete pipe and grading of the surrounding area.

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 \$25.00 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 (\$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%) 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.

Item No. 13 Cont'd.

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

* * * * *

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. Sediter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clara* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication..... *September 17, 1981* ;
last publication..... *September 17, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sediter
Sworn to before me this *18th*
day of *September* , 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*

**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 Roads, Cheektowaga, New York 14227 at 5:30 P.M., Local Time, on September 28, 1981 at which time and place they will be publicly opened and read aloud for the following work: "Construction of Drainage Improvements in the Town Park, Cheektowaga, New York"

The work to be accomplished under this proposal consists of the construction of two (2) reinforced concrete chambers, installation of approximately 170 linear feet of 60 inch reinforced concrete pipe and grading of the surrounding area.

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 \$25.00 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 (\$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%) 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

**PUBLISHED: September 17,
1981**

Item No. 14 Motion by Councilman Rogowski, seconded by Councilman Dux

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of sodium chloride (rock salt), cinders and calcium for road maintenance during the winter season; and snow fence, posts and tie wires, for use by the Cheektowaga Highway Department. Information for bidders and specifications, with bid sheets, may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., September 21, 1981 for the purpose of opening and reading the sealed bids.

* * * * *

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY given in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for the seasonal requirements before 7:00 P.M. on September 21, 1981: All sealed bids received will be publicly opened and read. Each sealed bid to be plainly marked "SEALED BID FOR SEASONAL REQUIREMENTS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

CINDERS	Washed, screened, grated 1/8" - 1/4" only. No clinkers or lumps acceptable. Delivery on a 24-hour basis.
SODIUM CHLORIDE (Rock Salt)	PRICE per ton in bulk at 3145 Union Road, Cheektowaga, New York. Delivery by truck F.O.B. and price per ton at Buffalo, New York and price per ton at Retsof, New York.
SNOW FENCE	Delivered to Cheektowaga Highway Department, also should be 48" high in 50 ft. rolls.
CALCIUM	Per 100 lb. bag, delivered to 3145 Union Road, Cheektowaga, New York.
6 foot TEE POSTS	To be used in erecting the 48" high snow fencing, to be delivered to Cheektowaga Highway Department, 3145 Union Road.
TIE WIRES	11"/14 gauge - to be used in conjunction with snow fences and posts.

The Superintendent of Highways reserves the right to reject any or all bids. All bids to be in accordance with the specifications and instructions to bidders, prepared by Alfred F. Wnek, Superintendent of Highways for the Town of Cheektowaga, New York.

All bids to be publicly opened and read at the time and place specified, i.e. Town Hall, Broadway and Union Roads, Cheektowaga, New York.

Bidders may attend the public opening thereof, if they so desire.

RICHARD M. MOLESKI, TOWN CLERK

DATED: August 31, 1981
PUBLISHED: September 10, 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. Richter of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clara* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication *September 10, 1981* ;
last publication *September 10, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Richter
Sworn to before me this *15th*
day of *September* , 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*

LEGAL NOTICE TO BIDDERS
NOTICE IS HEREBY given in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for the seasonal requirements before 7:00 P.M. on September 21, 1981; all sealed bids received will be publicly opened and read. Each sealed bid to be plainly marked "SEALED BID FOR SEASONAL REQUIREMENTS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

CINDERS: Washed, screened, graded 1/8"-1/4" only. No clinkers or lumps acceptable. Delivery on a 24 hour basis.

SODIUM CHLORIDE (Rock Salt): PRICE per ton in bulk at 3145 Union Rd., Cheektowaga, New York. Delivery by truck FOB and price per ton at Buffalo, New York and price per ton, at Retsof, New York.

CALCIUM: Per 100 lb. bag, delivered to 3145 Union Rd., Cheektowaga, New York.

SNOW FENCE: Delivered to Cheektowaga Highway Dept., also should be 48" high in 50 ft. rolls.

6 foot TEE POSTS: To be used in erecting the 48" high snow fencing, to be delivered to Cheektowaga Highway Dept., 3145 Union Rd.

TIE WIRES: 11"/14 gauge - to be used in conjunction with snow fences and posts.

The Superintendent of Highways reserves the right to reject any or all bids. All bids to be in accordance with the specifications and instructions to bidders, prepared by Alfred F. Wnek, Supt. of Highways for the Town of Cheektowaga, New York.

All bids to be publicly opened and read at the time and place specified, i.e. Town Hall, Broadway and Union Rds., Cheektowaga, New York.

Bidders may attend the public opening thereof, if they so desire.

RICHARD M. MOLESKI

Town Clerk

DATED: August 31, 1981

PUBLISHED: Sept. 10, 1981

Item No. 15 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on August 3, 1981 for snow plow blades, wing blades, cutting edges, wing and snow plow shoes, grader blades, receiver grates, frames, curb boxes for storm sewer receivers, extension rings for manholes, frames and covers for use in the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

RESOLVED, that the various bids be and hereby are awarded to the lowest responsible bidders meeting specifications as set forth on the tabulation sheet compiled by the Superintendent of Highways, a copy of which is attached hereto and made a part hereof.

*See next few pages for copy of tabulation and report.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: ~~XXXXXX~~
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

August 13, 1981

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

Re: Award of contract for snow plow blades, wing blades, cutting edges,
wing and front plow shoes, grader blades, receiver grates, etc.

Gentlemen:

On August 3, 1981, the Honorable Body received and opened publicly
bids for snow plow blades, wing blades, cutting edges, wing and snow plow
shoes, grader blades, receiver grates, frames, curb boxes, for storm sewers,
extension rings for manholes, frames and covers.

Attached hereto is complete recap of bidders and prices for each
item. After careful review of same, I recommend that the Honorable
Body award contracts to the lowest responsible bidder.

Jamestown Iron Works, Inc. was the only bidder for extension rings,
and covers.

I hope this will meet with your honorable approval. Thank you,
I remain,

Respectfully yours,
TOWN OF CHEEKTOWAGA


ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg

cc: James Kirisits - Town Atty.
Richard Moleski - Town Clerk
file

RECEIVED

Richard M. Moleski, Town Clerk

SEP 1 1981

A.M. P.M.
6/7/8/9/10/11/12/1/2/3/4/5/6

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

only 1 bidder

MANHOLE FRAMES		PER DOZEN	PER 1/2 DOZEN	PER UNIT
22"	GRAY IRON	\$ 835.00	\$ 462.00	\$ 80.00
23"	GRAY IRON	\$ 835.00	\$ 462.00	\$ 80.00
24"	GRAY IRON	\$ 835.00	\$ 462.00	\$ 80.00
25"	GRAY IRON	\$ 835.00	\$ 462.00	\$ 80.00
SANITARY SEWER COVER				
M-122-1-ST	GRAY IRON	No Quote	No Pattern	
RECEIVER BOXES				
Standard City of Buffalo Type	GRAY IRON	No Quote	No Pattern	
CURB BOXES				
Standard City of Buffalo Type	GRAY IRON	No Quote	No Pattern	
RECEIVER GRATES, FRAMES & CURB BOXES - WITHOUT FRAME				
24x1½ - Heavy Duty	GRAY IRON	\$ 840.00	\$ 423.00	\$ 70.50
12x12 - Heavy Duty	GRAY IRON	\$ 374.00	\$ 188.00	\$ 48.00
12x18 - Heavy Duty	GRAY IRON	\$ 726.00	\$ 382.00	\$ 70.50
13x18 - Heavy Duty	GRAY IRON	\$ 726.00	\$ 382.00	\$ 70.50
24x1½ - Heavy Duty	GRAY IRON	\$ 840.00	\$ 423.00	\$ 70.50
HALF RECEIVER - WITHOUT FRAME				
15x29 - Heavy Duty	GRAY IRON	\$ 948.00	\$ 480.00	\$ 88.00
18x18 - Heavy Duty	GRAY IRON	\$ 770.00	\$ 396.00	\$ 70.00
FULL RECEIVER ^{Grates} - WITHOUT FRAME				
22x29 - Heavy Duty	GRAY IRON	\$ 948.00	\$ 480.00	\$ 88.00
26x26 - Heavy Duty	GRAY IRON	\$ 894.00	\$ 472.00	\$ 82.00
24" Round-Heavy Duty	GRAY IRON	\$ 888.00	\$ 456.00	\$ 85.00
FRAMES FOR DARK SECTION - TOP SECTION				
18x18	GRAY IRON	No Quote	No Pattern	
24x24	GRAY IRON	No Quote	No Pattern	

SIGNED JAMESTOWN IRON WORKS, INC.
Company

July 28, 1981

Edwin P. Maher
President

BID FORM: The bidder will be held to the prices as quoted for the entire year - As per contract award.

EXTENSION RINGS FOR MANHOLES (Machined to Prevent Rocking)		PER DOZEN	PER 1/2 DOZEN	PER UNIT
22" dia. x 1"	GRAY IRON	\$ 829.44	\$ 427.68	\$ 75.60
22" dia. x 2"	GRAY IRON	\$ 829.44	\$ 427.68	\$ 75.60
22" dia. x 3"	GRAY IRON	\$ 873.50	\$ 444.96	\$ 75.60
22 1/2" dia. x 2	GRAY IRON	\$ 829.44	\$ 427.68	\$ 75.60
23" dia. x 1"	GRAY IRON	\$ 829.44	\$ 427.68	\$ 75.60
23" dia. x 1 1/2"	GRAY IRON	\$ 829.44	\$ 427.68	\$ 75.60
23" dia. x 2"	GRAY IRON	\$ 829.44	\$ 427.68	\$ 75.60
23" dia. x 3"	GRAY IRON	\$ 875.66	\$ 449.28	\$ 75.60
24" dia. x 1"	GRAY IRON	\$ 829.44	\$ 427.68	\$ 75.60
24" dia. x 1 1/2"	GRAY IRON	\$ 829.44	\$ 427.68	\$ 75.60
24" dia. x 2"	GRAY IRON	\$ 829.44	\$ 427.68	\$ 75.60
24" dia. x 3"	GRAY IRON	\$ 875.66	\$ 449.28	\$ 75.60
25" dia. x 1"	GRAY IRON	\$ 829.48	\$ 427.68	\$ 75.60
25" dia. x 1 1/2"	GRAY IRON	\$ 829.48	\$ 427.68	\$ 75.60
25" dia. x 2"	GRAY IRON	\$ 879.12	\$ 440.64	\$ 75.60
25" dia. x 3"	GRAY IRON	\$ 875.66	\$ 449.28	\$ 75.60
SEWER CASTINGS WITH COVERS				
22"	GRAY IRON	\$1,392.00	\$ 718.80	\$132.00
23"	GRAY IRON	\$1,392.00	\$ 718.80	\$132.00
24"	GRAY IRON	\$1,392.00	\$ 718.80	\$132.00
25"	GRAY IRON	\$1,392.00	\$ 718.80	\$132.00
MANHOLE COVERS WITHOUT CASTINGS				
22"	GRAY IRON	\$ 888.00	\$ 456.00	\$ 85.00
23"	GRAY IRON	\$ 888.00	\$ 456.00	\$ 85.00
24"	GRAY IRON	\$ 888.00	\$ 456.00	\$ 85.00
25"	GRAY IRON	\$ 888.00	\$ 456.00	\$ 85.00

SNOW PLOW BLADES, WING BLADES, CUTTING EDGES, WING AND
SHOES, GRADER BLADES, RECEIVER GRATES, RECEIVER FR
EXTENSION RINGS, AND FRAMES - COVERS FOR MANHOLES

RESOLUTION DATED SEPT. 8, 1981

from SE

	JAMESTOWN IRON WORKS INC. 909 Allen St. Falconer NY 7-665-2818 (cast Iron) \$23.60 each one piece	Walter Roberts Ent. Inc. 829 Sheridan Dr Ton. NY 14150 877 3551
<u>I. STEEL SHOES AND NOSES</u>		
One way Plow- FW3232-1A one piece 2"x10"x14" Frame shoe		
per dozen	Steel Alloy w/ Carbide insert \$174.80 each	414.72
PER 1/2 dozen		207.36
PER Unit	see above price	34.56
<u>FRINK WF3027-1A Mold Board Shoe</u>		
per dozen		193.56
per 1/2 dozen		96.78
per unit		16.13
<u>FRINK - 2184x3 Wing Shoe</u>		
per dozen		264.84
per 1/2 dozen		132.42
per unit	Cast iron \$21.25 each.	22.07
<u>FRINK 541-2 Nose Piece</u>		
per dozen		157.80
per 1/2 dozen		78.90
per unit		13.15
<u>II. FRONT PLOW BLADES - CARBIDE EDGES - 132"</u>		
per dozen		no bid
per 1/2 dozen		
per unit		
<u>III. CARBON SNOW PLOW BLADES</u>		
5/8"x6" ---per foot		(Prices till 11/1/ square holes square ends 4.05
5/8"x8" ---per foot		5.40
<u>IV. Special hardened snow plow blades</u>		
1"x2" ---per foot		no bid
3/4"x8" per foot		
<u>V. SPECIAL HARDENED GRADER BLADES</u>		
5/8" to 7/8" x8" -- per foot		no bid
extra edge (or equal)		
per foot		

Sept. 8, 1981 thru Sept. 7, 1982

	JAMESTOWN IRON WORKS	ROBERTS EQUIP.	PAPER CALMENSON	REV
VI. <u>HEAT TREATED THRU-HARDENED GRADER BLADES</u>				
3/4" x 8" -- per foot		NO BID	11.20	
VII. <u>RUBBER SNOW PLOW BLADES</u>		prices based on 500 lbs.		
(cut and slotted to Cheektowaga current design specs.)		6 lbs. per ft.		
1 1/2" x 8" -- per foot		\$12.99	17.91	13
1 1/2" x 10" -- per foot		7.5 lbs. per ft. \$14.88	20.03	13

ALL CUTTING EDGES SHALL BE SHERED, MITERED, AND PUNCHED (HOLE TYPE, SIZE SPACING)
to conform with current Cheektowaga Highway dept. design.

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 Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) tractor with loader and back-hoe 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) tractor with loader and back-hoe be awarded to Buffalo Tractor and Implement Company, Inc., 3045 Seneca Street, West Seneca, New York 14224 for their bid in the amount of \$28,632 for the 1981 Ford 555 Tractor with loader and back-hoe, said bid being the lowest bid meeting the requirements of the specifications and being the vehicle of the best value.

*See next two (2) 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
716-686-3448

August 26, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid Award
Tractor with Loader
and Back-Hoe

Gentlemen:

At the Regular Town Board Meeting on August 17, 1981, bids were received and opened for the furnishing of one (1) tractor with loader and back-hoe for emergency sewer repairs by the Sanitary Sewer Maintenance Department. Four (4) bidders submitted bids as follows:

BIDDER	ITEM I 1981 NEW	ITEM IA 1980 NEW
Buffalo Tractor & Implement Company, Inc.	\$28,632.00	--
Case Power & Equipment	\$30,640.00	\$27,480.00
Mecca-Kendall Corporation	\$29,689.00	\$26,699.00
Nuttall Equipment Corp.	\$33,200.00	--

The bids and each proposal were reviewed by Jim Burst of Sewer Maintenance and George Burst of the Central Garage. It is, therefore, recommended that the bid for the 1981 tractor with loader and back-hoe be awarded to Buffalo Tractor and Implement Company, Inc., 3045 Seneca Street, West Seneca, New York 14224 for their submission of the lowest bid for a 1981 model meeting the requirements of the specifications.

TO THE SUPERVISOR AND
TOWN BOARD MEMBERS

August 26, 1981
Page 2

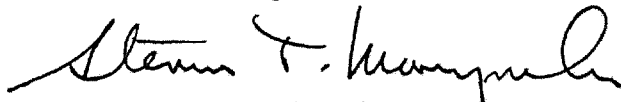
We had anticipated a greater price difference between a 1981 and a 1980 new tractor for possible purchase but the best value appears to be the new 1981 Ford Model 555. We considered availability of parts and service and past experience with the low bidder.

We also contacted various heavy equipment contractors in the area who use this type of equipment and their recommendations were all toward the Ford Model versus the John Deere Model based on strength, service, reliability and operation.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer



BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dms

Item No. 16 Cont'd.

Upon Roll Call....

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

Item No. 17 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga has received a Grant Award from the Heritage Conservation and Recreation Service, Contract #36-00849 for "Improvements to Town Park", AND

WHEREAS, the Town Board has duly advertised an Invitation to Bidders for said Improvements on July 20, 1981 and publicly opened sealed proposals on August 17, 1981, AND

WHEREAS, Frederick Marzak, Architects P.C., 3374 Genesee Street, Cheektowaga, New York has reviewed said bid proposals for compliance under the terms of the Project Manual, Specifications and Drawings, NOW, THEREFORE, BE IT

RESOLVED, that the following contracts for "Improvements to Town Park" are hereby awarded to the listed firms as being the most responsible bidders in compliance with the terms of said project:

Contract #1. Asphaltic, Contrete, Paving, Tennis Court and Tennis Court Fencing Work @ \$131,750.00

McClendon Blacktop Company
3214 Haseley Drive
M.P.O. Box 744, Niagara Falls, NY 14302

Contract #2. Reconstruction of Baseball Diamond and Site Development of Wildy Recreation Corridor @ \$65,000.00

Lawnscape Construction Company, Inc.
336 Casey Road, East Amherst, NY 14051

Contract #3. Plumbing - Installation of Drinking Fountains and Related Work @ \$14,549.00

Rudy Slazyk
, Buffalo, NY 14206

BE IT FURTHER RESOLVED, that the Cheektowaga Town Board hereby authorizes the Supervisor to sign pertinent contract documents awarded to the listed Contractors pending receipt and review for contractual compliance by the Town Attorney's Office.

Upon Roll Call....

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

Item No. 18 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga has received bid proposals on August 17, 1981 for Tennis Court Lighting, Contract #4, for the Improvements to Cheektowaga Town Park, AND

WHEREAS, the Town Board has re-evaluated its position to install said Tennis Court Lighting due to Citizen opposition, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby rejects said bid proposals as submitted under Contract #4, Tennis Court Lighting, Improvements to Cheektowaga Town Park.

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 Dux, seconded by Councilman Rogowski

WHEREAS, this board has approved a bond issue to purchase four (4) refuse packers and other equipment to provide garbage and refuse collection service in the district for the Sanitation Department dated March 16, 1981, AND

WHEREAS, the Sanitation Department desires to purchase one (1) winch wrecker to be mounted on an existing dempster chassis to improve the service to its packer fleet, AND

WHEREAS, funds remain in the bond issue for the purchase of said equipment, AND

WHEREAS, said purchase is within the scope of the bond issue, AND

WHEREAS, the Town's Central Garage has the capability to mount said winch wrecker on an existing dempster chassis, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of one (1) winch wrecker for the Sanitation Department, notice to be published September 10, 1981 in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that the Town Board meet on the 21st day of September, 1981 at 7:00 P.M., Eastern Daylight Saving Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York for the purpose of receiving sealed bids at which time they will be 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 September 21, 1981 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Roads, for the furnishing of one (1) winch wrecker to be mounted on an existing chassis by the Town's Central Garage for the Sanitation Department.

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

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

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: September 9, 1981

* * * * *

Item No. 19 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski

NAYES: 0

ABSENT: 0

AFFIDAVIT-NEXT PAGE

No. 21

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

Gladys M. Heston, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clark* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication *September 19, 1981* ;
last publication *September 10, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Heston

Sworn to before me this *15th*

day of *September*, 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 TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on September 21, 1981 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Roads, for the furnishing of one (1) winch wrecker to be mounted on an existing chassis by the Town's Central Garage for the Sanitation Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 9, 1981

PUBLISHED: September 10, 1981

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

WHEREAS, favorable bid proposals for "Improvements to Cheektowaga Town Park" have been received and awarded, AND

WHEREAS, said improvements are jointly funded through Heritage Conservation and Recreation Service Contract #36-00849 and the Town of Cheektowaga, AND

WHEREAS, Facilities Director, James J. Matecki has been informed by the New York State Parks and Recreation Service that said balance of funds can be utilized for additional improvements subject to the terms of Contract #36-00849, AND

WHEREAS, said improvements are subject to approval by the New York State Parks and Recreation Service, in the form of Plans, Specifications and Architect cost estimates prior to competitive bidding, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby retains Frederick Marzak, Architects P.C., 3374 Genesee Street, Cheektowaga, New York 14225, to prepare the required Plans, Specifications and Cost Estimates for additional "Improvements to Cheektowaga Town Park", and BE IT FURTHER

RESOLVED, that said Architectural Fees shall not exceed nine percent of the construction cost estimates for Phase II, "Improvements to Cheektowaga Town Park", and BE IT FURTHER

RESOLVED, that funds for said action are available from the H.C.R.S. Contract #36-00849 and the Town of Cheektowaga "Improvements to Cheektowaga Town Park" Bond.

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 Joseph G. Sacco, Esq., Attorney at Law, with offices located at 22 Victoria Boulevard, Kenmore, New York 14214, be and is hereby retained to represent the Town of Cheektowaga in any and all pending assessment review proceedings brought against the Town in the year 1981, and BE IT FURTHER

RESOLVED that his reasonable fees and expenses be paid by the Town, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Joseph G. Sacco, Esq.

Upon Roll Call....

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

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

WHEREAS, the firm of Reiman & Georger, Inc., 1849 Harlem Road, has requested that the Town convey to it a certain parcel of land, the description of which is annexed hereto, which was made surplus by the State's reconstruction of Harlem Road, and

WHEREAS, except for a 24" sanitary sewer and any highway right-of-way the Town may have, said parcel has been determined to be of no value or use to the Town, and

Item No. 22 Cont'd.

WHEREAS, Reiman & Georger, Inc. has agreed to relocate said sanitary sewer at its own expense, and

WHEREAS, such a conveyance is permitted by Sections 29(11) and 64(2) of the Town Law and is subject to a permissive referendum, and

WHEREAS, such a conveyance will place said property upon the Town tax rolls, NOW, THEREFORE, BE IT

RESOLVED that upon the completion of the relocation of said sanitary sewer said parcel be conveyed to Reiman & Georger, Inc., reserving to the Town any highway right-of-way it may have on the premises.

*See next two (2) pages for description of property and affidavit of publication.

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, described as follows:-

Beginning at the point of intersection of the center line of Harlem Road with the northerly line of lands owned by the New York, Lackawanna & Western Railroad (D. L. & W. R. R. Co. lessee): running thence easterly along the northerly line of the aforementioned railroad company lands, one hundred fifteen and two hundredths (115.02) feet: thence northerly in a straight line five hundred seventy-eight and fifty-two hundredths (578.52) feet to a point which is distant easterly seventy-six (76) feet measured at right angles from the center line of Harlem Road: thence northerly on a line making an angle of 45° with the center line of Harlem Road, sixty and eighty-one hundredths (60.81) feet to a point in the easterly line of Harlem Road: thence westerly at right angles to the center line of Harlem Road, thirty-three (33) feet and thence southerly along the center line of Harlem Road, six hundred fifty-six and thirty-nine hundredths (656.39) feet to the place of beginning.

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

Gladys M. Seichter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication..... *September 17, 1981* ;
last publication..... *September 17, 1981* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Seichter
Sworn to before me this *18th*
day of *September*, 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*

**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 9th day of September, 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 Supervisor Meyers
Seconded by Councilman Swiatek

WHEREAS, the firm of Reiman & Georger, Inc., 1849 Harlem Road, has requested that the Town convey to it a certain parcel of land, the description of which is annexed hereto, which was made surplus by the State's reconstruction of Harlem Road, and

WHEREAS, except for a 24" sanitary sewer and any highway right-of-way the Town may have, said parcel has been determined to be of no value or use to the Town, and

WHEREAS, Reiman & Georger, Inc. has agreed to relocate said sanitary sewer at its own expense, and

WHEREAS, such a conveyance is permitted by Sections 29(11) and 64(2) of the Town Law and is subject to a permissive referendum, and

WHEREAS, such a conveyance will place said property upon the Town tax rolls, NOW, THEREFORE, BE IT

RESOLVED that upon the completion of the relocation of said sanitary sewer said parcel ~~be conveyed to Reiman & Georger, Inc.~~ southerly along the center line of Harlem Road, six hundred fifty-six and thirty-nine hundredths (656.39) feet to the place of beginning.

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

PUBLISHED: Sept. 17, 1981

Item No. 22 Cont'd.

Upon Roll Call.....

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

Item No. 23A Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, the consulting engineering firm of Nussbaumer & Clarke, Inc. has submitted three (3) Change Orders on the Cedargrove Heights, Stage I, Phase II Project, and recommend their approval, AND

WHEREAS, Change Orders #1, #2 and #3 on said project as a total addition of \$15,023.00 to the contract with DiPizio Construction Co., Inc. 999 Borden Road, Depew, New York 14043, is described in a letter from the Town Engineer dated September 3, 1981, AND

WHEREAS, a complete description of work performed, material and cost of each Change Order is detailed and on file in the Town Clerk's Office, NOW, THEREFORE, BE IT

RESOLVED that this Town Board approves the payment of Change Orders #1, #2 and #3 in the total amount of \$15,023.00, and BE IT FURTHER

RESOLVED that the Supervisor be authorized to sign the three (3) Change Orders on behalf of this Town Board.

*See next two (2) pages for copy of letter.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.

TOWN ENGINEER

716-686-3447

September 3, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Orders, Cedargrove Heights
Stage I, Phase II Project

Gentlemen:

Attached for your consideration is a resolution approving the payment of a total of \$15,023.00 for three (3) Change Orders to DiPizio Construction Co., Inc., for additional work performed on the above subject project. The additional work, reason, material and labor costs are defined in each Change Order.

Change Order No. 1 - Add \$5,000.00

This change was required to relocate six inch (6") and eight inch (8") water lines to a greater depth at Trent Square and Cedargrove Circle to accomodate the new storm drains and to prevent future water line breaks. The cost of the total Change Order was \$10,562.86 but the Town is required to pay the amount of \$5,000.00 based on a pre-construction agreement between the contractor and field engineer.

Change Order No. 2 - Add \$3,399.00

Existing pavement in the area of Trent Square and Shelby Drive was in poor condition and ordered replaced by the field engineer at unit bid prices.

Change Order No. 3 - Add \$6,624.00

This is the final Change Order to balance the increases and decreases per the unit bid prices of the contract. Additional pavement, corrugated steel pipe, concrete gutter, aprons and a decrease in sidewalks was necessary to complete the project.

Supervisor and
Honorable Town Board Members

September 3, 1981

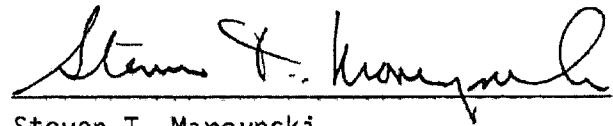
The breakdown of material and labor costs of each Change Order
is on file in the Town Clerk's Office.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

By:



Steven T. Marcynski,
Senior Engineer Assistant

CLB:STM:mjh

Item No. 23A Cont'd.

Upon Roll Call....

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

Item No. 23B Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the consulting engineering firm of Nussbaumer & Clarke, Inc. has submitted Change Order No. 6 for the Buffalo Sewer Authority Connection of the Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program and recommend its approval, AND

WHEREAS, this Change Order reflects the as-built increases and decreases of each item in the contract as noted in final field measurements, AND

WHEREAS, all the measurements and cost data of Change Order No. 6 are on file in the Town Clerk's Office, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 6 for the Buffalo Sewer Authority Connection, Contract No. 4, of the Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program in the amount of \$28,743.00 as a reduction to the contract with Amadori Construction Company, Inc., 65 Jackson Street, Lackawanna, New York 14218 be approved, and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga Sewer District No. 5.

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 Wegner

WHEREAS, the consulting engineering firm of Nussbaumer & Clarke, Inc. has submitted three (3) Change Orders on the Cheektowaga Sanitary Sewer District No. 5 Sewer System Rehabilitation Project, Contract #1, Phase I, under E.P.A. Contract No. C-36-323-04, and recommend their approval, AND

WHEREAS, Change Orders #1, #2 and #3 on said project as a total addition of \$14,162.00 to the contract with M.C. Morgan Contractors, Inc., 3690 Sheridan Drive, Amherst, New York 14226 is described in a letter from the Town Engineer dated September 3, 1981, AND

WHEREAS, a complete description of work performed, material and cost of each Change Order is detailed and on file in the Town Clerk's Office, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board approves the payment of Change Orders #1, #2 and #3 in the total amount of \$14,162.00, and BE IT FURTHER

RESOLVED, that the Supervisor be authorized to sign the three (3) Change Orders on behalf of this Town Board.

*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

September 3, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Orders, Cheektowaga
Sanitary Sewer District #5
Rehabilitation Project

Gentlemen:

Attached for your consideration is a resolution approving the payment of a total of \$14,162.00 for three (3) Change Orders to M.C. Morgan Contractors Inc. for additional work performed on the above subject project.

The three (3) Change Orders are basically the same. Additional work beyond the contract was evident on opening the trench and replacing the pipe until a satisfactory joint was established in order to enable a proper connection between the original and the new pipe.

The repairs at 46 different locations are listed as follows:

Change Order #1 - 18 repairs were extended for a total cost of \$4,990.00 with our cost at \$1,247.00.

Change Order #2 - 16 repairs at a total cost of \$4,555.00 with our cost at \$1,139.00.

Change Order #3 - 11 repairs at a total cost of \$4,617.00 with our cost at \$1,154.00.

Our total cost of the three (3) Change Orders is \$4,540.00 with the balance of \$10,622 eligible for E.P.A. funding. Each repair is supported by a field directive approved by the Town Engineer, showing location, material used and costs at contract unit prices and is on file in the Engineering Department and the Town Clerk's Office.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan
Chester L. Bryan, P.E.
Town Engineer

CLB:dms

Item No. 23C Cont'd.

Upon Roll Call....

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

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

WHEREAS, the State of New York ordered the Town of Cheektowaga, by letter dated August 26, 1971, to cease overflows of untreated sewage to the Buffalo River from Plant #3 at Harlem Road, AND

WHEREAS, in 1972, in accordance with regional planning, as defined by the State of New York, the Town entered into a contract with Erie County for transmission of District #3 sewage to the Buffalo Sewer Authority's Bird Island Plant for treatment, AND

WHEREAS, in November 1978, the Town rerouted District #3 sewage to the Erie County District #4 interceptor for transmission to Buffalo, and in August 1979 completed demolition of Plant #3, AND

WHEREAS, in accordance with NYSDEC and USEPA regulations, and as stipulated by its contract with Erie County, the Town did conduct an Infiltration/Inflow Analysis and a Sewer System Evaluation Survey in Sewer District #3 to locate sources of extraneous flow to the sanitary sewer system for eventual removal, AND

WHEREAS, during said work certain structural problems in the sanitary sewer system were identified, correction of such problems has been determined to be eligible for Federal funding along with correction of certain sources of infiltration/inflow, AND

WHEREAS, the original report on the above projects was filed with the NYSDEC in 1976, and has not been approved by that agency, AND

WHEREAS, the Town has expended considerable funds to comply with NYSDEC and USEPA regulations in anticipation of Federal aid for design and construction costs associated with sewer rehabilitation in District #3, AND

WHEREAS, to date, Federal funding for Sewer District #3 has been administered by the Erie County Department of Environment and Planning through Grant No. C-36-390-01 to that agency, AND

WHEREAS, to facilitate funding for District #3, this board deems it necessary to pursue Federal grants independent from the Erie County Department of Environment and Planning and other agencies, AND

WHEREAS, a Step II design grant application for design of sewer rehabilitation in District #3 has been filed with the NYSDEC and is scheduled for approval by that agency in September 1981, AND

WHEREAS, according to new fiscal policies of the Reagan administration, pending Federal legislation, and proposed revisions of USEPA regulations, Step III sewer rehabilitation may not be eligible for Federal funding beginning in fiscal year 1982, NOW, THEREFORE, BE IT

RESOLVED, that the U.S. Congress be and are hereby memorialized to set aside 1981 fiscal funds for Step II sewer rehabilitation to insure completion of the sewer rehabilitation project in Cheektowaga Sewer District #3, and BE IT FURTHER

RESOLVED, that NYSDEC be memorialized to give the Step II and Step III Sewer Rehabilitation in Cheektowaga Sewer District #3 high priority, thereby reserving funds for completion of the project, and BE IT FURTHER

RESOLVED, that certified copies of this resolution be forwarded to Congressmen Jack Kemp, John LaFalce and Henry Nowak, Senators Daniel P. Moynihan and Alfonse D'Amato, State Senator Dale M. Volker, State Assemblyman Dennis T. Gorski, Robert F. Flacke, Commissioner, NYSDEC, and to the Governor of the State of New York, Hugh L. Carey.

Item No. 24 Cont'd.

Upon Roll Call.....

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

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

RESOLVED that the Supervisor is hereby authorized to execute the attached agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said agreement representing the 1981-1982 contract between both parties.

*See next fifty-three (53) pages for copy of agreement.

A G R E E M E N T

BETWEEN

THE TOWN OF CHEEKTOWAGA

and

THE TOWN OF CHEEKTOWAGA

EMPLOYEES' ASSOCIATION

January 1, 1981

to

December 31, 1982.

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A G R E E M E N T

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND THE

TOWN OF CHEEKTOWAGA EMPLOYEES' ASSOCIATION

THIS AGREEMENT IS MADE THIS 8TH DAY OF SEPTEMBER, 1981, 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 EMPLOYEES' ASSOCIATION, HEREINAFTER REFERRED TO AS THE "UNION", 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 1

RECOGNITION

The Board recognizes the Union 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 all the Employees of the Town of Cheektowaga including dog wardens, except elected officials, members of the Police Department, Supervisor's Secretary, the Town Attorney, Clerks to the Town Justices, Town Engineer, Fiscal Officer, Health Officers, Executive Director of the Youth Board, the Assessors, First Deputy Town Clerk, Second Deputy Town Clerk, Deputy Receiver of Taxes and Assessments, Youth Board Program Coordinator, Senior Recreation Supervisor, Director of Personal Services, Working Foremen and Assistant Working Foremen, Building and Plumbing Inspector, members of the Boards and Commissions appointed by the Town Board, seasonal, temporary and part-time employees.

ARTICLE 3

UNION SECURITY

SECTION 3.01 - Union Membership

(a) Each employee who on the effective date of this agreement, or who thereafter is a member of the union and files a dues deduction authorization, shall have dues deducted from their paychecks.

(b) Any employee who is not a member of the union, shall pay an agency fee to the union equal to the dues deduction. Such agency fee shall be deducted and transmitted to the union in the same manner as dues."

SECTION 3.02 - Payroll Deduction of Union Dues

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

(b) The Board agrees to deduct Union membership dues in

accordance with the amount certified by the Union 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 Union Dues provided by the Union from the pay of all employees who have executed such authorization for payroll deduction of Union Dues.

(c) Payroll deduction of Union dues under the properly executed Authorization for Payroll Deduction of Union dues form shall become effective at the time the form is signed by the employee and shall be deducted by the next full pay period and each period 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 Union together with a list from whom dues have been deducted on or before the tenth (10th) of every such month.

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

(f) The Union agrees to indemnify and hold harmless the Town for all deductions made pursuant to this section.

SECTION 3.03 - Bulletin Boards

The Town Board shall install bulletin boards with lock and keys given to the Union President at the following work locations: The Highway Department, Sanitation Department, Sewer Department, Building Maintenance Office, Incinerator, Disposal Plants No. 3 and No. 5, Town Hall and Police Building and the Cheektowaga Recreation Center. Said bulletin boards shall be for the exclusive use of the Union and for the purpose of posting seniority lists and job opportunities. The size of the said bulletin boards shall be twenty-four (24") inches by thirty-six (36") inches.

SECTION 3.04 - Access to Premises

The Board agrees to permit bargaining representatives of the Union

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. All non-bargaining representatives of the Union must receive prior approval from the Town Supervisor before entering the premises of the board.

SECTION 3.05 - Aid to Other Unions

The Board agrees 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 Union 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 - Regular Hours

The regular hours of work each day shall be consecutive, except for interruptions for lunch periods.

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All employees covered by this agreement shall be required to either sign a time sheet or use a time clock at the beginning of the shift and conclusion thereof, and at the beginning and end of each lunch break. Time clocks will not be implemented until the Town provides appropriate facilities for lunch in all departments.

SECTION 5.02 - Work Week

(a) The normal work week shall consist of five (5) consecutive eight (8) hour days, Monday through Friday, inclusive, except where otherwise provided in this agreement.

(b) Office employees in the Town Hall shall continue under the present system which is from Monday through Friday, 9:00 A.M. to 4:30 P.M. and a Saturday assignment schedule on a rotating basis, 9:00 A.M. to 12:00 Noon, except that no employee shall be required to work on Saturdays during the months of June, July and August.

(c) Should any Department Head desire to initiate a different work week schedule for certain employees, the matter shall be negotiated with the Union.

(d) The regular starting time for employees in the Refuse Pickup Department shall be 6:00 A.M. during the months of June through September and 6:30 A.M. during the months of October through May, but said employees shall continue to work under the incentive system which permits their shifts to end upon the completion of their assigned routes or districts. All employees in such department shall personally sign a time sheet at the beginning of the shift and conclusion thereof.

(e) No overtime shall be paid to the Refuse Pickup employees until after 2:00 P.M.

SECTION 5.03 - Work Shift

Eight (8) consecutive hours of work, including lunch periods shall

constitute a work shift, except for employees in Refuse Pickup. All other employees shall be scheduled to work on a regular work shift, and each work shift shall have a regular starting and quitting time.

SECTION 5.04 - Work Day

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

SECTION 5.05 - Work Schedule

(a) Work schedules showing the employees' work shifts, work days and hours shall be posted on all Departments' bulletin boards at all times.

(b) Except for emergency conditions, work schedules shall not be changed unless the changes are mutually agreed upon by the Union and the Board.

SECTION 5.06 - Work Records

A daily record of time worked shall be made available to each employee upon request.

SECTION 5.07 - Rest Periods

(a) All employees' work schedules shall provide for a fifteen (15) minute rest period each one-half (1/2) shift. Generally, the Town shall attempt to schedule rest periods at the midpoint of each one-half (1/2) shift.

(b) Employees required to work beyond their regular quitting time into next shift shall receive a fifteen (15) minute rest period before they start to work on the next shift. In addition they shall be granted the regular rest period that occurs during this shift.

(c) It is understood that rest periods shall be scheduled so as not to unduly interfere with the work to be performed.

SECTION 5.08 - Cleanup Time

All employees shall be granted a ten (10) minute cleanup period prior to the end of the regular work shift.

SECTION 5.09 - Inclement Weather

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.

If the employee, after having made every reasonable effort to report for work is unable to do so, he will have the option of using sick or personal day. If he has no accrued sick or personal days, he shall be permitted to use a vacation day.

SECTION 5.10 - Lunch Periods

All employees covered by this agreement, shall have a paid lunch period of at least one-half (1/2) hour, except clerical employees who shall have one (1) hour paid lunch period.

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	New Year's Eve

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

(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 employee 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, sick leave or being paid workmen's compensation benefits, in which case an additional day off shall be granted.

(b) The employee worked his last scheduled work day prior to the holiday and the day after the holiday.

(c) The employee must have actually worked five (5) days during the month in which the holiday occurred in order to be eligible for a paid holiday as set forth in this Article.

SECTION 6.03 - Holiday Pay

(a) All employees 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 employees 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 employee works on any of the holidays listed in Article 6, Section 6.01, or on any other day when the Town Hall is closed by resolution of the Town Board, he shall be paid one and one-half (1½) times his regular rate of pay in addition to his regular rate of pay for the day.

SECTION 6.05 - Holiday Hours for Overtime Purposes

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

SECTION 6.06 - Special Observances

Employees required to work on Easter Sunday or Yom Kippur, shall be permitted to attend religious services not to exceed two (2) hours without loss of time or pay.

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 1st, or later than January 31st of the year in which the vacation is to be taken. Department Heads shall post the vacation schedule not later than February 15th of the year the vacation is to be taken. If the nature of the 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. If practicable, employees in the Sanitation Department should schedule vacations during July or August. Vacation days may be taken in 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) Vacation periods shall be taken each year. Employees who do not request a vacation period by the end of the bidding period following the year in which the vacation was earned shall be scheduled for a vacation by the Department Head. However, the vacation shall be scheduled within the balance of the months remaining in the employee's work year.

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

SECTION 7.02 - Vacation Schedule

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

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

Section 7.03 - Vacation Credits, upon Lay-Off, Separation or Death

All employees 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. The pro-rata payment of vacation shall be

determined by dividing twelve (12) into the number of vacation days earned the previous year then multiplying by the number of months since the end of the previous year. In the event of the death of an employee, such payment shall be made to his estate.

SECTION 7.04 - Vacation Carryover

Vacation carryover means carrying unused vacation entitlement from one year to the next consecutive year. The department head may allow vacation carryover in the specific instances which follow:

- (a) "Any employee entitled to vacation benefits who may become ill or incapacitated prior to the taking of such vacation requesting carryover privileges provided that such illness or accident is medically verified by the attending physician specifying the nature and date of the disability.
- (b) An employee being injured in the discharge of his duties.
- (c) The decision of the department head of granting or denying such carryover is not subject to the grievance procedure."

SECTION 7.05 - Vacation Credits Upon Retirement

Each employee shall be paid, at the time of his retirement, monetary value of any unused vacation time and overtime standing to his credit, on the date of the retirement. In the event of death, the value of such time, standing to his credit, will be paid to the estate or his heirs at law.

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 Workmen's Compensation benefits according to the Law, and, in addition, 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 Accrual

(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 sixty-two (262) 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.); however, such payment shall not exceed fifteen (15) days, and must be repaid to the Town upon return to service.

(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 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 Department Head 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.

(g) Employees believed to be abusing sick leave privileges may be required to submit a medical certificate in substantiation of each absence due to claimed illness regardless of duration. This requirement will not be invoked without the Town Supervisor first advising the employee of his questionable sick leave record and giving him an opportunity to improve. If there is no improvement, the

employee will be warned in writing by the Town Supervisor that all future sick leave must be supported by medical certificates, and failure to improve or to provide a certificate may be grounds for discipline. This requirement will be periodically reviewed with the employee, at least once in each ninety (90) day period and a determination will be made if this requirement is to continue.

SECTION 8.03 - Unused Sick Leave to Cash Upon Retirement

(a) Employees who retire shall be compensated for all accumulated sick leave at the time of retirement pursuant to the following schedule:

262 days accumulated sick leave	\$1,572
222 days accumulated sick leave	1,332
182 days accumulated sick leave	1,092
142 days accumulated sick leave	852
102 days accumulated sick leave	612
62 days accumulated sick leave	372

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) Employees who retire after January 1, 1982 shall be compensated for accumulated sick leave at the time of retirement on the basis of one (1) full days pay for every (5) days of accumulated sick leave.

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 absence, 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 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 for a period of no longer than six (6) months may be granted at the discretion of the Town Board. Seniority and benefits shall not accrue during leave of absence granted for engaging in self employment.

(f) The granting or denying of a leave of absence is in the sole

discretion of the Town Board. Their decision is final and binding on all parties and is not reviewable through the grievance procedure.

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-law, 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, Departments shall post on all department bulletin boards a list of employees and the number of unused personal leave days they have to their credit. Employees who have unused personal leave days 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 must notify his department head when he is given notice by the Commissioner of Jurors to report for jury duty. Employees who 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 guaranteed such benefits in full accordance with the law.

SECTION 10.06 - Union Leave

A maximum of four (4) members of the Union elected to attend a function of the International Union or other subordinate bodies such as conventions or educational conferences or the like, shall be allowed time off without loss of pay, not to exceed an aggregate of thirty (30) days in any one (1) calendar year, provided that said request shall be made in writing at least two (2) weeks prior to the requested time off.

ARTICLE 11

UNPAID LEAVES

SECTION 11.01 - Union Business

(a) Employees elected to any Union office or selected by the Union to do work which takes them from their employment with the Board, shall at the written request of the Union, be granted a leave of absence without pay. The leave of absence shall not exceed one (1) year, but it may be renewed or extended for a similar period at any time upon request of the Union.

(b) Members of the Union selected by the Union to participate in any other Union activity may be granted an unpaid leave of absence at the request of the Union. A leave of absence for such Union activity shall not exceed one (1) month, but it may be renewed or extended for a similar period of time upon the request of the Union.

SECTION 11.02 - 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 is offered a job on a permanent transfer, so long as said employment is with the Town of Cheektowaga.

SECTION 11.03 - Education

(a) After completing one (1) year of service, any employee, upon request, shall be granted a leave of absence for educational purposes. The period of the leave of absence shall not exceed one (1) year, but it may be extended or renewed at the request of the employee. .

(b) One (1) year leave of absence (with any granted extension) for educational purposes shall not be provided more than once every three (3) years.

(c) Employees shall be granted leaves of absence for educational purposes, not to exceed one (1) month in any calendar year, to attend conferences, seminars, briefing sessions, or other functions of a similar nature that are intended to improve or upgrade the individual's skill or professional ability.

SECTION 11.04 - Maternity Leave

Any employee who is disabled because of pregnancy shall be permitted to have maternity leave. Maternity leave shall commence on the date an employee is incapable of performing her duties and shall terminate on the date the employee is capable of returning to her regular duties, as determined by her doctor. During such maternity leave the employee may utilize accumulated sick leave, personal and/or vacation. In addition, the employee may have blue cross and blue shield premiums paid by the Town during such maternity leave.

ARTICLE 12

RETIREMENT PLAN

(a) The Board will provide for each employee covered by this agreement, coverage under the New York State Career 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 employees.

(b) All employees must give the Town copies of requests for retirement which are submitted to the New York State Retirement System.

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 Two Hundred Fifty Thousand (\$250,000) Dollar Major Medical rider (\$50 deductible).

(b) Upon reasonable advance written application or notice to the Personnel Department, employees may continue health insurance coverage in the Town of Cheektowaga Health Insurance Plan while on authorized leave of absence without pay (excluding leave because of extended illness pursuant to provisions of current agreement) provided that the employee makes full payment of the monthly premium on or before the 1st day of each month that the employee is on leave.

(c) The Town may select a different carrier so long as the benefits are substantially the same and said question of substantially equal payment are agreed to by the Union. If the Union does not agree then the issue shall be submitted to a mutual arbitrator at the last step of the grievance procedure.

(d) Health Insurance upon retirement.

(i) The Town shall provide health insurance coverage for employees who retire after August 17, 1981 at no cost to the employee. The coverage shall be the same as provided to the current employees except that all retirees must reduce such coverage to complimentary coverage at the age of sixty-five (65) as provided with our current health insurance carrier. Such coverage shall extend for the life of the employee.

(ii) Included in this contract all members of the Town of Cheektowaga

Employees Association who have retired between January 1, 1981 and August 17, 1981, shall have their coverage paid in full commencing September 1, 1981, provided the retiree has elected at the time of retirement to be a participant in our health insurance plan. The coverage shall be the same as provided in (i) above.

(e) Beginning January 1, 1982, the Town will provide, without cost to the employee, 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.

ARTICLE 15

WAGES

SECTION 15.01 - Wage Schedule

(a) The wage schedule for all employees by this agreement shall be set forth in Appendix "A", "B", "C" and "D" of this agreement and shall be the only method by which wages and salaries shall be paid.

(b) Employees entitled to a wage or a salary increment shall receive such increment upon their completing of the required amount of service from their original date of hire, on the pay day immediately after such anniversary date.

(c) All new employees, part time, seasonal and temporary employees shall start at the lowest step of the salary schedule for that job classification.

SECTION 15.02 - Longevity Service Pay

All employees shall, upon their anniversary date of completion of seven (7) years of service, receive One Hundred (\$100) Dollars a year in addition to their regular pay; upon completion of twelve (12) years of service, an additional One Hundred Fifty (\$150) Dollars a year; and upon completion of sixteen (16) years of service, an additional Two Hundred

Fifty (\$250) Dollars a year. Such amounts shall be paid to the employee on the final pay day of the month such anniversary occurs.

SECTION 15.03 - Rates for New Jobs

Whenever a new position not listed as a job title in this Agreement, the Board will furnish the Union with the new job description and will confer and negotiate with the Union, the basic salary.

SECTION 15.04 - 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 preceding day shall be pay day.

SECTION 15.05 - Shift Differentials

In addition to the established wage rates, there shall be a shift differential as follows:

(i) All employees working the second shift shall be reimbursed an additional Twenty-five (\$.25) cents per hour.

(ii) Effective January 1, 1981, all employees working the third shift shall be reimbursed an additional Thirty (\$.30) cents per hour and effective January 1, 1982 this reimbursement shall be increased to thirty-five (\$.35) cents for third shift employees.

Any employee who is assigned to work as a tree trimmer and his job requires him to work in the Aerial Truck shall be paid a salary differential of Thirty-five (\$.35) cents per hour for all hours actually worked in the Aerial Truck.

SECTION 15.06 - 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 15.07 - Upgrading of Job Classifications

Effective January 1, 1982, all laborers and MEO-"B"'s in the Town's Sewer Department shall be reclassified as Sewer Maintenance Man. The title of Senior Sewer Maintenance Man shall be eliminated from the Town's job classifications.

ARTICLE 16

REPORTING TIME

SECTION 16.01 - Show-Up

(a) Any employee who is scheduled to report for work and who presents himself for work shall be assigned work.

(b) If, upon reporting for work and being assigned work, the Board excuses the employee before the employee has completed his regular work shift for the purpose of recalling such employee's regular work shift, or any time thereafter or if such employee's work shift is split with an interval of more than four (4) hours before his assigned call back time, then such employee shall be paid time and one-half (1½) his regular rate of pay for all hours worked on such shift re-assignment.

SECTION 16.02 - Call Time

(a) Any employee called for emergency duty in addition to or outside of his regular scheduled shift shall be paid for the minimum of four (4) hours at the rate of time and one-half (1½).

(b) If the call time work assignment and the employee's regular shift overlap, the employee shall be paid the call time rate of time and one-half (1½) until he completes four (4) hours work.

(c) Supervision shall determine if an employee has worked sufficient hours after his regular shift to be sent home. However, under no circumstances shall an employee be sent home during his regularly scheduled shift without a minimum of four (4) hours pay. Should supervision

excuse such an employee before completing his regular work shift for the purpose of recalling such employee to work on another work shift which begins at the end of the employee's regular work shift, or any time thereafter, or if such employee's work shift is split with an interval of more than four (4) hours before his assigned call back time, then such employee shall be paid time and one-half (1½) his regular rate of pay for all hours worked on such shift-re-assignment.

SECTION 16.03 - Stand-by Time

An employee who is required to be available for call and thereby is placed on stand-by upon the Board's request, shall be compensated at the rate of two (2) hours pay for each eight (8) hour period, and four (4) hours pay for Saturdays, Sundays and holidays, at the employee's straight time rate of pay. If worked, stand-by time plus actual time worked shall be paid. All Work performed shall be paid at the rate of time and one-half (1½) the employee's regular rate of pay.

SECTION 16.04 - Premium Rates of Pay

(a) All employees covered by this agreement on a Monday through Friday schedule 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 or forty (40) hours in any work week, and all work performed on Saturday and Sunday, except to those employees covered by the provisions of Article 5, Section 5.02 (b).

(b) Employees who work other than a Monday through Friday schedule shall be paid time and one-half (1½) for all work performed on the sixth (6th) and seventh (7th) day in their regular work week.

SECTION 16.05 - Overtime Distribution

(a) Overtime work during the calendar year shall be distributed as

equally as possible among all employees working within the same job classification. The distribution of overtime shall be equalized as is reasonably possible over each one (1) month period beginning on the first day of the calendar month following the effective date of this agreement.

(b) On each occasion when overtime is necessitated, the opportunity to work such overtime shall be offered to the employee within the job classification who has the least number of overtime hours to his credit at that time. If the employee does not accept the assignment, the employee with the next fewest number of overtime hours to his credit will be offered the assignment. This procedure shall be followed until the required employees have been selected for overtime work. If an employee refused overtime when asked, he shall be credited with the number of hours actually worked followed by the notation "R" or the word "Refused," provided that he is not on vacation, sick leave or any other excusable leave. Employees coming into a department by virtue of transfer, bid or new position shall be placed at the end of the overtime list and credited with the maximum number of overtime hours worked by the Department.

(c) A record of the overtime hours worked by such employee shall be posted on the appropriate Departmental bulletin boards every one (1) month.

(d) No temporary, seasonal or part time employees shall be assigned to work in a situation which would normally be considered overtime, except if no regular employee accepts such an assignment. This shall not apply to a part time employee who normally works the hours in question.

SECTION 16.06 - Work at Employees Option

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

ARTICLE 17

SENIORITY

SECTION 17.01 - Definition

Seniority means an employee's length of continuous service with the Board since his last date of hire.

SECTION 17.02 - 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 afforded to all regular full time employees.

(b) The Union 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 17.03 - Seniority Lists

Every six (6) months, the Board shall post on all departmental bulletin boards, a seniority list showing the continuous service of each employee and his classification. A copy of the Seniority list shall be furnished to the local Union secretary when it is posted.

SECTION 17.04 - Breaks in Service

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 - Promotions

(a) The term promotion as used in this section means the permanent advancement of an employee to a higher position or the permanent assignment of an employee to a higher paying position.

(b) Whenever a job opening occurs in other than a temporary opening defined below, in any existing job classification, or as a result of the development or establishment of a new job classification, a notice of such openings shall be posted on all bulletin boards stating the job classification, rate of pay and the nature of job requirements in order to qualify. Such posting shall be for a period of ten (10) work days, except it shall not be necessary to post openings which are not in the bargaining units.

(c) During this period, employees who wish to apply for the job opportunity may do so by making such application in writing and submitting it to the Department Head, with a copy sent to the Union President.

(d) The Board shall fill such job openings or vacancies from among those applicants within that department who meet the standards of the job requirements, except that if there is more than one employee who is qualified for the job, then such position shall be filled within five (5) working days or such other time as necessary to have such appointment considered at a regularly scheduled Board meeting, by selecting from among those qualified, the employee with the greatest seniority.

In the event no employee within the Department is awarded the job, then the vacancy shall be filled on a Town-wide basis.

(e) The bid application and uniform posting as reflected in Appendix "E" and "F" shall be standard.

(f) When a job posting is withdrawn for any reason, a notice will be posted of such withdrawal.

(g) Upon successful bid for job opening and action taken by the Town Board, copies of the Town Board's resolution shall be forwarded to the President of the Union and person receiving such positions.

(h) Employees scheduled for vacation, sick leave, maternity leave or military leave shall be permitted to submit a completed bid application to be considered for any job posting which occurs during the period of his absence. If the employee does not desire the position, if awarded, he shall advise his department head within five (5) working days after he returns.

SECTION 18.02 - Temporary Job Openings and Vacancies

(a) Temporary job openings or vacancies are jobs that periodically develop, or vacancies that periodically develop in any classification because of illness, vacation or leave of absence.

(b) Whenever such temporary openings or vacancies occur, the Board may fill these positions by assignment or re-assignment, and such assignments or re-assignments shall be made on the basis of seniority and qualification. Any temporary opening or vacancy of thirty (30) days or more will be posted in accordance with Section 18.01 (b) above. Employees selected to fill such vacancies shall be returned to their former position upon completion of the temporary re-assignment.

(c) No employee shall be assigned to a temporary job opening more than twice in any calendar year, unless there is a lack of qualified employees to draw from or where an employee specifically requests such assignment. The intent of this provision is to prevent the repeated assignment of employees to job vacancies which have been designated as temporary, when such openings could be filled in another manner.

(d) Any employee assigned to a temporary job opening of filling a vacancy in higher classification, shall be paid the wage rate established for that job, or if a lower classification, his own wage rate, whichever is higher.

SECTION 18.03 - Competitive Civil Service Jobs

The Civil Service Law of New York and the Rules and Regulations of the State Civil Service Commission shall govern the selection of employees for positions in the competitive class of Civil Service, except that in the absence of an appropriate Civil Service List, meaning a list from which selections must be made, the procedure set forth in Section 18.01 of this Article shall prevail. Selections from promotional lists shall be made until the list of names is exhausted before any consideration may be given to the names appearing on any other list that may be in effect.

SECTION 18.04 - Lay-Off

(a) The work "lay-off" means a reduction in work force. If the Board anticipates a lay-off, it shall notify the employees and the Union fifteen (15) days prior to such anticipated lay-off.

(b) Competitive class employees lay-off procedure shall be determined by Section 80, 81 and 85 of the Civil Service Law. The non-competitive and labor class employees shall be governed by the remainder of this section.

Temporary, seasonal and probationary employees shall be laid off first. Should it be necessary to further reduce the work force, then the non-competitive and labor class employees shall be laid off in the inverse order of seniority.

(c) 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, or a lower classification.

(d) Notwithstanding anything contained herein, in the event of a lay-off, the president, vice-president, secretary, treasurer, and all shop stewards, including all Executive Board Members, not to exceed five (5) shall be the last persons to be laid off in the bargaining unit.

SECTION 18.05 - 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 (10) 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.

SECTION 18.06 - Consolidation or Elimination of Jobs

(a) Any employee displaced by the elimination of jobs through consolidation, the installment of new equipment or machinery, the curtailment or replacement of existing facilities, or for any other reason, shall be permitted to exercise his seniority rights to transfer to any other department in the service of the Board within the same classification, or to a lower classification. A lower classification shall mean a position the

qualifications for which are included within the qualifications of the higher classification.

(b) Any employee requesting such transfer because of the elimination of his job shall be transferred as provided for in paragraph (a) above, on the basis of seniority and such request shall take precedence over any other requests for transfer.

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 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. Demotion
5. 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 Department Head, Foreman or Working Foreman has any reason to reprimand an employee, it shall be done privately, except for the presence of a Union Representative and/or a Representative of the Board.

(d) In a disciplinary or discharge action to be taken against an employee, the Department Head, Foreman or Working Foreman shall notify the Union President, Union 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 Union 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 discharge or disciplinary action, overrule it, or modify it.

(g) An employee shall not be disciplined for acts, except those which constitute a crime, which occurred more than one 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 Union Steward or other authorized representative of the Union, with or without the employee, shall present the grievance or dispute in writing to the department head, or his designee, within ten (10) days of the day the employee or Union Steward learns of its occurrence. The department head or his designee shall respond in writing within five (5) work days to the Union Steward or other authorized representative of the Union.

Step 2: If the grievance or dispute is still not settled, it shall be presented by the Union President 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 Head is due. The Board's 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 Local Union President and/or other authorized representative of the Union.

Step 3: 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 procedures of the New York State Public Employment Relations Board upon the 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 Union. 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 bypassed by mutual agreement in writing.

ARTICLE 21

UNION COMMITTEES

SECTION 21.01 - Grievance Committee

(a) Employees selected by the Union to act as Union Representatives shall be known as "stewards". The names of Representatives who may represent employees shall be certified, in writing, to the Board by the local Union,

and the individuals so certified shall constitute the Union Grievance Committee.

(b) The Union shall be permitted to appoint one (1) chief steward and, in addition, one (1) alternate for each department, except for Highways and Sanitation there shall be two (2) stewards and (2) alternates.

(c) The Union Stewards may investigate and process grievances during working hours, without loss of time or pay.

SECTION 21.02 - Safety Committee

(a) The Board and Union agree jointly to establish a Safety Committee consisting of an equal number of Board and Union representatives, the number of members to be agreed upon. This committee will advise management on all safety problems.

(b) The Board and Union 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 Union 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 Union 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 Union, not exceeding five (5) to act in its

behalf during the period 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 - Reclassification Committee

The parties agree that a committee composed of the Board's representative and the representative of the Union 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.

SECTION 21.06 - Renewal of Agreement

The Board and the Union agree to begin negotiations concerning a successor or amended contract no later than June 15th of the final year of the contract. Any contract proposals to amend the current contract shall be reduced to writing by the Town Board and the Union and shall be exchanged no later than July 1st.

In any negotiations described in this contract each party shall have the right to select its own consultants and representatives from within or without the Town. It is recognized that no final agreement between the parties shall be effected without ratification by the Town Board and by the membership of the Union.

ARTICLE 22

STRIKES AND LOCKOUTS

SECTION 22.01 - Lockouts

No lockout of employees shall be instituted by the Board during the terms of this agreement.

SECTION 22.02 - Strikes

No strikes of any kind shall be caused or sanctioned by the Union during the term of this agreement.

ARTICLE 23

CONTRACTING-SUB-CONTRACTING OF PUBLIC WORK

During the term of this agreement, the Board shall not contract or sub-contract any public work performed by employees covered by this agreement that would mean their loss of employment. If an employee is transferred to another department such employee shall not be laid off for a twelve (12) month period.

ARTICLE 24

GENERAL PROVISIONS

SECTION 24.01 - 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 Union 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 wherever 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 Union, and there shall be no discrimination, interference, restraint, or coercion by the Board or any Board representative against any employee because of Union activity in an official capacity on behalf of the Union as set forth in Section 24.02 below.

(d) The Union recognizes its responsibility as the sole and exclusive representative of the negotiating Union and agrees to represent all employees in the negotiating unit.

SECTION 24.02 - Union Activities on Employer's Time and Premises

(a) The Board agrees that during working hours and on the Board's premises, and without loss of time or pay, Union stewards and officers shall be allowed to perform the following, providing that same does not interfere unreasonably with performance of work:

Post Union notices;

Distribute Union literature;

Solicit Union membership during other employee's non-working time;

Transmit communications authorized by the local Union or its officers to the Board or its representative

Consult with the Board, its representative, local Union officers of other Union representative concerning the enforcement of any provision of this agreement;

Attendance at safety committee meetings;

Instruction of loss control and safety;

Each Union representative shall sign in and sign out of the department when absent from his duties on union or safety committee business and provide a telephone number where he may be contracted, if possible.

(b) The Board agrees to provide a file cabinet on Town premises solely for Union use and access.

SECTION 24.03 - Work Rules

(a) The Town agrees to discuss changes in existing work rules or the establishment of new work rules with the Union.

(b) In the event an agreement cannot be reached between the parties, then the Town may implement such work rule changes however, the Union retains the right to utilize the grievance arbitration provision of this agreement

to restore the work rule to the status quo for good cause shown.

(c) When existing rules are changed or new rules are established, they shall be posted prominently on all Union bulletin boards for a period of ten (10) work days before becoming effective.

(d) The Board further agrees to furnish each employee in the negotiating unit with a copy of all existing work rules within thirty (30) days after they become effective. New employees shall be provided with a copy of the rules at the time of hire.

(e) Employees shall comply with all existing rules that are not in conflict with the terms of this agreement, provided the rules are uniformly applied and uniformly enforced.

(f) Any complaint as to the reasonableness of any new or existing rule, or any complaint involving discrimination in the application of new or existing work rules shall be resolved through the grievance procedure.

SECTION 24.04 - Work Clothing, Protective Clothing

Employees in the Highway Department, Facilities Department, Refuse Disposal, Sewer Maintenance, Disposal Plant, and Recreation Department, cleaners and caretakers, shall be provided with protective clothing which shall include three (3) uniforms per year, during the month of January, gloves and other protective devices, and if necessary, rainwear shall be provided by the Board. Said equipment shall be replaced if and when necessary subject to normal wear and tear.

SECTION 24.05 - Personnel Policy

Five hundred (500) copies of this agreement in handbook form shall be provided by the Town for distribution by the local Union President to the employees.

SECTION 24.06 - Personal Automobile Reimbursement

Employees who are obligated to use their personal automobile on Town business shall be reimbursed at the rate of twenty-four (\$.24) cents per mile.

SECTION 24.07 - Vending Machine Income

Monies made from vending machines in the employee's work locations shall be contributed to the Union's Health and Welfare Fund. This money cannot be used for grievance arbitration activities...

SECTION 24.08 - Tuition Reimbursement

The Town will pay twenty-five (25%) percent of the tuition for employees taking job related courses that directly relate to improving the skills of the employee on the job. Employees must receive prior approval from the department head and the Town Board and successfully complete said course with a "B" or better.

ARTICLE 25

TEMPORARY, SEASONAL AND PART TIME WORKERS

SECTION 25.01 - Temporary Employees

A temporary employee is defined as an employee who is hired to fill a position which cannot be filled through the regular temporary vacancy procedure, but such employment shall be made for a period not to exceed eighteen (18) consecutive weeks. Temporary employees shall not be entitled to any benefits provided by this agreement.

SECTION 25.02 - Seasonal Employees

A seasonal employee is defined as an employee who is hired on a seasonal basis to supplement the regular work force during peak periods in the summer and the winter but such employment shall be for a period not to exceed twenty-four (24) consecutive weeks. Seasonal employees shall not be entitled to any benefits provided by this agreement.

SECTION 25.03 - Part-Time Employees

A part-time employee is defined as an employee who is employed for a total of not more than twenty (20) hours a week on a regular basis. Part-time employees shall not be entitled to any benefits provided by this agreement.

ARTICLE 26

DISABLED EMPLOYEES

The Board shall make every effort to place an employee who becomes partially disabled on his present job on work which he is able to perform.

ARTICLE 27

SAVINGS CLAUSE

Should any article, section or other portion thereof, of this agreement be declared unlawful or unenforceable 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 28

TERMINATION AND MODIFICATION

This Agreement shall become effective the first day of January, 1981, and continue in full force and effect until midnight December 31, 1982, and from year to year thereafter unless on or before July 1st 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 eacy by its authorized officials.

TOWN OF CHEEKTOWAGA, NEW YORK

BY: Kenneth J. Meyer
Supervisor

TOWN OF CHEEKTOWAGA EMPLOYEES' ASSOCIATION

BY: William B. Cornelius
President

DATE EXECUTED: September 9, 1981

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TOWN OF CHEEKTOWAGA, NEW YORK

WAGE SCHEDULE - 1981 - BLUE COLLAR

JANUARY 1, 1981 TO JUNE 30, 1981

<u>CLASSIFICATION</u>	(1) <u>Start</u>	(2) <u>12 Mo.</u>	(3) <u>18 Mo.</u>	(4) <u>2 Years</u>
Cleaner	\$5.2044	5.4409	5.6901	5.8894
Laborer	6.0510	6.3876	6.6990	7.0103
Sewer Maintenance Man	6.2505	6.5494	6.8983	7.1848
Dog Control Officer	6.3999	6.7114	7.0353	7.3092
Senior Sewer Maintenance Man MEO "B"				
Auto Mechanic Helper	6.4622	6.7612	7.0726	7.3468
General Mechanic Utility Man				
Maintenance Man	6.6118	6.9231	7.2596	7.5584
Tree Trimmer				
Sewage Treatment Plant Operator				
MEO "A"	6.8983	7.2096	7.5086	7.7950
Equipment Maintenance Man (Welder)	7.1349	7.4464	7.7577	8.0317
Auto Mechanic				
Auto Body Repairman				
Senior Sewage Treatment Pl. Operator	7.4283	7.7396	8.0386	8.3250
Senior Maintenance Man	8.3805	8.6794	8.9908	9.2773

TOWN OF CHEEKTOWAGA, NEW YORK

WAGE SCHEDULE - 1981 - BLUE COLLAR

JULY 1, 1981 TO DECEMBER 31, 1981

<u>CLASSIFICATION</u>	(1) <u>Start</u>	(2) <u>12 Mo.</u>	(3) <u>18 Mo.</u>	(4) <u>2 Years</u>
Cleaner	5.4646	5.7129	5.9746	6.1839
Laborer	6.3536	6.7070	7.0340	7.3608
Sewer Maintenance Man	6.5630	6.8769	7.2432	7.5440
Dog Control Officer	6.7199	7.0470	7.3871	7.6747
Senior Sewer Maintenance Man MEO "B"				
Plumber Mechanic Helper	6.7853	7.0993	7.4262	7.7141
General Mechanic				
Utility Man				
Maintenance Man	6.9424	7.2693	7.6226	7.9363
Tree Trimmer				
Sewage Treatment Plant Operator				
MEO "A"	7.2432	7.5701	7.8840	8.1848
Equipment Maintenance Man (Welder)	7.4916	7.8187	8.1456	8.4333
Auto Mechanic				
Auto Body Repairman				
Senior Sewage Treatment Pl. Operator	7.7997	8.1266	8.4405	8.7413
Senior Maintenance Man	8.7995	9.1134	9.4403	9.7412

TOWN OF CHEEKTOWAGA, NEW YORK

WAGE SCHEDULE - 1982 - BLUE COLLAR

JANUARY 1, 1982 TO DECEMBER 31, 1982

<u>CLASSIFICATION</u>	<u>(1) Start</u>	<u>(2) 12 Mo.</u>	<u>(3) 18 Mo.</u>	<u>(4) 2 Years</u>
Cleaner	6.0393	6.2876	6.5493	6.7586
Laborer	6.9283	7.2817	7.6087	7.9355
Dog Control Officer MEO "B"	7.2946	7.6217	7.9618	8.2494
Auto Mechanic Helper General Mechanic Utility Man Power Maintenance Man	7.3600	7.6740	8.0009	8.2888
Maintenance Man Tree Trimmer Sewage Treatment Plant Operator	7.5171	7.8440	8.1973	8.5110
Equipment Maintenance Man (Welder) Auto Mechanic Auto Body Repairman MEO "A"	8.0663	8.3934	8.7203	9.0080
Senior Sewage Treatment Pl. Operator	8.3744	8.7013	9.0152	9.3160
Senior Maintenance Man	9.3742	9.6881	10.0150	10.3159

TOWN OF CHEEKTOWAGA, NEW YORK

WAGE SCHEDULE - 1981 - WHITE COLLAR

JANUARY 1, 1981 to JUNE 30, 1981

<u>CLASSIFICATION</u>	(1) <u>Start</u>	(2) <u>12 Mo.</u>	(3) <u>18 Mo.</u>	(4) <u>2 Years</u>
Clerk Recreation Attendent Re. Attendent - Sr. Citizens	10,358.34 (4.9609)	10,899.37 (5.2200)	11,440.37 (5.4791)	11,906.26 (5.7022)
Clerk Typist	10,664.85 (5.1077)	11,215.84 (5.3716)	11,766.80 (5.6354)	12,241.94 (5.8630)
Telephone Operator	10,894.78 (5.2178)	11,458.63 (5.4878)	12,002.84 (5.7485)	12,505.00 (5.9890)
Clerk - Steno	11,393.00 (5.4564)	11,946.26 (5.7214)	12,504.81 (5.9889)	13,003.23 (6.2276)
Employment Counselor	11,393.94 (5.4569)	12,026.68 (5.7599)	12,659.43 (6.0629)	13,172.93 (6.3089)
Recreation Supervisor Recreation Instructor Outreach Worker - Sr. Citizens	12,072.75 (5.7820)	12,580.27 (6.0250)	13,140.77 (6.2935)	13,701.28 (6.5619)
Legal Steno	12,471.81 (5.9731)	13,023.96 (6.2375)	13,578.35 (6.5030)	14,055.00 (6.7313)
Account Clerk Senior Clerk	12,753.81 (6.1081)	13,307.08 (6.3731)	13,896.19 (6.6553)	14,340.04 (6.8678)
Senior Accountant - Clerk Typist Payroll Clerk	13,425.24 (6.4297)	13,978.52 (6.6947)	14,533.55 (6.9605)	15,009.95 (7.1887)
Assistant Accountant	14,485.24 (6.9374)	15,038.52 (7.2024)	15,593.55 (7.4682)	16,069.95 (7.6963)
Engineering Aide	15,109.43 (7.2363)	15,662.70 (7.5013)	16,217.51 (7.7670)	16,695.68 (7.9960)
Assistant Building Inspector Assistant Field Assessor	16,088.75 (7.7053)	16,744.72 (8.0195)	17,400.70 (8.3337)	18,101.46 (8.6693)
Engineering Assistant	17,903.38 (8.5744)	18,603.77 (8.9099)	19,216.80 (9.2034)	19,796.14 (9.4809)
En. Engineering Assistant	19,193.83 (9.1924)	19,847.11 (9.5053)	20,505.75 (9.8208)	21,086.60 (10.0989)

TOWN OF CHEEKTOWAGA, NEW YORK

WAGE SCHEDULE - 1981 - WHITE COLLAR

JULY 1, 1981 to DECEMBER 31, 1981

<u>CLASSIFICATION</u>	<u>(1)</u> <u>Start</u>	<u>(2)</u> <u>12 Mo.</u>	<u>(3)</u> <u>18 Mo.</u>	<u>(4)</u> <u>2 Years</u>
Clerk Recreation Attendent Rec. Attendent - Sr. Citizens	10,876.26 (5.2089)	11,444.34 (5.4810)	12,012.39 (5.7531)	12,501.57 (5.9873)
Clerk Typist	11,198.09 (5.3631)	11,776.63 (5.6401)	12,355.14 (5.9172)	12,854.04 (6.1561)
Telephone Operator	11,439.52 (5.4787)	12,031.56 (5.7622)	12,602.98 (6.0359)	13,130.25 (6.2884)
Clerk - Steno	11,962.65 (5.7292)	12,543.57 (6.0075)	13,130.05 (6.2883)	13,653.39 (6.5390)
Employment Counselor	11,963.64 (5.7297)	12,628.01 (6.0479)	13,292.40 (6.3661)	13,831.58 (6.6243)
Recreation Supervisor Recreation Instructor Outreach Worker - Sr. Citizens	12,676.39 (6.0711)	13,209.28 (6.3263)	13,797.81 (6.6081)	14,386.34 (6.8900)
Legal Steno	13,095.40 (6.2717)	13,675.16 (6.5494)	14,257.27 (6.8282)	14,757.75 (7.0679)
Account Clerk Senior Clerk	13,391.50 (6.4136)	13,972.43 (6.6918)	14,591.00 (6.9880)	15,057.04 (7.2112)
Senior Accountant - Clerk Typist Payroll Clerk	14,096.50 (6.7512)	14,677.45 (7.0294)	15,260.23 (7.3085)	15,760.45 (7.5481)
Assistant Accountant	15,209.50 (7.2842)	15,790.45 (7.5625)	16,373.23 (7.8416)	16,873.45 (8.0812)
Engineering Aide	15,864.90 (7.5981)	16,445.84 (7.8764)	17,028.39 (8.1554)	17,530.46 (8.3958)
Assistant Building Inspector Assistant Field Assessor	16,893.19 (8.0906)	17,581.96 (8.4205)	18,270.74 (8.7504)	19,006.53 (9.1027)
Sr. Engineering Assistant	18,798.55 (9.0031)	19,533.96 (9.3553)	20,177.64 (9.6636)	20,785.95 (9.9550)
En. Engineering Assistant	20,153.52 (9.6521)	20,839.47 (9.9806)	21,531.04 (10.3118)	22,140.93 (10.6039)

TOWN OF CHEEKTOWAGA, NEW YORK

WAGE SCHEDULE - 1982 - WHITE COLLAR

JANUARY 1, 1982 TO DECEMBER 31, 1982

<u>CLASSIFICATION</u>	(1) <u>Start</u>	(2) <u>12 Mo.</u>	(3) <u>18 Mo.</u>	(4) <u>2 Years</u>
Clerk	12,076.26	12,644.34	13,212.39	13,701.57
Recreation Attendent	(5.7836)	(6.0557)	(6.3278)	(6.5621)
Rec. Attendent - Sr. Citizens				
Clerk Typist	12,398.09	12,976.63	13,555.14	14,054.04
	(5.9378)	(6.2149)	(6.4919)	(6.7309)
Telephone Operator	12,639.52	13,231.56	13,802.98	14,330.25
	(6.0534)	(6.3370)	(6.6106)	(6.8631)
Clerk - Steno	13,162.65	13,743.57	14,330.05	14,853.39
	(6.3040)	(6.5822)	(6.8631)	(7.1137)
Employment Counselor	13,163.64	13,828.01	14,492.40	15,031.58
	(6.3044)	(6.6226)	(6.9408)	(7.1990)
Recreation Supervisor	13,876.39	14,409.28	14,997.81	15,586.34
Recreation Instructor	(6.6458)	(6.9010)	(7.1829)	(7.4647)
Outreach Worker - Sr. Citizens				
Legal Steno	14,295.40	14,875.16	15,457.27	15,957.75
	(6.8465)	(7.1241)	(7.4029)	(7.6426)
Account Clerk	14,591.50	15,172.43	15,791.00	16,257.04
Senior Clerk	(6.9883)	(7.2665)	(7.5627)	(7.7859)
Senior Accountant - Clerk Typist	15,296.50	15,877.45	16,460.23	16,960.45
Payroll Clerk	(7.3259)	(7.6041)	(7.8833)	(8.1228)
Assistant Accountant	16,409.50	16,990.45	17,573.23	18,073.45
	(7.8590)	(8.1372)	(8.4163)	(8.6559)
Engineering Aide	17,064.90	17,645.84	18,228.39	18,730.46
	(8.1728)	(8.4511)	(8.7301)	(8.9705)
Assistant Building Inspector	18,093.19	18,781.96	19,470.74	20,206.53
Assistant Field Assessor	(8.6653)	(8.9952)	(9.3251)	(9.6775)
Sr. Engineering Assistant	19,998.55	20,733.96	21,377.64	21,985.95
	(9.5778)	(9.9301)	(10.2383)	(10.5297)
En. Engineering Assistant	21,353.52	22,039.47	22,731.04	23,340.93
	(10.2268)	(10.5553)	(10.8865)	(11.1786)

APPENDIX "E"
UNIFORM POSTING.

1. JOB OPENING AND VACANCIES
2. CLASSIFICATION:

3. WAGE SCHEDULE:

Step 1 - Starting Salary: _____
Step 2 - 12 months: _____
Step 3 - 18 months: _____
Step 4 - 2 years: _____

4. RESPONSIBILITY:
5. SHIFT:

6. GENERAL REMARKS:

No fringe benefits will be paid to all new employees until after the six (6) month probationary period is completed...

All other employees in service with the Town will receive all benefits from the first day of promotion or of an inter-departmental transfer....

All applications shall be submitted to the Department Head and a copy of same to the President of the Local Union.

This notice is posted in compliance with the Collective Bargaining Agreement between the Town of Cheektowaga Employees Association, and the Town of Cheektowaga, and shall remain posted for ten (10) working days.

7. DATED: _____

Signature of Department Head

8. cc: Town Clerk's Office
Town Hall
Police Building
Police Garage
Highway Department
Recreation Department
Sanitation Department
Sewer Maintenance Department
Sewage Treatment Plant
Supervisor's Office
Facilities Department
Town of Cheektowaga Employees Association
File

APPENDIX " F"

BID APPLICATION

POSTING OF _____ FOR _____
(date) (position)

in _____
(department)

DEAR MR.: _____
(department head)

I would like to be considered for the position of _____
_____ (as per recent posting). I feel
I meet with the qualifications required for the position.

NAME: _____

SENIORITY DATE: _____

TODAY'S DATE: _____

TITLE: (present working status) _____

in _____
(name of department)

I do possess the class 3 license

(name appearing on license)

Date of expiration _____

I do not possess class 3 license

ADDITIONAL INFORMATION

SIGNATURE _____

BIDS WILL ONLY BE ACCEPTED ON THIS
FORM

APPENDIX "G"

NEW YORK STATE EMPLOYEES RETIREMENT SYSTEM

75-1 "20 Year Career Plan"

Since the Town of Cheektowaga is a participating employer under New York law, certain employees may be entitled to retirement benefits based on age and years of service.

Under the 75-1 Plan, Town employees fall into three groups each of which requires different eligibility standards. Each employee is a member in one of the following groups:

Tier 1 Members: All employees who were hired prior to July 1, 1973.

Tier 2 Members: All employees who were hired from July 1, 1973 to and including June 30, 1976.

Tier 3 Members: All employees hired on or after July 1, 1976.

Note: If you have been employed by the Town in other than a regular full-time basis (part-time, CETA, etc.) you may not be entitled to retirement benefits under law. Please check with your local Retirement System representative.

The Town's retirement is administered completely by the N.Y.S. Employees Retirement System and is much too complicated to explain here. Please contact the Albany office of the Retirement System at (518) 474-7736 or visit the Buffalo Office at the General William Donovan Office Building at 125 Main Street on the First, Second, Third or Fourth Wednesday and Friday of each month.

Item No. 25 Cont'd.

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, National Fuel Gas Distribution Corporation is replacing old steel high pressure gas lines with P.V.C. high pressure lines, AND

WHEREAS, National Fuel desires to lay a 2" high pressure gas line thru property owned by the Town of Cheektowaga in the area of Scajaquada Creek Tributary T-2, AND

WHEREAS, National Fuel requires a Right-of-Way Agreement for a 15 foot wide parcel along the easterly property line of subplot 34, map cover 1266, between Beryl Drive and Greenwood Place, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board grant National Fuel Gas Distribution Corporation said Right-of-Way Agreement as described above, and BE IT FURTHER

RESOLVED, that the Supervisor be authorized to sign said Agreement on behalf of the Town.

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 Wegner

WHEREAS, this Town Board authorized the submittal of a Grant Amendment application for the Northeast Interceptor and the collector sewers of Sewer District No. 8 through a resolution dated August 18, 1980, AND

WHEREAS, the U.S. Environmental Protection Agency, in their letter of August 17, 1981 to Supervisor Kenneth J. Meyers, submitted a Grant Amendment document approving a grant increase of \$305,403.00 and extending the project completion date to June 1982, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board acting as the Board of Managers of Sanitary Sewer Districts 5, 7 and 8 be and hereby accepts the stipulated grant offer and its conditions, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to sign this Grant Amendment document.

Upon Roll Call....

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

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

WHEREAS, the Protestant Episcopal Dioceses of Western New York is the owner of certain real property located at St. Patrick's Episcopal Church in the Town of Cheektowaga, AND

WHEREAS, the Town of Cheektowaga is desirous of using a portion of said real property, located at 1395 George Urban Boulevard, for playground and outdoor neighborhood recreational purposes, AND

Item No. 28 Cont'd.

WHEREAS, an agreement by and between the Town for said use is authorized by Section 241 of the General Municipal Law of the State of New York, AND

WHEREAS, a proposed agreement for said use, containing a legal description of said real property, has been prepared and is attached hereto and made a part hereof, NOW, THEREFORE, BE IT

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

*See next six (6) pages for copy of agreement.

AGREEMENT

THIS AGREEMENT made and entered into as of the 15th day of May, 1981, by and between THE PROTESTANT EPISCOPAL DIOCESE OF WESTERN NEW YORK, a religious corporation with offices at 1114 Delaware Avenue in the City of Buffalo, County of Erie and State of New York, hereinafter referred to as the Episcopal Diocese

and

the TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, a domestic municipal corporation having its principal place of business at Broadway and Union Road in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Town.

WITNESSETH:

WHEREAS, the Episcopal Diocese is the owner of certain real property located at St. Patrick's Episcopal Church in the Town of Cheektowaga, County of Erie and State of New York, and

WHEREAS, the Town is desirous of using a portion of the real property located at 1395 George Urban Boulevard, Cheektowaga, New York, for playground and outdoor neighborhood recreational purposes, and

RECEIVED

Richard M. Moleski, Town Clerk

- 1 -

SEP 11 1981

A.M. 6 7 8 9 10 11 12 1 2 3 4 5 P.M. 6

WHEREAS, an agreement by and between the Episcopal Diocese and the Town for said use is authorized by 241 of the General Municipal Law of the State of New York,

1. That the Episcopal Diocese hereby grants to the Town the right to use for playground and neighborhood recreation center purposes, free of charge, from May 15, 1981 until May 15, 1986 unless otherwise sooner terminated, the following described real property:

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the south line of George Urban Boulevard with the east line of Lot No. 12; thence westerly along the south line of George Urban Boulevard 311 feet; thence southerly and parallel with the east line of Lot No. 12 a distance of 661.44 feet to the south line of Lot No. 12; thence easterly along said south line 311 feet to the east line of Lot No. 12; thence northerly along the east line of Lot No. 12 a distance of 662.96 feet to the point of beginning.

EXCEPTING AND RESERVING therefrom a 100 foot strip from the south end of the above-described property which was conveyed to one Bernard L. Kieffer by deed dated March 22, 1967.

2. That this grant of use is made by the Episcopal Diocese upon the following conditions which the Town agrees to comply with and perform:

A. That the said real property described in paragraph one (1) above, including any improvements and physical properties presently constructed, installed or owned by the Town, shall be maintained by the Town in good repair, free and clear of debris, high weeds and grass, rubbish, junk or deleterious materials as is considered normal maintenance in respect to the overall maintenance program conducted by the Town Department which has jurisdiction over said maintenance. The condition of the property shall at all times be such as to not constitute a nuisance or otherwise deteriorate the neighborhood and shall only be utilized for playground and recreation purposes.

B. That all existing improvements and physical properties constructed, installed or owned by the Town and referred to in paragraph 2, Section A. relating to maintenance are as follows:

2 - Basketball courts consisting of asphalt surface, concrete curbing and standards.

1 - Tennis court consisting of asphalt surface, standards and chain link fencing, enclosing same.

Miscellaneous pieces of playground equipment as specified:

- 1 - Miracle Baby Swing Standard
- 1 - Mexico Forge Giant Animal Swing Standard
- 2 - Mexico Forge four-seat unit, seesaws
- 2 - Mexico Forge Giant Swing Standards
- 1 - Miracle Merry-go-round

General Lawn area from the south property line to the north end of the tennis courts and the area east to west as determined by the existing Church fencing as being said property line.

C. The Town agrees to indemnify, save and hold free and harmless the Episcopal Diocese from and against any and all claims, demands, actions or causes of action arising from injury to any person or property occasioned by any act or acts, omission or omissions of the Town, or of the agents and employees of the Town, and also from any matter or thing arising from the use and occupancy of the real property by the Town, except for the negligence of the Episcopal Diocese, their employees or agents.

D. That the rights herein granted shall not be transferred, conveyed, deeded, assigned or otherwise disposed of by the Town.

3. In case of partial or complete condemnation of the real property described in paragraph 1 above, the rights of the Town will immediately terminate and the Episcopal Diocese shall be completely and fully released from any and all obligations under this agreement.

4. That all improvements constructed by the Town on the said real property shall belong to the Town until this agreement shall expire on May 15, 1986 or shall be soon terminated as otherwise provided in this agreement, except the Town shall have sixty days after such date of expiration or date of termination to remove all such improvements which it desires to remove and shall restore the ground to its original condition, including the sodding thereof, and any improvements not removed by the Town by the end of said sixty-day period shall thereupon become the sole and absolute property of the Episcopal Diocese.

5. That any violation of the terms and conditions of this agreement by the Town or the discontinuance of the use of the said real property by the Town shall thereupon terminate the rights herein granted to the Town and all rights herein of the Town shall cease to exist and the Episcopal Diocese shall be fully and completely released from any and all obligations under this agreement, and the Town shall immediately surrender possession to the Episcopal Diocese.

6. That the rights of the Town herein granted are subject to all rights of use, easements and restrictions of record, if any.

7. That the Episcopal Diocese will retain possession and full responsibility for the six (6) foot chain link fencing around said real property with at least two (2) access areas.

8. That the Town further agrees to correct a severe drainage problem at the rear of the vicarage as soon as practicable.

9. That this agreement is binding upon the parties hereto, their successors and assigns.

10. That this represents the entire agreement between the parties hereto and there are no other agreements, representations or warranties.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed as of the day and year first above written.

THE PROTESTANT EPISCOPAL DIOCESE
OF WESTERN NEW YORK

By Harold B. Abner
Bishop

Attest:

John C. Sullivan
Exec. Secy

TOWN OF CHEEKTOWAGA,
ERIE COUNTY, NEW YORK

By Kenneth J. Meyer

Attest:

Richard M. Mleski

Item No. 28 Cont'd.

Upon Roll Call....

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

Item No. 29 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Cheektowaga Major Hockey Association and the Cheektowaga Town Board have negotiated an equitable agreement to attain Aid to Youth assistance, AND

WHEREAS, said agreement stipulates in part, the Town's and the Association's efforts to achieve resident status in lieu of Aid to Youth, through attrition of non-resident enrollment within the Association's membership, AND

WHEREAS, said agreement does not infringe upon the Recreation Department House League status for allocation of available ice time hours at the Cheektowaga Recreation Center, NOW, THEREFORE, BE IT

RESOLVED, that Supervisor Kenneth J. Meyers is hereby authorized to sign said agreement, officially acknowledging the Cheektowaga Major Hockey Association as a resident Youth Hockey Association, its eligibility for Aid to Youth and resident status toward the allocation of ice time hours as stated in the attached agreement.

*See next several pages for copy of agreement.

- 1.00 Name of the Organization: Cheektowaga Major Hockey Association
- 2.00 Effective Date of Operation: September 12, 1981
- 3.00 Purpose of the Organization:

To provide the residents of the Town of Cheektowaga with a traveling youth hockey program.

To promote sportsmanship and the team concept of competition.

To provide a level of competition based upon the individual youths' abilities.

To provide the residents of the Town of Cheektowaga with the most economical program available.

To provide the highest level of coaching available. Head coach must be a minimum of 18 years of age.

To utilize the Cheektowaga Recreation Center to its full potential.

To supply the registered Cheektowaga residents an opportunity to elect a Board of Directors.

4.00 Board of Directors:

To oversee the conduct and welfare of the Cheektowaga Major Hockey Association.

The Board Members shall be directly responsible to the Registered Cheektowaga residents, the Cheektowaga Major Hockey Association and the Cheektowaga Town Board.

Member Structure: The Organization shall have a seven member Board of Directors, elected for one year terms. In addition, the Cheektowaga Town Board shall appoint, through resolution, a delegate to a permanent, non-voting, seat on the Board of Directors as a liaison between the Town Board and the Hockey Board of Directors. Said Town Representative can only be removed from the Board of Directors due to illness, unwillingness to be a member of the Board, termination of employment with the Town, or neglect of his or her obligation to enforce the By-Laws of the Association. The Town Board must then appoint a new member to the Board of Directors. Said Town Board Delegate shall not be able to hold the office of Chairman of the Board.

Three months prior to the completion of the one year terms of the appointed Board, the following procedures must be implemented:

- 1) Press releases issued to all available media announcing that the Cheektowaga Major Hockey Association will be accepting nominations to the Board of Directors at the organizational meeting on said date, at the Cheektowaga Recreation Center. The press release shall also state that the registered membership shall vote for said Board of Directors on said date at the Cheektowaga Recreation Center.
- 2) Eligibility: Only duly registered members of the Cheektowaga Major Hockey Association shall be eligible to cast a vote. Said registered member must present his or her registration card in order to cast a ballot. Registration cards shall be numbered and assigned to only registered parents and guardians of the enrolled youths.

RECEIVED

Richard M. Moleski, Town Clerk

SEP 29 1981

A.M.

P.M.

6/7/8/9/10/11/12/1/2/3/4/5/6

- 3) Voting Inspectors: The current Board of Directors shall appoint five inspectors from the registered membership to oversee the casting of ballots. Said inspectors will be supplied with a roster of registered membership which lists the number and individual assigned to said number. Failure to produce said membership card prior to balloting will forfeit said individual's right to vote. The voting inspectors will be supplied by the Board of Director's ballots which will clearly state the position and nominees names on which the registered voters may clearly indicate their choice.

5.00 Board of Directors and Duties:

Chairman: To oversee the operation of the Cheektowaga Major Hockey Association and to chair the meeting of the organization. He does not vote except to break a tie vote.

Vice Chairman: He shall assume the duties of the Chairman when not present; may be delegated the responsibility of any other officer not in attendance at meeting.

Treasurer: Shall be bonded and directly responsible for the collection of funds and dispersal of same in accordance with the By-Laws of the Cheektowaga Major Hockey Association; responsible for the full disclosure and annual report of the financial stability of the Cheektowaga Major Hockey Association to the Board and registered membership. Reports of the Treasurer shall be audited on an annual basis by an accountant.

Recording Secretary: Directly responsible for the recording of minutes of the meetings of the Board of Directors. Responsible for any correspondence, press releases and communications to the registered membership.

Board Members at Large: (3) Responsible for various positions for the Board (Sergeant at Arms), Ice Coordinator, Coaching Coordinator, FYHL and WNYL representative, tournament chairman, fund raisers.

Sergeant at Arms: Responsible for the control and conduct of all CMHA meetings according to proper procedure.

Ice Coordinator: Appointed by the Board of Directors, but does not have to be a Board Member. Will be in charge of scheduling all dispersements to the individual teams. The said schedule shall be submitted to the full Board of Directors for evaluation and approval.

Coaching Coordinator: Board Member: Assist coaches and managers in setting up programs for their individual teams, while keeping in mind the ideals of the Cheektowaga Major Hockey Association By-Laws. The coordinator must appoint a committee of two registered members. Said committee shall process and present to the Board of Directors guidelines under which all coaches must conduct their teams programs, as well as their personal conduct. Said guidelines shall center on the welfare of the youths, of the Cheektowaga Major Hockey Association and the Town of Cheektowaga.

Frontier Youth and Western New York Hockey League Representative: Representative shall be appointed to each league. Said individual shall report to the Board of Directors, all business conducted at said meetings and shall be empowered to cast ballots at said meeting on behalf of the Board of Directors and registered members of the Cheektowaga Major Hockey Association. However, said ballot must represent the wishes of the Board of Directors and membership.

Tournament Coordinator: Responsible for the organization of tournaments sponsored by the Cheektowaga Major Hockey Assc. Assist in entering the various teams into tournaments on the local and international level.

Fundraisers: The coordinator shall assist the individual teams in raising funds through various ventures as stipulated under the "Fund Raising Guidelines" of the By-Laws. Said funds shall be used to pay for expenses of that individual team. The coordinator shall also be responsible for the fund raising ventures of the Cheektowaga Major Hockey Association as a whole, to be used to cover operating expenses of the Association.
Note: All Board Members, excluding the Town Board representative must be elected to the Board of Directors as per the election process specified in the By-Laws.

6.00 Mandatory Meeting Process:

The Board of Directors is compelled to conduct a public meeting every two months in which the registered membership is invited to attend. Said meeting shall be held on a regularly scheduled day and time.

The Board of Directors is compelled to meet once a month in closed session and will be charged with the policy making procedures.

The Board of Directors is compelled to publicly announce all "Membership Meetings". A copy of said press release shall be sent to each coach and manager of each individual team for verbal announcement.

7.00 Election Procedures:

Ninety days prior to the expiration of the Board of Directors terms, the recording secretary shall announce to the registered membership that nominations of officers shall take place. Said announcement shall stipulate the positions by their respective titles, list the location, time and date said meeting will be conducted. Announcements shall be made through the form of a press release to the printed media, with copies of same letter sent to all coaches and managers for verbal announcement.

Sixty days prior to the expiration of the Board of Director's terms, nominations of duly enrolled registered members shall be taken at the announced location, time and place. All nominations must receive a second and clarify for what position said nomination is for. One can nominate himself if he or she desires. Those individuals nominated must be members in good standing as clarified in the By-Laws of the Cheektowaga Major Hockey Ass. and be present at said time to accept or deny their nomination. In the event that there are no nominees for a particular officer on the Board of Directors, an individual previously accepting nomination for a different position may remove himself or herself from contention and enter said name in the position lacking nominees.

Thirty days prior to the expiration of the Board of Directors terms, the recording secretary shall announce, through the printed media, with copies of same sent to the coaches and managers, a press release announcing the election of officers, positions, nominees, location, time, and date said procedure will be held. Said elections shall be conducted by the chairman under the terms specified in the Cheektowaga Major Hockey Association By Laws.

8.00 Membership Eligibility:

Grandfather Clause: All residents of the Town of Cheektowaga are eligible to participate in the Cheektowaga Major Hockey Association, provided they become active, registered members.

All Cheektowaga residents will be accommodated in either FYHL, WNYL, depending upon ability.

Non-resident youths and their families who are registered with the Cheektowaga Major Hockey Association by September 12, 1981, shall be qualified to remain members of the Association until they terminate membership. Termination shall be interpreted as joining another youth hockey organization, failing to play organized hockey during any one given season other than for personal injury, and failing to meet financial obligations to the Cheektowaga Major Hockey Association.

9.00 Resident Priority:

Try outs for all individual teams within the organization shall be conducted by the coaching staffs of each individual team.

In the event that a conflict arises due to equal ability between a resident youth and non-resident youth, the resident youth will receive the priority of being placed on the team.

Coaching selection for individual teams will be determined by the Board of Directors upon application by coaching candidates on a yearly basis.

10.00 Financial Obligation:

Membership dues and fees shall be established and approved in accordance with budgetary needs of the Cheektowaga Major Hockey Association and by action of the Board of Directors.

11.00 Fund Raising and Sponsorship:

The Cheektowaga Major Hockey Assoc. name and or logo and color scheme must be incorporated into any privately sponsored team.

The participating sponsor shall be allowed to display said company, corporation, profit or non-profit name on the back side of said jersey.

All sponsorship and individual fund raising will be subject to the Board of Directors approval (in writing). Any personal property or funds derived from sponsorship shall become the property and possession of the Cheektowaga Major Hockey Association.

12.00 Uniform colors of the association and its participating sponsors shall be uniform throughout the Cheektowaga Major Hockey Assoc. Said colors shall be Black, Gold, White.

13.00 Amendment:

Amendments to the By-Laws must be submitted in writing to the Board of Directors, read by the Chairman and published thirty days prior to vote. A two thirds vote of membership present at the meeting shall be necessary for adoption.

14.00 Dissolvement of the Association:

Any physical property owned by the Cheektowaga Major Hockey Association shall be dispersed to the government agency who has funded the association.

15.00 Non-Liability of Owner: This agreement is made upon the express condition that the Town shall be free from all liabilities in claims for damages and/or lawsuits for or by reason of any injury or injuries to any person or property of any kind whatsoever, from any cause or causes whatsoever during the term of this agreement or any activity carried on by the Cheektowaga Major Hockey Association in connection therewith; and hereby covenants and agrees to indemnify and hold harmless the Town from all liabilities, charges, claims, expenses, (including attorney fees) and costs on account of or by reason of such injuries, liabilities, claims, lawsuits or losses, however occurring and damages arising from same.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this agreement as of the day and year first written above.

(SEAL)

BY: Wayne J. Page
~~TOWN OF CHEENKOWAGA~~ President

(SEAL)

BY: Kenneth J. Meyers
Kenneth J. Meyers, Supervisor

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

On this 10th day of September, 1981, before me, the subscriber, personally appeared Kenneth J. Meyers, to me personally known and known to me to be the same person described in and who executed the within Instrument, and (he, she, they) acknowledged to me that (he, she, they) executed the same.

Nickie L. Dankowski
Notary Public

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 23

STATE OF NEW YORK)

COUNTY OF ERIE

Buffalo; that (he, ~~she~~)

Betty J. Reinheimer
Notary Public

STATE OF NEW YORK)

COUNTY OF ERIE

Nickie L. Dankowski
Notary Public

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Item No. 29 Cont'd.

Upon Roll Call....

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

Item No. 30 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, the Cheektowaga Major Hockey Association has formally approached the Town Board requesting permission to conduct the Second Annual Johnny Bowers Memorial Invitational Hockey Tournament on November 27th, 28th and 29th, 1981, AND

WHEREAS, the Town Board in its continuing efforts to promote youth oriented activities in the Town of Cheektowaga, has received the proposal from the Cheektowaga Major Hockey Association as being in the best interest of the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves co-sponsorship of the Second Annual Town of Cheektowaga, Cheektowaga Major Hockey Association Johnny Bowers Memorial Invitational Hockey Tournament to be conducted at the Cheektowaga Recreation Center, Town Park, on November 27th, 28th and 29th, 1981.

Upon Roll Call....

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

Item No. 31 Motion by Councilman Dux, seconded by Councilman Wegner

WHEREAS, the Town Board has approved, through prior resolution, co-sponsorship of the Town of Cheektowaga, Cheektowaga Major Hockey Association Johnny Bowers Invitational Tournament, AND

WHEREAS, the Cheektowaga Major Hockey Association has requested permission to utilize the lobby and the kitchen areas at the Cheektowaga Recreation Center on the Tournament dates of November 27th, 28th and 29th, 1981, for the purpose of selling refreshments in an effort to defray the financial burden of conducting said Tournament, AND

WHEREAS, the Cheektowaga Major Hockey Association is a non-profit organization, whose prime purpose is to promote and afford youth hockey opportunities for the residents of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby grants permission to the Cheektowaga Major Hockey Association, use of the described areas at the Cheektowaga Recreation Center for the purpose of selling refreshments.

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

WHEREAS, the Greater Niagara Frontier Council, Inc., Two Nations District, Boy Scouts of America, has requested permission to utilize Cheektowaga Town Park to conduct an "Advancement Camporee" on October 16th, 17th and 18th, 1981, AND

WHEREAS, the intent and purpose of said Camporee is to allow Scouts to Camp overnight with adult supervision; establish a midway to display Scouting wares, which will be open to the public on Saturday, October 17th and

Item No. 32 Cont'd.

Sunday, October 18th, 1981, AND

WHEREAS, the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Two Nations District, encompasses the Town of Cheektowaga, Village of Sloan and Village of Depew, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby grants to the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Two Nations District, exclusive use of Cheektowaga Town Park, located on Harlem Road, Cheektowaga, New York on October 16th, 17th and 18th, 1981, for the purpose of conducting said "Advancement Camporee".

Upon Roll Call....

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

Item No. 33 Motion by Councilman Wegner, seconded by Councilman Rogowski

WHEREAS, through prior resolution, permission has been granted by the Cheektowaga Town Board for the exclusive use of Town Park by the Two Nations District, Boy Scouts of America on October 16th, 17th and 18th, 1981, AND

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

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

WHEREAS, only duly authorized Boy Scouts of America, their Troop Leaders and adult Scouting Volunteers shall be allowed to occupy the grounds of Cheektowaga Town Park during closing hours, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby waives Article 48-12 of the Code of the Town of Cheektowaga at Cheektowaga Town Park on October 16 and 17, 1981, and BE IT FURTHER

RESOLVED, that said waiver be extended to the Greater Niagara Frontier Council, Inc. Boy Scouts of America, Two Nations District, and BE IT FURTHER

RESOLVED, that copies of said resolution be directed to the Chief of Police and Town Attorney, Town of Cheektowaga.

Upon Roll Call....

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

Item No. 34 Motion by Councilman Johnson, seconded by Councilman Rogowski

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to energize 8 - 7000 lumen post top mercury fixtures on Barbados Drive (Standard No. 22) and on Woodgate Drive (Standard Nos. 7-13) at an annual energy and lamp bulb rate of \$35.00 each, for a total annual increase to the General Lighting District of \$280.00, in accordance with the attached proposal which is hereby made a part of this resolution, and BE IT

FURTHER RESOLVED that the fixtures, 18-foot standards, and conductors which have been supplied by the developer are to be owned and maintained by the Town of Cheektowaga upon final acceptance; and the connections,

Item No. 34 Cont'd.

energy and lamp bulb replacements are to be supplied, owned and maintained by New York State Electric and Gas Corporation.

*See next three (3) pages for copy of lighting proposal and sketches.

August 11, 1981

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
CATHEDRAL HEIGHTS SUBDIVISION, PHASE II
COATESWORTH SUBDIVISION, PHASE I & II

Barbados - Std. 22
Woodgate - Std. 7,8,9,10,11,12,13

Connect 8 - 7000 lumen post top mercury fixtures

Energy & lamp bulb rate @ \$35.00 ea. ----- \$ 280.00

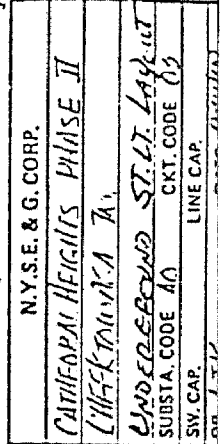
(see attached sketch)

TOTAL ANNUAL INCREASE ----- \$ 280.00

Fixtures, 18-ft. standards, and conductors have been supplied and installed by developer; to be owned and maintained by the Town of Cheektowaga.

Connections, energy and lamp bulb replacements to be supplied, owned, and maintained by New York State Electric & Gas Corporation.

NEW YORK STATE ELECTRIC & GAS CORP.



1. PER CHABLE TO BE #2AL 1500 SINGLE PEGM-SHIELD
WITH CEMENTALRIC ALEOT.
2. SEC CHABLE TO BE #4AL LOON YLP DRECT BURIED
CHABLE.
3. WVT Co. NON-INTERMITTENT CHABLE TO BE TONOT
WV TRACIL.
4. WVT Co. CORR TO BE LEAN CO.

Item No. 34 Cont'd.

Upon Roll Call....

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

Item No. 35 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, the Whitmier & Ferris Company, Inc. has requested permission to erect two 12 ft. by 25 ft. billboard signs, one facing East and one facing West on the South side of the Kensington Expressway, 800 feet East of Union Road, and

WHEREAS, said application was referred to the Building Inspector of the Town of Cheektowaga for recommendation, and

WHEREAS, said Building Inspector has made a recommendation on said sign application, NOW, THEREFORE, BE IT

RESOLVED, that the Whitmier & Ferris Company, Inc. be and is hereby granted permission to erect the following signs:

Two 12 ft. by 25 ft. billboard signs, one facing East
and one facing West on the South side of the Kensington
Expressway 800 ft. East of Union Road

and, BE IT FURTHER

RESOLVED that the granting of said sign application shall be effective, and shall be contingent, upon receipt by the Town of a duly executed Stipulation Discontinuing Action of that certain Special Proceeding commenced by Whitmier & Ferris Company, Inc. against the Town Board, Town Building and Plumbing Inspector and Town of Cheektowaga on or about August 19, 1981.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located North of 436 Borden Road (vacant property), Cheektowaga, New York, Tax Account Number 1-249, and according to the Assessors' Office is owned by Walkowiak Development Corporation, 1325 North Forest Road, Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on the Southeast side of Slate Drive (vacant property), North of North Transithill Drive, Cheektowaga, New York, Tax Account Number 2-386-19, and according to the Assessors' Office is owned by Bernard Ceaser, 126 Carriage Drive, Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 36C Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at the Northwest side of Genesee Street and Andrews Avenue (known as 2320 Genesee Street), Cheektowaga, New York, Tax Account Number 2-459, and according to the Assessors' Office is owned by Joseph Baier & One, 2320 Genesee Street, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at the Southwest corner of French Road and Slate Drive (vacant property), Cheektowaga, New York, Tax Account Number 2-386-17, and according to the Assessors' Office is owned by Peter Santin, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris be removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Item No. 36D

Upon Roll Call.....

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

Item No. 36E Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 2371 Genesee Street, Cheektowaga, New York, Map Cover 1065, Sublots 7-11, Tax Account Number 13-503, 13-506, and according to the Assessors' Office is owned by Eckel Florists, Inc., 2371 Genesee Street, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call.....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at the Northwest corner of Walden Avenue and Gualbert Avenue (rear of the property), Cheektowaga, New York, Map Cover 928, Sublots 50, 51, 52, 53, Tax Account Number 5-477, and according to the Assessors' Office is owned by Matthew C. Okoniewski, Buffalo, New York 14211, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call.....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located South of the Dick-Urban Plaza (4.8 acres to the rear of Off-Track Betting, Ponderosa, Ed's Donut Shop), Cheektowaga, New York, Tax Account Number 2-187-5, and according to the Assessors' Office is owned by Peter J. Schmitt Co., Inc., 675 Bailey Avenue, Buffalo, New York 14211, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety

Item No. 36G Cont'd.

of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris removed and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located West of 25 Lena Avenue (vacant property), Cheektowaga, New York, Map Cover 1210, Sublots 136, 137, Tax Account Number 6-75 and 6-76, and according to the Assessors' Office is owned by Irving Lichtman, c/o Monroe Muffler, 900 Jefferson Road, Rochester, New York 14623, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located South of 265 Pine Ridge Road (vacant property), Cheektowaga, New York, Tax Account Number 3-300, and according to the Assessors' Office is owned by Florence Chojnacki, Buffalo, New York 14211, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, Industrial Design Guidelines have been prepared and are now under consideration for adoption by the Town, and

Item No. 37 Cont'd.

WHEREAS, the Town is desirous of creating a standing Industrial Development Committee for the purpose of establishing an industrial development strategy for both the immediate and long-term, and

WHEREAS, said Committee will seek to encourage new or expanded industrial development within the Town, and

WHEREAS, the Committee shall recommend to the Town Board certain actions including those fiscal and programatic in nature to facilitate industrial development, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are appointed to serve as members of the Industrial Development Committee to develop an industrial development strategy for the Town of Cheektowaga:

Mr. Jack Burt, President of Com-Cir Tek, Inc.
Mr. Merle Demerly, President of the Cheektowaga Chamber of Commerce
Mr. Robert Pietrzak, M & T Bank
Mr. James Mietlicki, Attorney
Mr. Charles Miller, Real Estate Agent, Stovroff & Herman, Inc.

and BE IT FURTHER

RESOLVED, that major industrial firms within the Town be invited to name representatives to participate in the activities of the Industrial Development Committee.

Upon Roll Call....

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

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

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 past two years, NOW, THEREFORE, BE IT

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:

Kevin Schenk
Cheektowaga, New York

effective September 10, 1981, and BE IT FURTHER

RESOLVED that said employee shall not work in excess of 20 hours per week.

Upon Roll Call....

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

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

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

Item No. 39 Cont'd.

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. Funds for this action are available from YCCIP line number 6258.110, 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 A. Abbarno

Cheektowaga, New York 14225

--James McCoy

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. 40 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Geraldine Bertsch, Cleaner in the Facilities Department, has been absent from work due to illness, and

WHEREAS, she will have exhausted all of her accumulated sick leave, personal leave and vacation days as of September 11, 1981, and

WHEREAS, Geraldine Bertsch has requested a sick leave extension of fifteen (15) working days, as per the bargaining agreement currently in effect between the Town of Cheektowaga and the Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED that Geraldine Bertsch is hereby granted a sick leave extension of fifteen (15) working days; said sick leave to begin on September 14, 1981, through October 2, 1981.

Upon Roll Call....

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

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

WHEREAS, the Regional Training Division of the Drug Enforcement Administration, in cooperation with the New York State Police, is conducting a two week DEA Law Enforcement Training School at the State Police Academy, in Albany, New York, on September 21, 1981 through October 2, 1981, and

WHEREAS, Chief of Police Theodore DeFedericis, has requested that Detective Michael Ambrose attend this training school, NOW, THEREFORE, BE IT

RESOLVED that Detective Michael Ambrose of the Cheektowaga Police Department, be and hereby is authorized to attend the above mentioned training school, in Albany, New York, September 21, 1981 through October 2,

Item No. 41 Cont'd.

1981, and BE IT FURTHER

RESOLVED that he be reimbursed for travel, food and incidental expenses at a sum not to exceed \$219.80. There will be no cost to the Town for lodging and training.

Upon Roll Call....

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

Item No. 42 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the State Board of Equalization and Assessment is holding its annual workshop at the Hotel Syracuse, Syracuse, New York, on September 13th through September 16, 1981, NOW, THEREFORE, BE IT

RESOLVED that Andrew Schwenk, Sole Assessor for the Town of Cheektowaga is hereby granted excusable leave to attend said annual workshop, and BE IT FURTHER

RESOLVED that permission is hereby given for the use of a Town pool car for transportation to and from the workshop.

Upon Roll Call....

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

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

WHEREAS, the New York State Department of State is offering a tuition-free course through the Local Government Institute entitled "Immediate Supervision and Management Skills," AND

WHEREAS, said course will be offered at Genesee Community College on September 30 and October 1, 1981, from 9:00 A.M. to 5:00 P.M., AND

WHEREAS, the objective of the course is to improve supervisory skills of participants, AND

WHEREAS, employees of Town Governments are eligible to register for this course, AND

WHEREAS, Patricia Wojcik, Senior Citizen Coordinator, has requested permission to attend said course, NOW, THEREFORE, BE IT

RESOLVED, that Patricia Wojcik, Senior Citizen Coordinator, be and hereby is authorized to attend the course entitled "Immediate Supervision and Management Skills," to be held at Genesee Community College on September 30 and October 1, 1981.

Upon Roll Call....

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

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

WHEREAS, it will be necessary to deliver Bond Anticipation Notes in the sum of \$4,710,000 and to close said bond transaction in New York City on September 15, 1981, NOW, THEREFORE, BE IT

Item No. 44 Cont'd.

RESOLVED that the Town Clerk, Richard M. Moleski and a Town Board Member be and they hereby are authorized to deliver said Bond Anticipation Notes and to close said bond transaction in New York City, and BE IT FURTHER

RESOLVED that all reasonable and necessary expenses incurred in said delivery and closing be paid and/or reimbursed by the Town.

Upon Roll Call....

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

Item No. 45 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the 1981 Conference of the Water Pollution Control Federation is being held in Detroit, Michigan on October 4th through 9th, 1981, AND

WHEREAS, this is a world-renowned technical conference representing all facets of the water pollution control field and encompassing a wide scope of major issues, outstanding national spokesmen and the largest equipment and services exposition of the year, AND

WHEREAS, such a professional opportunity is advantageous and pertinent to the Town's on-going multi-million dollar water pollution program, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer is authorized to attend said Water Pollution Control Federation Meeting with the registration fee and all legal expenses to be reimbursed by the Town and chargeable to Sanitary Sewer District No. 5.

Upon Roll Call....

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

Item No. 46 Motion by Councilman Rogowski, seconded by Councilman Johnson

WHEREAS, the State Office of Court Administration and New York State Association of Magistrates are conducting a seminar for Town and Village Justices from September 13th through 16th, 1981 at Grossingers Hotel, Grossingers, New York, AND

WHEREAS, Town Justice Henry R. Gabryszak is requesting permission from the Town Board to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED, that Town Justice Henry R. Gabryszak is hereby authorized to attend said seminar for Town and Village Justices from September 13th through 16th, 1981 at Grossingers Hotel, Grossingers, New York, and BE IT FURTHER

RESOLVED that Justice Henry R. Gabryszak shall be reimbursed for all necessary and reasonable travel expenses in connection with said seminar, at a sum not to exceed \$500.00.

Upon Roll Call....

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

Item No. 47 Motion by Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED, that Kenneth J. Kopacz, Executive Director of the

Item No. 47 Cont'd.

Cheektowaga Youth Bureau, is hereby authorized to attend a three-day conference sponsored by the Association of New York State Youth Bureaus, to be held on Smithtown, Long Island, New York, October 20th through October 23rd, 1981, 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 \$500.00.

Upon Roll Call....

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

Item No. 48 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 September 9th, 1981 are hereby approved and the Supervisor is ordered to pay same.

<u>FUND</u>	<u>CHECK NOS.</u> <u>FROM TO</u>	<u>AMOUNT</u>
GENERAL FUND	12852-13055	\$ 145,724.39
SPECIAL DISTRICT FUND	10842-10560	97,693.24
HIGHWAY FUND	10530-10560	15,338.52
FEDERAL REVENUE SHARING FUND	10245-10251	6,540.96
CAPITAL FUND	494-503	410,306.87
TRUST AND AGENCY FUND	1037-1047	10,641.52
H.U.D. - C.D.B.G. FUND	369-373	756.39
PART TOWN FUND	501-503	181.15
H.U.D. - N.P.P. FUND	153-155	1,710.00
DEBT SERVICE FUND	134,143	<u>-0-</u>
		<u>\$ 688,893.04</u>

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 49 Building Permits.
Received and Filed.

Item No. 50 Supervisor's Statement of Funds - June and July, 1981.
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 51 N.Y.S. Department of Environmental Conservation - Correspondence relative to Town maintenance of Scajaguada Creek Flood Protection Project, Phase I.

Item referred to Honorable Members of the Town Board and Chester L. Bryan, Town Engineer; received and filed.

Item No. 52 Notice of Claim - Michael J. Annello vs. Town of Cheektowaga. Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Alfred Wnek-Highway Superintendent, Town Insurance Company; received and filed.

Item No. 53 Notice of Claim - George Collopy vs. Town of Cheektowaga. Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Theodore DeFedericis-Chief of Police, Town Insurance Company; received and filed.

Item No. 54 Notice of Claim - John W. Collopy vs. Town of Cheektowaga. Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Theodore DeFedericis-Chief of Police, Town Insurance Company; received and filed.

Item No. 55 Notice of Claim - Roy R. Fox vs. Town of Cheektowaga. Item referred to Supervisor Kenneth J. Meyers, Councilman Thomas M. Johnson, Chester L. Bryan-Town Engineer, Town Insurance Company; received and filed.

Item No. 56 Notice of Petition and Petition - James F. Mietlicki and Judith M. Mietlicki vs. Andrew H. Schwenk, Assessor of Town of Cheektowaga. Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Andrew Schwenk-Sole Assessor, Town Insurance Company; received and filed.

Item No. 57 Notice of Petition and Petition - Whitmier & Ferris Company, Inc. vs. Cheektowaga Town Board and Ronald Marten, Building & Plumbing Inspector. Item referred to Honorable Members of the Town Board, Jim Kirisits-Town Attorney, Ronald Marten-Building & Plumbing Inspector, Town Insurance Company; received and filed.

Item No. 58 Alex S. Kiliszewski, South Cheektowaga Baseball Association - Letter of commendation re: Recreation Director, Mike Miecznikowski. Item referred to Honorable Members of the Town Board and Mike Miecznikowski, Recreation Director; received and filed.

* * * * *

Motion by Councilman Dux, seconded by Councilman Swiatek to Waive the Rules to include the following items (Nos. 59 and 60A, 60B).

Upon Roll Call....

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

* * * * *

VI. WAIVER OF RULES

Item No. 59 Authorization for Two Nations District, Boy Scouts of America to sell refreshments at Chktg. Town Park, October 16th through 18th.

Item No. 59 Cont'd.

Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, the Greater Niagara Frontier Council, Inc., Boy Scouts of America, Two Nations District has been granted permission through prior resolution authorization, to utilize Cheektowaga Town Park for an "Advancement Camporee", AND

WHEREAS, the Two Nations District requests permission to establish a refreshment stand to defray the expense incurred for said "Camporee", AND

WHEREAS, an Insurance Certificate from the Insurance Company of North America, Philadelphia, Pennsylvania, has been filed, providing comprehensive General Liability for Bodily Injury and Property Damage Liability and Broad Form Vendor Liability, AND

WHEREAS, said Certificate of Insurance covers the Town of Cheektowaga as being additionally insured, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves the request by the Two Nations District, Boy Scouts of America for the sale of refreshments in Cheektowaga Town Park on October 16th, 17th and 18th, 1981.

*See next page for copy of Certificate of Insurance.

INN

INSURANCE COMPANY OF NORTH AMERICA
Philadelphia, Pennsylvania



CERTIFICATE OF INSURANCE

(This certificate of Insurance neither affirmatively nor negatively amends, extends or alters the coverage, limits, terms or conditions of the policies it certifies.)

This is to Certify to

Mr. James A. Matecki, Supt. of Parks
2600 Harlem Road
Cheektowaga, New York 14225

POLICY NO. GLP 706452

POLICY PERIOD: From 1/1/78 until cancelled
12:01AM, standard time at North Brunswick,
New Jersey

Named Insured - Boy Scouts of America, National Council and Local Council named herein.

LOCAL COUNCIL: Greater Niagara Frontier Council Inc. B.S.A. COUNCIL NO. 380

ADDRESS: 334 Delaware Ave., Buffalo, New York 14202

THE INSURANCE PROVIDES THE FOLLOWING COVERAGES AND LIMITS OF LIABILITY, SUBJECT TO ALL THE TERMS, CONDITIONS AND EXCLUSIONS OF THE POLICY, FOR ALL SCOUTING ACTIVITIES OF THE NAMED LOCAL COUNCIL. INCLUSION OF MORE THAN ONE NAMED INSURED DOES NOT INCREASE THE COMPANY'S TOTAL LIMIT OF LIABILITY.

HAZARDS

LIMITS

COMPREHENSIVE- GENERAL LIABILITY
and NON-OWNED AUTOMOBILE

BODILY INJURY AND
PROPERTY DAMAGE
LIABILITY

\$500,000 per occurrence
COMBINED SINGLE LIMIT
\$500,000 aggregate as applicable

COVERAGE INCLUDED FOR:

Premises-Operations - Independent Contractors -
Completed Operations/Products - Blanket Contractual -
Personal Injury - Employee Exclusion deleted -
Malpractice-Incidental - Broad Form Vendors -
Non-Owned Autos, Hired Cars & Drive other Car coverage -
Employers Liability Stop Gap-where applicable -
Watercraft Liability-owned and non-owned -
Host Liquor Law Liability - Fire Legal Liability -
Real Property - Broad Form Property Damage -
Employee Benefits Liability

TERRITORY: Worldwide

ADDITIONAL INSURED:

ALL SCOUT OFFICIALS, including Council members, Executive Board members, Council and District Committee members, Unit Leaders, Unit committees, Commissioners, Counselors, Camp Leaders and Instructors - in short, all Cub, Scout, and Explorer Leaders; PROFESSIONAL AND NON-PROFESSIONAL EMPLOYEES, CHARTERED INSTITUTIONS (SPONSORS), VOLUNTEER WORKERS, (Whether or not registered Scouters) when engaged in Scouting operations as directed by a Scout Official. JUNIOR LEADERS, AUXILIARY ORGANIZATIONS AND THEIR MEMBERS: UNIT AND ITS MEMBERS; DONORS OF AUTOMOBILES- Donor or his representative when his automobile is being used in Scouting activities with the approval of a Scout official.

CERTIFICATE HOLDER IS ADDED AS AN ADDITIONAL INSURED. YES (X) NO ()
AS RESPECTS:

Mr. James A. Matecki, Supt. of Parks
Two Nations District Advancement Camporee
October 16 - 18, 1981

It is the intention of the company, if policy is cancelled that 30 days written notice will be given to Certificate Holder.

John T. Chamberlain
Authorized Representative

INSURANCE COMPANY OF NORTH AMERICA

Item No. 59 Cont'd.

Upon Roll Call....

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

Item No. 60A Approval of Change Order relative to "Improvements to Cheektowaga Town Park", Contract No. 1.

Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, the "Improvements to Cheektowaga Town Park", Contract No. 1: Asphaltic, Concrete, Paving, Tennis Court and Tennis Court Fencing Work has previously been awarded to McClendon Blacktop Company, 3214 Haseley Drive, Niagara Falls, New York 14302, AND

WHEREAS, the Cheektowaga Town Board desires to include in said Contract, Scope of Work subsurface drainage, AND

WHEREAS, the McClendon Blacktop Company has submitted a proposal for Change Order No. 1 of Contract No. 1, to furnish and install 4" perforated PVC pipe; backfill with No. 2 stones for subsurface drainage of six (6) tennis courts at Six Thousand, Six Hundred and Sixty-Five Dollars (\$6,665.00), NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Change Order No. 1, of Contract No. 1 in the amount of \$6,665.00 as submitted by McClendon Blacktop Company, 3214 Haseley Drive, M.P.O. Box 744, Niagara Falls, New York 14302, and BE IT FURTHER

RESOLVED, that funds for said action are available from the Heritage Conservation and Recreation Service, Contract # 36-00849 and the Town of Cheektowaga "Improvements to Cheektowaga Town Park" Bond.

Upon Roll Call....

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

Item No. 60B Approval of Change Order relative to "Improvements to Cheektowaga Town Park", Contract No. 2.

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the "Improvements to Cheektowaga Town Park", Contract No. 2: Reconstruction of Baseball Diamond and Site Development of Wildy Recreation Corridor, has previously been awarded to Lawnscape Construction Company, Inc., 336 Casey Road, East Amherst, New York 14051, AND

WHEREAS, the Town Board desires to include subsurface drainage of Hardball Diamond No. 2 in the scope of said work, AND

WHEREAS, Lawnscape Construction Company, Inc., has submitted a proposal for Change Order No. 1, of Contract No. 2 to furnish and install said drainage, to include 4" and 6" PVC perforated pipe and relocated stone backfill at Six Thousand Dollars (\$6,000.00), NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Change Order No. 1, of Contract No. 2 in the amount of \$6,000.00 as submitted by Lawnscape Construction Company, Inc., and BE IT FURTHER

RESOLVED, that funds for said action are available from the Heritage Conservation and Recreation Service, Contract # 36-00849 and the Town of Cheektowaga "Improvements to Cheektowaga Town Park" Bond.

Item No. 60B Cont'd.

Upon Roll Call....

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

Item No. 61 Motion by Councilman Swiatek, seconded by Councilman Wegner
to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

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 September, 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, Jr.
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: Councilman Frank J. Dux

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Ron Zoeller, Working Foreman in the Sanitation Department; Sal LaGreca, Assistant Manpower Program Director I; Theodore DeFedericis, Chief of Police; Julia Reinstein, Town Historian; Mike Miecznikowski, Recreation Director; Ron Marten, Building and Plumbing Inspector; Dr. Louis Vendetti, Health Officer; George Burst, Working Foreman in Central Garage; Ken Kopacz, Executive Director of the Youth Bureau.

I. BIDS

Item No. 2 Furnishing of one (1) winch wrecker
Referred to Chester Bryan, Town Engineer

Item No. 3 Seasonal requirements for Cheektowaga Highway Department
Referred to Alfred Wnek, Highway Superintendent

II. PUBLIC HEARINGS

Item No. 4 This being the time and place advertised for a public hearing to consider the acquisition of certain privately owned property, known as the Nob Hill Park site, said property being bounded by Cayuga Road, Ellen Drive, and Terry Lane, by the Town's power of eminent domain, for the purpose of providing a park and recreation facilities for residents in the north section of Cheektowaga. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

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

Item No. 5 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Fire Prevention Code of the said 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 amendment being as follows:

* * * * *

1. RESOLVED THAT Section 1.1, which relates to the intent of the code, shall be amended by substituting "The latest edition of the National Fire Code, the Life Safety Code and approved safety standards as recommended by the National Fire Protection Association shall be deemed to be the nationally

Item No. 5 cont'd

recognized good practice for conditions, details and subjects not covered in this Ordinance" in place of "Compliance with standards of the American Insurance Association or the National Fire Protection Association or other approved nationally recognized safety standards shall be deemed to be prima facie evidence of compliance with this intent."

2. RESOLVED THAT Section 1.4 a., which relates to the inspection of buildings and premises, shall be amended by deleting the phrase "except the interiors of dwellings."

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. 6 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 Section 130 of Article XIII of the Traffic Ordinance of the Town of Cheektowaga, which pertains to truck exclusions shall be amended by the inclusion therein of WEST SOBIESKI AVENUE as a designated town highway from which truck traffic is excluded.

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. 7 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 streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CRESCENT COURT	East-west	WHEATON DRIVE	Southbound	N.W. Corner
CRESCENT COURT	East-west	WHEATON DRIVE	Northbound	S.E. Corner

Item No. 7 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. 8 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga has received a copy of the Design Report and Environmental Assessment TIN 5751.20 Como Park Boulevard from the Erie County Department of Public Works, Division of Highways, and

WHEREAS, said report recommended that Como Park Boulevard, between Union and Transit, be widened from two lanes to four lanes, and

WHEREAS, said report was reviewed by the Cheektowaga Town Board, and

WHEREAS, said report has generated citizen opposition to a four-lane highway, and

WHEREAS, the Town Board objects to the new proposed width of Como Park Boulevard, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board support the reconstruction of Como Park Boulevard as an improved roadway meeting modern highway standards, and BE IT FURTHER

RESOLVED that the Erie County Division of Highways and the New York State Department of Transportation are hereby memorialized to reconsider the proposed width and to recommend a roadway which will be more suitable and acceptable to the Town Board and the local residents that will be affected by the road improvement.

* See next four pages for Resolution to be submitted by Legislator Slisz re: Opposition to widening Como Park to a four lane highway

RECEIVED

Richard M. Moleski, Town Clerk

RESOLUTION TO BE SUBMITTED BY LEGISLATOR SLISZ

SEP 21 1981

A.M.

P.M.

RE: OPPOSITION TO WIDENING COMO PARK TO A FOUR LANE HIGHWAY

WHEREAS, the New York State Department of Transportation has completed a Design Report and Environmental Assessment Study on Como Park Boulevard in the Town of Cheektowaga and has recommended that it be widened to a four lane, 52 feet wide thoroughfare, that a new bridge over Cayuga Creek be constructed and that the existing railroad bridge be removed, and

WHEREAS, area residents agree that both the existing bridge and the railroad tracks are in a state of disrepair and that Como Park Blvd. itself needs to be improved, but they seriously question the need to convert Como Park to a four lane, 52 feet wide super highway, and

WHEREAS, the NYSDOT claims that their twenty-five year projections show an increased population and a doubling of traffic flows in the Como Park Blvd. area and that said data justify the conversion of this road into a super thoroughfare, and

WHEREAS, the fact of the matter is that based on the Town's 1980 census figures, Cheektowaga is not showing any population growth...the population of Cheektowaga actually decreased by 4,402 during the last decade, and

WHEREAS, the DOT's questionable population projections lead one to raise serious doubts about their projected traffic volumes used to justify a four lane highway, and

WHEREAS, one must also question the DOT's allegations that much of the Town of Cheektowaga's supposed population increase will occur in the Como Park Blvd. corridor since the vast majority of this vacant land is located within the Cayuga Creek floodplain or is considered fresh water wetlands, and

WHEREAS, at the time when traffic count projections were being developed for Como Park Blvd., Losson Road another east-west arterial located south of Como Park Blvd. was in deplorable condition forcing many motorists to avoid use of this road and to use Como Park Blvd. instead, and

WHEREAS, since the improvements to Losson Road will be completed shortly, the traffic use on Como Park Blvd. must again be re-examined, and

WHEREAS, in the environmental assessment portion of their study, the DOT admits that this construction projection will cause increased pollutants, high noise levels, time delays, as well as marked damage to the environmental surroundings, and

WHEREAS, the need to widen Como Park Blvd. to 52 feet must also be questioned in view of the fact that this road runs through a residential area, and that there are no commercial, business or industrial establishments situated along this road, and

WHEREAS, it is interesting to note that within a one mile radius of Como Park Blvd, there are two, four lane arterials running east to west, namely Broadway and French Road, and as of October there will be another four lane, 52 feet arterial in the

vicinity, namely Losson Road, and

WHEREAS, it is obvious that this area of Cheektowaga does not need another four lane, east-west arterial when it already has three such thoroughfares in a compact area, and

WHEREAS, the residents of the Como Park Blvd. area have filed a petition in opposition to the widening of this thoroughfare and have stated that the proposed project will threaten the safety of their children, decrease the resale value of their homes, degrade the residential appearance of the neighborhood and result in high levels of air and noise pollution, and

NOW THEREFORE BE IT,

RESOLVED, that the Erie County Legislature does hereby strongly urge the New York State Department of Transportation to restudy the need to widen Como Park Boulevard to a four lane, 52 feet highway and to reassess the population and traffic counts which were projected in the initial study, and be it further

RESOLVED, that in re-examining the proposed Como Park Blvd. project, the State DOT ought to direct its design efforts to the construction of either a two lane, 36 feet road or a two lane, 40 feet road with a designated bicycle path similar to that of Borden Road, and be it further

RESOLVED, that the State DOT is called upon to thoroughly consider the numerous citizen objections to the proposed four lane Como Park Blvd. project and to take particular note of the fact that this is a residential neighborhood and that there are already in existence a sufficient number of four lane highways

running east to west in this area of the Town of Cheektowaga,
and be it further,

RESOLVED, that the State DOT is urged not to proceed with
Phase I of this project (i.e., the aforementioned bridge work)
until such time a thorough reassessment of the Como Park Blvd.
project has been completed, and be it further,

RESOLVED, that certified copies be sent to the Regional
Director of the Department of Transportation, Donald H. Ketchum,
Erie County Public Works Commissioner, Edward H. Umiker, and the
Cheektowage Town Board.


RICHARD A. SLISZ

Item No. 8 cont'd

Upon Roll Call....

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

Item No. 9 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 5th day of October, 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 24th day of September, 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 5th day of October, 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:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
MARTINIQUE DRIVE	North-South	WOODGATE DRIVE	Westbound	N.E. 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

FRENCH ROAD	South side	between the east curbline of Pheasant Lane and the west curbline of Suzette Drive
LEHARVE DRIVE	North side	between the east curb line of Woodgate Drive and the west lot line of 304 LeHarve Drive

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

RICHARD M. MOLESKI
Town Clerk

* * * * *

Item No. 9 cont'd

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Richter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clark* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication..... *September 24, 1981*;
last publication..... *September 24, 1981*;
and that no more than six days intervened be-
tween publications.

Gladys M. Richter
Sworn to before me this *25th*
day of *September*, 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*

Legal Notice

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 5th day of October, 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:

Street, **MARTINIQUE DRIVE**; Direction, North-south; Entrance Street, **WOODGATE DRIVE**; Traffic Stops, West-bound; Sign Location, N.E. 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

FRENCH ROAD, South side, between the east curbline of Pheasant Lane and the west curbline of Suzette Drive

LeHAVRE DRIVE, North side, between the east curb line of Woodgate Drive and the west lot line of 304 LeHavre Drive.

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

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: September 24, 1981

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

WHEREAS, this Town Board duly held a public hearing on the 9th day of September, 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 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:

SEMINOLE PARKWAY	North side	from the west curbline of Seminole Lane
	and west side	to the north curbline of Nokomis Parkway

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:

SEMINOLE PARKWAY	South side	from the north curbline of Nokomis Parkway (westerly portion) to its intersection with Nokomis Parkway (easterly portion)
BARBADOS DRIVE	South side	from the west curbline of Woodgate Drive to the east curbline of Barbados Drive

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 this amendment specifying the date of adoption thereof.

Item No. 10 cont'd

Upon Roll Call....

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

AFFIDAVIT - 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 Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....September 24, 1981.....;
last publication.....September 24, 1981.....;
and that no more than six days intervened be-
tween publications.

Gladys M. Sechter
Sworn to before me this25th.....
day ofSeptember....., 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 September, 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.
Donald J. Wegner
William P. Rogowski

ABSENT: Councilman Frank J. Dux

Motion by Councilman Johnson Seconded by Councilman Wegner
WHEREAS, this Town Board duly held a public hearing on the 9th day of September, 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, 1987, 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 per-

Legal Notices

curbline of Nokomis Parkway (westerly portion) to its intersection with Nokomis Parkway (easterly portion)

BARBADOS DRIVE, South side, from the west curbline of Woodgate Drive to the east curbline of Barbados Drive

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 this amendment specifying the date of adoption thereof.

Upon roll call...

Supervisor

Meyers

Councilmen:

Swiatek

Johnson

Dux

Wegner

Rogowski

AYES: 5
NAYES: 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 September 21, 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. 10, 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 21st day of September, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: September 24, 1981.

Item No. 11 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the "Public Improvement Permit Ordinance" of the Town of Cheektowaga requires that all improvements that are to be dedicated to the Town and be maintained by the Town be installed under a Public Improvement Permit, and

WHEREAS, the developer of Postal Drive, Dr. Victor Reinstein, has submitted the required Public Improvement Permit application, plans and specifications, permit fee and required easement for the installation of the sanitary sewer for this development, NOW, THEREFORE, BE IT

RESOLVED that this Public Improvement Permit be approved for the installation of the sanitary sewer for Postal Drive.

Upon Roll Call.....

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

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

WHEREAS, the developers of the Martinique Subdivision (Castine & Kidawski) have entered into a contract with Merriman Conservation Consultants, Inc. to construct and complete certain channel improvements to Slate Bottom Creek as required under the accepted subdivision plans, and

WHEREAS, the subdivision developers (Castine & Kidawski) have submitted a Certificate of Deposit to the Town Clerk which is currently in the amount of \$6,000 as security for the completion of these channel improvements, and

WHEREAS, the required channel improvements have been completed in a manner acceptable to the Town Engineer as outlined in the attached letter dated September 14, 1981 and considered a part of this resolution, and

WHEREAS, the developers of this project request a release of the \$6,000 security deposit so that final payment can be made to Merriman Conservation Consultants, Inc. for this completed project, NOW, THEREFORE, BE IT

RESOLVED that this security deposit in the amount of \$6,000 be release so that payment can be made to Merriman Conservation Consultants, Inc. for this completed work.

* 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

September 14, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Streambank Stabilization
and Weir Construction,
Slate Bottom Creek

Gentlemen:

Merriman Conservation Consultants Inc. have recently completed the reconstruction and stabilization of the north bank of Slate Bottom Creek and construction of the gabion weir structure directly south of the Martinique Subdivision. This work, required under the accepted subdivision plans, was accomplished through a contract between Castine and Kidawski, the developers of the Martinique Subdivision, and Merriman Conservation Consultants Inc., with the Town of Cheektowaga requiring a Certificate of Deposit as security for the faithful performance of said project.

The project has been satisfactorily completed in accordance with the plans drawn by Edwin R. Merriman dated 1979 and the remaining \$6,000 being held as security may, therefore, be released so that final payment may be made by the subdivision developers to Merriman Conservation Consultants Inc.

Very truly yours,

TOWN OF CHEEKTOWAGA

William R. Pugh
Sr. Engineer Assistant

WRP:dms

Item No. 12 cont'd

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga is presently participating in a State and Federal Construction Grants Program to abate water pollution in the Cheektowaga Sanitary Sewer District #5 Service Area, including sewer system rehabilitation, and

WHEREAS, upon a grant award from the U.S. Environmental Protection Agency the Town of Cheektowaga entered into an agreement with the engineer to provide services related to Step III sewer rehabilitation in Sanitary Sewer District #5, and

WHEREAS, on February 2, 1981 the Town received bids for sewer rehabilitation work in Sanitary Sewer District #5, and

WHEREAS, on March 2, 1981 this Town Board did authorize the Supervisor to sign an application for an amendment to the Federal Grant C-36-323-04 and an amendment to the engineering services agreement with Nussbaumer & Clarke, Inc., and

WHEREAS, due to additional proposed rehabilitation the cost of which is not part of the current grant amount, but is approved by the NYSDEC, a revised application must be submitted for an amendment to the Federal Grant, and

WHEREAS, due to ongoing field changes necessary to ensure complete sewer rehabilitation in certain areas, the contingency item in the grant must be increased as a part of said grant amendment, NOW, THEREFORE, BE IT

RESOLVED that Nussbaumer & Clarke, Inc. is authorized to prepare said revised application for the amendment to the Federal Grant, and BE IT FURTHER

RESOLVED that the Supervisor is authorized and directed to sign said application.

Upon Roll Call....

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

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

WHEREAS, the consulting firm of Nussbaumer & Clarke, Inc. was retained to provide services relating to an investigation of the Alpine Lift Station, and

WHEREAS, investigations by said consulting engineers determined the possibility of serving both the Delavan and Alpine Lift Station service areas by gravity, and

WHEREAS, it is in the Town's best interest to fully evaluate the feasibility of serving said lift stations by gravity, NOW, THEREFORE, BE IT

RESOLVED that the amendment to the Alpine Lift Station Agreement of July 6, 1981 as submitted by Nussbaumer & Clarke, Inc. in their letter of September 14, 1981 to the Town Engineer be and hereby is accepted, and BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign said addendum to cover the investigation of the Delavan Lift Station.

Item No. 14 cont'd

Upon Roll Call....

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

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

WHEREAS, the sewer moratorium for Sanitary Sewer District No. 7 was amended to exclude the Walden Avenue service area, and

WHEREAS, there is need to investigate existing sewers and to plan for future sewer extensions along Walden Avenue east of Dick Road, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., consulting engineers, as submitted in their letter of September 10, 1981 to the Town Engineer, be and hereby is accepted, and BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign the agreement with Nussbaumer & Clarke, Inc. for said Walden Avenue Sewer Study.

Upon Roll Call....

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

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

WHEREAS, the consulting firm of Nussbaumer & Clarke, Inc. have approved the following Change Order #1 for the Walden 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 September 17, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order #1 on the Walden Avenue Reconstruction Project, Phase II, in the sum of \$7,402.81 as an addition to the contract of Cimato Brothers Construction Company, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order #1 on behalf of the Town of Cheektowaga.

* See next page for letter



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-686-3448

September 17, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order #1
Walden Avenue Reconstruction
Project, Phase II

Gentlemen:

Attached for your consideration is a resolution approving the payment of \$7,402.81 for Change Order #1 to Cimato Brothers Construction Company, Inc. for additional work performed on the above subject project. The additional work, reason, material and labor cost are defined in the Change Order.

Change Order #1 - Add \$7,402.81

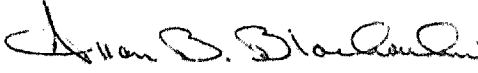
This change was required to extend the 8" sanitary sewer on the south side of Walden Avenue and to provide sewer access to Butlock Iron property. In addition, an extra manhole was required to divert the sanitary sewer flow away from the old sewer on the south side of Walden which will be abandoned.

The breakdown of material and labor costs of this Change Order is on file in the Town Clerk's Office.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer


BY: Allan B. Blachowski
Sr. Engineer Assistant

CLB:ABB:dms

Item No. 16 cont'd

Upon Roll Call....

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

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

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the re-roofing of the swimming pool buildings at the Dingens, Maryvale and Town Parks and the George Urban Pump Station, 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 and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the contract to re-roof the four (4) buildings, as per unit bid prices and as recommended by the Town Engineer, be and the same is hereby awarded to All Weather Roofing, 510 Ellicott Road, Cheektowaga, New York 14227, said bid being the lowest meeting the requirements of the specification.

ITEM I	Town Park	\$5,392.00
ITEM II	Maryvale	\$8,164.00
ITEM III	Dingens	\$7,864.00
ITEM IV	George Urban Pump Station . .	\$2,900.00

* 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
716-686-3447

September 17, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Re-roofing Bids

Gentlemen:

At the regular Town Board Meeting of September 9, 1981 bids were received and opened for the re-roofing of the Dingens, Maryvale and Town Park Swimming Pool Buildings and the George Urban Pump Station. Eight (8) bids were received with the totals of the four (4) lowest listed below:

	ALL WEATHER ROOFING	DRAPER ROOFING	BRADLEY & SONS	McGONIGLET HILGER ROOFING
Item I - Town Park	\$5,392.00	\$7,301.00	\$7,130.00	\$6,918.00
Item II - Maryvale	8,164.00	8,857.00	8,875.00	9,194.00
Item III - Dingens	7,864.00	8,857.00	8,875.00	9,194.00
Item IV - George Urban Pump Station	2,900.00	3,899.00	4,715.00	4,877.00

It is, therefore, recommended that the bid be awarded to the lowest bidder meeting the requirements of the specification. Items I thru IV of the bid should be awarded to All Weather Roofing, 510 Ellicott Road, Cheektowaga, New York 14227.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

By:

Allan B. Blachowski
Senior Engineer Assistant

ABB:mjh

Item No. 17 cont'd

Upon Roll Call....

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

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following be hired as seasonal Rink Personnel in the Recreation Department at a rate of \$3.10 per hour (pending adjustment) for the 1981 season effective September 21, 1981:

Mark Banaszak
Norm Bitterman
Lawrence Darmstedter
Paul Dennis
Rae Marie Heckman
Bob Kowalewski
Jeff Kujawa
Lita Murawski
Frank Piotrowicz
Robin Reimer
Barbara Wojcik
Robert Maue

FIGURE SKATING INSTRUCTOR - \$20.00 per week

Lise Woolrich

HOUSE LEAGUE HOCKEY COORDINATOR - \$4.00 per hour

Dean Lach

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Wegner, 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 Town of Cheektowaga Sanitation Department as Seasonal Laborers, at an hourly rate of \$3.10 per hour; said rate subject to 1981 hourly adjustment: (hired as needed, effective September 22, 1981.)

SEASONAL LABORERS

James Domin
Ronald Fenske, Jr.

Upon Roll Call....

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

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

WHEREAS, Edward Brayer, Director of Personal Services, has been absent from work due to illness, and

Item No. 20 cont'd

WHEREAS, Edward Brayer 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 Edward Brayer is hereby granted extended sick leave for a period of fifteen (15) working days; said sick leave extension effective September 22, 1981.

Upon Roll Call....

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

Item No. 21 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the TOWN BOARD of the TOWN OF CHEEKTOWAGA approved a resolution at their meeting of August 3rd, 1981 authorizing Carl Perlino to attend the New York State Traffic Safety Boards Convention on August 23rd to August 26th at a cost not to exceed \$300.00, and

WHEREAS, actual expenses incurred by Mr. Perlino amounted to \$330.06, NOW, THEREFORE, BE IT

RESOLVED that the August 3rd, 1981 resolution stated above shall be amended to read "Carl Perlino shall be reimbursed for all necessary and reasonable travel expenses in connection with said Convention at a sum not to exceed \$330.06."

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, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

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

WHEREAS, the New York State Traffic Boards is holding a two-day meeting in Albany, New York on October 6 and 7, 1981, and

WHEREAS, Carl Perlino, a member of the Cheektowaga Traffic Safety Commission, has recently been appointed State Chairman of the Law Enforcement Section, and

WHEREAS, it is necessary for Carl Perlino to attend the meeting of the New York State Traffic Boards in order to present the Town's recommendations, NOW, THEREFORE, BE IT

RESOLVED that Carl Perlino be and hereby is authorized to attend said meeting in Albany, New York on October 6 and 7, 1981, and BE IT FURTHER

RESOLVED that Carl Perlino be reimbursed for all necessary and reasonable expenses in an amount not to exceed \$200.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

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

WHEREAS, the Town of Cheektowaga annually sponsors a Polish-American Arts Festival, and

Item No. 23 cont'd

WHEREAS, the Town has received funding from the New York State Council on the Arts for said Festival in previous years, and

WHEREAS, the New York State Council on the Arts possesses cultural resources which can be tapped to improve and enhance the quality of the Town's Polish-American Arts Festival, and

WHEREAS, Jerry J. Gabryszak, Community Development Director, has served as Festival Coordinator during the last three years, and

WHEREAS, it would be to the Town's benefit to explore the cultural resources available as well as the possibility of additional funding in relation to the Town's Polish-American Arts Festival, NOW, THEREFORE, BE IT

RESOLVED that Jerry Gabryszak be and hereby is authorized to travel to New York City on October 7-8, 1981 to meet with the New York State Council on the Arts to review cultural resources available and discuss funding for the Town in relation to the Town's Polish-American Arts Festival, and BE IT FURTHER

RESOLVED that Jerry Gabryszak be reimbursed for necessary and reasonable expenses in an amount not to exceed \$300.00.

Upon Roll Call....

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

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

WHEREAS, the General Practice of Law Section and the Committee on Continuing Legal Education of the New York State Bar Association will be conducting a seminar "Update '81" on changes in law for 1981 in Syracuse, New York from October 2 - 3, 1981, and

WHEREAS, Town Justice Dennis L. Repka is requesting permission from the Town Board to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED that Town Justice Dennis L. Repka is hereby authorized to attend the seminar "Update '81" in Syracuse, New York, October 2 - 3, 1981 and BE IT FURTHER

RESOLVED that Town Justice Dennis L. Repka shall be reimbursed for all fees and reasonable travel expenses in connection with said seminar.

Upon Roll Call....

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

Item No. 25 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at the Northwest corner of Cayuga Road and Ellen Drive (vacant property), Cheektowaga, New York, Map Cover 1900, Sublot 32, Tax Account Number 32-558 and according to the Assessor's Office is owned by Peter Merchant etal, Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Item No. 25a cont'd

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 84 Rowley Hollow (vacant property), Cheektowaga, New York, Map Cover 2369, Sublot 22, Tax Account Number 46-493 and according to the Assessor's Office is owned by Josela Enterprises, 4875 Broadway, Depew, New York 14043, and

WHEREAS, these conditions require some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 25c Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located to the rear of 3035 Genesee Street, Cheektowaga, New York, Tax Account Number 2-400 and according to the Assessor's Office is owned by Hard Rock Paving Co., 811 Young Street, Tonawanda, New York 14150, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris be removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 25d Motion by Councilman Wegner, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on the Southwest side of Slate Drive North of North Transithill Drive (vacant lot) Cheektowaga, New York, Tax Account Number 2-386-14 and according to the Assessor's Office is owned by David J. Lueke, Alden, New York 14004, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris be removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Item No. 25d cont'd

Upon Roll Call....

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

Item No. 25e Motion by Councilman Wegner, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding the high weeds on property located between Starlite Avenue and Tamark Court (vacant property), Cheektowaga, New York, Tax Account Number 3-828 and according to the Assessor's Office is owned by John Michalik, Buffalo, New York 14206, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

Item No. 25f Motion by Councilman Wegner, seconded by Councilman Rogowski

WHEREAS, on July 6, 1981 the Town Board adopted a resolution regarding cleanup of property located at vacant lots on William Street West of Colton Street, and

WHEREAS, one of the Tax Account Numbers was incorrect, NOW, THEREFORE, BE IT

RESOLVED that said resolution be amended as follows:

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on William Street West of Colton Street, (vacant lots), Sublots 3,4,5, Map Cover 838, Block B, Cheektowaga, New York (Tax Account Number 8-252, 8-253, 8-254) and according to the Assessor's Office is owned by Arthur Karnofsky, Williams, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and the accumulated debris be removed by the Town and all costs incurred be assessed against the landowner hereinbefore described.

Upon Roll Call....

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

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

BE IT RESOLVED that the following fund transfers as per attached sheet are hereby approved.

* See next page for transfers

TOWN OF CHEEKTOWAGA

September 21, 1981

Fund Transfers

GENERAL FUND

<u>From</u>	<u>Amount</u>	<u>To</u>
A.1356.105 (Assessment Review Board Fees)	100.00	A.1356.400 (Assessment Review Board Office Supplies)
A.7310.467 (Youth-Service Projects)	1,000.00	A.7310.420 (Youth-Telephone)
A.7181.169 (Beach & Pool-Mechanic)	3,000.00	A.7181.149 (Beach & Pool-Mechanics)
A.1990.480 (Contingency)	2,000.00	A.1420.139 (Law-Part Time)
A.7110.444 (Parks-Portable Toilets)	3,500.00	A.7110.446 (Parks-Equip. Repairs)
A.7110.550 (Parks-Special Events)	1,000.00	A.7143.421 (Dartwood Center-Utilities)
A.7144.220 (Losson Center-Furniture)	1,000.00	A.7144.421 (Losson Center-Utilities)
A.7144.220 (Losson Center-Furniture)	2,168.50	A.7141.421 (Recreation Center-Utilities)
A.7405.550 (Cultural Center-Spec.Events)	2,000.00	A.7141.421 (Recreation Center-Utilities)
A.1623.428 (Plumbing-Repairs & Maint.)	1,000.00	A.7141.421 (Recreation Center-Utilities)
A.1623.440 (Plumbing-Repairs & Maint.)	1,000.00	A.7141.421 (Recreation Center-Utilities)
A.1990.480 (Contingency)	5,000.00	A.1920.408 (Govt. Business Travel)
A.1220.110 (Disaster Coordinator)	4,000.00	A.1220.139 (Supervisor-Part Time)
A.7620.418 (Sr. Citizens-Spec. Events)	2,000.00	A.7620.467 (Sr. Citizens-Special Events Personnel)
A.6410.419 (Publicity)	2,000.00	A.7550.439 (Celebrations)
A.599 (Appropriated Fund Balance)	141,790.00	A.9550.900 (Transfer to Capital Fund-Various Projects)
A.1550.000 (Estimated Revenues-Dog Fees)	500.00	A.3510.400 (Dog Warden-Supplies)

PART TOWN FUND

B.3620.115 (Safety Insp.-Fire Insp.)	500.00	B.3620.106 (Safety Insp.-Plumbing Board Members)
B.3620.149 (Safety Insp.-Part Time)	2,000.00	B.3620.220 (Safety Insp.-Equipment)
B.3620.115 (Safety Insp.-Fire Insp.)	1,335.05	B.3620.220 (Safety Insp.-Equipment)
B.3620.115 (Safety Insp.-Fire Insp.)	250.00	B.3620.102 (Safety Insp.-Plumbing Board Members)

SPECIAL DISTRICT FUND

S.7160.137 (Sanitation-Clerical)	7,000.00	S.7160.135 (Sanitation-Sr. Clerk)
S.7160.460 (Sanitation-Disposal Site)	6,000.00	S.7160.135 (Sanitation-Sr. Clerk)
S.7160.460 (Sanitation-Disposal Site)	47,000.00	S.7160.149 (Sanitation-Seasonal Help)
S.7160.810 (Sanitation-Retirement)	4,777.00	S.7160.816 (Sanitation-Unemployment)
S.909 (Fund Balance)	13,000.00	S.8323.505 (Sewer Dist. 3-Drainage Study)

FEDERAL REVENUE SHARING FUND

CF.8540.438 (Drainage-St. Felix)	84.73	CF.8540.429 (Drainage-Scajaquada Creek)
CF.8540.438 (Drainage-St. Felix)	9.50	CF.8540.432 (Drainage-Sandra, Rogers)
CF.8540.438 (Drainage-St. Felix)	533.60	CF.8540.434 (Drainage-Harlem Rd.)
CF.909 (Fund Balance)	1,000.00	CF.8540.404 (Drainage-Easements)
CF.909 (Fund Balance)	1,804.97	CF.8540.416 (Drainage-Chapel, Northcrest)

HIGHWAY FUND

DB.599 (Appropriated Fund Balance)	27,500.00	DM.9550.900 (Transfer to Capital Fund Rossler Bridge)
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Item No. 26 cont'd

Upon Roll Call....

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

Item No. 27 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 September 21st, 1981 are hereby approved and the SUPERVISOR is ordered to pay same.

<u>FUND</u>	<u>CHECK NOS.</u>	<u>AMOUNT</u>
GENERAL FUND	19004,19003,18998,13056- 13183,18966-18997	\$ 803,031.23
SPECIAL DIST. FUND	8276-8286, 10922-10969	370,325.14
HIGHWAY FUND	6130-6136, 10561-10603	113,905.29
F.R.S. FUND	10252-10265	3,742.76
CAPITAL FUND	493,505-514	514,800.22
TRUST AND AGENCY FUND	1016,1034-1036,1049-1050	266,832.84
H.U.D. - C.D.B.G. FUND	367-368, 374-386	232,201.50
PART TOWN FUND	492-500	11,286.88
		<u>\$2,316,125.86</u>

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 28 Health report for August
Received and Filed.

Item No. 29 Cheektowaga Public Library Board - minutes of 6/19/81 meeting
Received and Filed.

Item No. 30 Cheektowaga Traffic Safety Commission - letter regarding proposed
stop signs on Wheaton at Crescent Ct.
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 31 N.Y.S. Dept. of Trans. - acknowledgment of resolution of August 3,
1981 regarding Harlem Road
Copies were sent to: Kenneth J. Meyers, Supervisor; Cheektowaga
Town Board.
Received and Filed.

Item No. 32 International Cable - letter regarding increase in rates for HBO
Received and Filed.

- Item No. 33 Petition from residents of Como Park Blvd. & adjacent streets regarding widening of Como Park Blvd.
Copies were sent to Kenneth J. Meyers, Supervisor; Council Office; Richard Slisz, Legislator.
Received and Filed
- Item No. 34 Petition from residents of Arthur Musarra Pkwy. regarding closing south end of street.
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Office; Cheektowaga Traffic Safety Commission; Captain Kempski, Police Dept.
Received and Filed.
- Item No. 35 Petition from residents of West Sobieski Avenue regarding proposed amendment to Traffic Ordinance regarding truck exclusions
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Office ; Captain Kempski, Police Department; Cheektowaga Traffic Safety Commission.
Received and Filed.
- Item No. 36 NOTICE OF CLAIM - John Zbytek 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. 37 NOTICE OF CLAIM - Donald Bayer 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. 38 ORDER TO SHOW CAUSE WITH TEMPORARY RESTRAINING ORDER - Royal Arcades Como Mall, Inc. vs Town of Cheektowaga, Chief of Police, Town Clerk, Supervisor, Town Board
Copies were sent to: James Kirisits, Town Attorney.

VI. 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, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

- Item No. 39 Authorization for Supervisor to sign agreement with Villa Maria College
Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Cheektowaga Youth Bureau co-sponsored a successful Cultural Enrichment Program with Villa Maria College, 240 Pine Ridge Road, Cheektowaga, New York, during March and April of 1981, and

WHEREAS, Villa Maria College has proposed conducting a similar program during October and November of this year, and

WHEREAS, the program would be open to all Cheektowaga Youth regardless of race, color or creed, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga Youth Bureau fund said program at a total cost not to exceed \$1,200.00, and BE IT FURTHER

Item No. 39 cont'd

RESOLVED that the Supervisor be and hereby is directed to execute the attached agreement between the Town of Cheektowaga and Villa Maria College for the operation of said programs.

Upon Roll Call....

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

Item No. 40 Hiring of seasonal employees for Youth Bureau

Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the below listed individuals be hired as seasonal employees for the Youth Bureau, effective October 1, 1981, to be paid at the rate of \$3.35 per hour (Line Item 4089.002)

--Mike Abbarno	--Michael Oryszak
Cheektowaga, N.Y. 14225	Cheektowaga, N.Y. 14225
--Michael Cross	--Robert Reimer
Cheektowaga, N.Y. 14225	Cheektowaga, N.Y. 14225
--Jim McCoy	--Kevin Rinker
Cheektowaga, N.Y. 14225	Cheektowaga, N.Y. 14225

and BE IT FURTHER

RESOLVED that the below listed individual be hired as an Administrative Intern (Line Item 7310.183) at the present minimum wage:

--Judith Moskal
Cheektowaga, N.Y. 14225

Upon Roll Call....

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

Item No. 41 Additional leave of absence for Clerk Typist in Assessor's Office

Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that Carol Bannister is hereby granted an additional three (3) month leave of absence from her permanent position of Clerk Typist in the Assessor's Office; said leave of absence retroactive to September 15, 1981.

Upon Roll Call....

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

Item No. 42 Authorization for Chief Operator, Jr. Sewage Treatment Plant Operator and Maintenance Man to attend training school.

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Main Pump Station in Sanitary Sewer District #5 is nearing completion, which pump station utilizes a variable speed drive operating through electrical control systems, and

Item No. 42 cont'd

WHEREAS, the Robicon Corporation, who are suppliers of the electrical controls, are scheduling a variable frequency drive training school on November 10 and 11, 1981, and

WHEREAS, the Chief Operator and the Town Engineer feel that it is essential for proper operation and maintenance of said Main Pump Station to have persons trained at this school, NOW, THEREFORE, BE IT

RESOLVED that the Chief Operator, the Sr. Sewage Treatment Plant Operator and the Maintenance Man, be and hereby are authorized to attend said variable frequency drive training school with the registration fee of \$250 and all legal expenses to be reimbursed from the Wastewater Treatment Plant #5, budget item 8535.412.

Upon Roll Call....

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

Item No. 43 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

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B I D S
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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 27 - November 2, 1981</u>	
2	Furnishing and installation of Carpeting in Senior Citizens Center	1
3	Furnishing of material for a pre-fab metal building for Town of Cheektowaga	1

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R E S O L U T I O N S

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ITEM

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NO.

Meeting No. 24 - October 5, 1981

4	Decision on amendment to Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (Crescent Ct. @ Wheaton Dr.).	2-3
5	Decision on amendment to Traffic Ordinance - Article XIII: "Truck Exclusions" (West Sobieski Avenue).	4
6	Decision on Rezoning - 849 Borden Road (from R-Residential Dist. to RC-Restricted Business District).	5-6
7	Call for public hearing for rezoning of property located at 2299 William Street, corner of Glidden St.	7
8	Call for public hearings relative to 1982 Budgets: A). Benefit Basis Budget B). Ad Valorem Budget	8 9-11
9	Award of bid for rock salt, calcium, cinders, snow fence, 6 ft. tee posts and tie wires for Highway Department.	12-13
10	Award of bid for one (1) winch wrecker with telescopic extendable boom for Sanitation Department.	13-14
11	Award of Contracts for construction of Senior Citizens Center (general construction, heating/ventilating/air conditioning, plumbing and electrical).	14
12	Approval of Change Order relative to "Improvements to Town Park", Contract No. 3 - Plumbing (decrease in contract).	14-16
13	Approval of payment to N.Y.S. Governor's Traffic Safety Committee relative to Town's participation in Traffic Safety Program.	16
14	Approval of C.D. Housing Rehabilitation Grants through E.C. Community Development Consortium for 1979-80 program year.	16-17
15	Enabling resolution for Kelview Corp. (Try-It Distributors) to close equipment financing with County of Monroe I.D.A.	17-18
16	Authorization for Town Clerk to consolidate election districts for registration days - October 9th and 10th.	18
17	Approval and acceptance of street lighting installations on Barbados Drive and Woodgate Drive.	18-20
18	Authorization for Niagara Mohawk Power Corporation to install Mercury Vapor Lamp on Siberling Avenue.	20-21
19	Clean up of property (high weeds): A). South of 252 Dean Road (vacant property) B). South of 252 Dean Road (vacant property) C). North of 148 Dean Road (vacant property)	21 21 21-22
20	Establishment of salaries for 1981 for Town Officials and Employees not covered in any bargaining unit.	22
21	Set salary for School Crossing Guards for 1981 and designation of holidays, etc.	22-23
22	Hiring of seasonal employees: A). Recreation Department - to assist with fall, winter and spring programs B). Sanitation Department - laborers to cover sickness, personal leave and vacations; also, Central Garage	23-24 24
23	Approval of staff changes re: Adapted Recreation Program for developmentally disabled youth through Youth Bureau.	24
24	Authorization for two (2) Project Coordinators in Youth Bureau to attend conference in Syracuse, New York.	25
25	Authorization for three (3) Senior Citizens Employees to attend workshop at the University of Buffalo.	25
26	Appointment to vacant position of Councilman on the Town Board.	29

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R E S O L U T I O N S

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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 24 - October 5, 1981</u>		
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RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 25 - October 19, 1981 Cont'd.</u>		
31	Transfer of Funds.	19-20
32	Warrant List.	20
<u>Meeting No. 27 - November 2, 1981</u>		
6	Decision on proposal to amend "Amusement Arcade Ordinance" - Section 7, Subdivision (b), Use and Operation Restrictions.	1-2
7	Decision on 1982 Budgets: A). Benefit Basis Budget B). Ad Valorem Budget	4-5 5-6
8	Call for Public Hearing for rezoning of proeprty located at 2989 Genesee Street (from R-Residential Dist. to CM-General Commercial Dist.).	7
9	Call for public hearing to amend Traffic Ordinance - Article X: "Parking, Standing, Stopping" (Enactment of a new Section 106- Designation of Handicapped Parking).	8-9
10	Call for public hearing relative to petition for construction of lateral sewers along portion of Meadowlawn Road in Sewer Dist. #7.	10
11	Advertise for bids for leasing of storage space for election voting machines and Town highway equipment.	11
12	Approval of the following Change Orders: A). Police and Court Building Renovation Project (addition to General Construction Contract) B). Change Order and additional claims on Cedargrove Culvert Project (addition to contract) C). Four (4) Change Orders re: San. Sewer Dist. #5 Main Pump Station (extension of contract completion time - no change in contract price)	12-13 13 13-14
13	Authorization for Supervisor to sign Elevator Maintenance Agreement relative to Main Pump Station.	14-15
14	Authorization for renewal of agreement re: Sporting Goods Shop Concession at Cheektowaga Town Park, Recreation Center.	15-16
15	Appointment of liaison re: Appeal for County aid for litigation pending in regard to assessments on certain properties in Town.	16
16	Permanent appointment to position of Recreation Supervisor - Senior Citizens.	16
17	Hiring of seasonal employees: A). Recreation Dept. - 1981-82 Winter Recreation Programs B). Youth Bureau - Youth Community Conservation & Improvement Project (YCCIP)	16-17 17-18
18	Appointment to vacate position on Cheektowaga Library Board.	18
19	Reappointment to Zoning Board of Appeals.	18
20	Maternity leave of absence for Secretary to the Supervisor.	18
21	Transfer of funds.	18-19
22	Warrant List.	19

RESOLUTIONS CONT'D.

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G E N E R A L C O M M U N I C A T I O N S

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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 24 - October 5, 1981</u>		
32	Erie County Dept. of Public Works - Certificate & Notice of Closing Highway: Rossler Ave. between Griswold & Dingsen, October 5th thru 16th.	29
33	Notice of Claim - Matt E. Komoronski vs. Town of Cheektowaga.	30
34	Notice of Claim - Mary Lou Swiatkowski vs. Town of Cheektowaga and Cheektowaga Police Department.	30
<u>Meeting No. 25 - October 19, 1981</u>		
34	N.Y.S. Dept. of Transportation - Letter re: Installation and maintenance of signs on 3580 Harlem Road at Mafalda Drive.	20
35	Copy of resolution adopted by Lancaster Town Board memorializing Erie County for cost reimbursement from Special County Referendum.	20
36	Certified copy of resolution from Village of Depew re: Appointment of suburban community residents to Buffalo Sewer Authority.	21
37	Letter from Board of Commissioners of U-Crest Fire Dist. #4 re: Closing of south end of Arthur Mussara Pkwy.	21
38	Notice of Application for Review - N.Y. Telephone vs. State Board of Equalization and Assessment.	21
39	Notice of Claim - N.Y. Telephone vs. Town of Cheektowaga.	21
40	Notice of Claim - Michael D'Addetta vs. Town of Cheektowaga, Erie County Water Authority and Erie County.	21
41	Request from Town resident regarding permit for 3551 Harlem Road.	21
<u>Meeting No. 27 - November 2, 1981</u>		
24	N.Y.S. Dept. of Transportation - Notice of Order establishing driveway at 3580 Harlem Road as a one-way exit driveway.	20
25	Erie County Legislature - Copy of resolution adopted 10/15/81 re: Widening of Como Park Blvd.	20
26	Notice of Petition - N.Y.S. Electric and Gas Corporation vs. State Board of Equalization and Assessment.	20

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G E N E R A L C O M M U N I C A T I O N S

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W A I V E R O F R U L E S

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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 24 - October 5, 1981</u>		
35	Authorization for Town to remove and demolish three (3) unsafe buildings located at 3829 Harlem Road.	2
36	Authorization for issuance of warrant against Joseph Vander-Heyden re: State & local health and housing code violations existing at premises known as 152 Peinkofer Dr.	27
37	Authorization for full tax and title search, as well as a survey, of a certain parcel of real property in Town of Cheektowaga.	27-28
38	Award of contract for "Construction of Drainage Improvements in Town Park".	28-29
<u>Meeting No. 25 - October 19, 1981</u>		
42	Authorization for Supervisor to sign agreement with Buffalo and Erie County Private Industry Council, Inc. for implementation of Comprehensive Employment and Training Program.	21-22
43	Decision on Rezoning - 2695 Harlem Road.	22-23
44	Change Order for San. Sewer Dist. No. 5 Main Pump Station.	24-25
<u>Meeting No. 27 - November 2, 1981</u>		
27	Authorization for Town Assessor to travel to Albany re: Pending litigation over property valuation.	20
28	Transfer of Employment and Training Services Director II to the Town of Cheektowaga.	21-22

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S P E C I A L M E E T I N G S

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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 22 - September 28, 1981</u>		
2	Bids for Construction of Drainage Improvements in the Town Park, Cheektowaga, New York.	1
3	Bids for Construction of a new Senior Citizens Center on site located east of Town Hall on Broadway.	1
<u>Meeting No. 23 - September 28, 1981</u>		
2	Public Hearing for proposed Industrial Design Guidelines.	1-2
<u>Meeting No. 26 - October 26, 1981</u>		
2	7:00 P.M. - Public Hearing for Benefit Basis Budget.	1
3	7:30 P.M. - Public Hearing for Ad Valorem Budget.	1

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 28th day of September, 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, Jr.
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer.

Item No. 2 Bids for Construction - Drainage Improvements in the Town Park, Cheektowaga, New York
Referred to Chester Bryan, Town Engineer.

Item No. 3 Bids for construction of a new Senior Citizens Center on site located east of Town Hall on Broadway.
Referred to Frederick D. Marzak Architects PC.

Item No. 4 Motion by Councilman Swiatek, seconded by Councilman Rogowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

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 28th day of September, 1981 at 7:00 P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Bill Wielinski, Bookkeeper to the Supervisor; Alfred Wnek, Highway Superintendent; Stuart Alexander, Consultants.

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of Industrial Design Guidelines proposed for adoption by the Town Board of the said 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 Industrial Development Design Requirements being as follows:

(These Industrial Design Guidelines establish certain minimum standards for industrial development including, but not limited to lot requirements, roadways, parking, and service areas, landscaping, drainage, building design and lighting).

* See next five (5) pages for final draft of Industrial Development Design Requirements

FINAL DRAFT

INDUSTRIAL DEVELOPMENT
DESIGN REQUIREMENTS

I. LOT REQUIREMENTS

1. Front Yard: 50'.
2. Side Yard: two required.
 - a. minimum - 15 feet.
 - b. along an R district boundary - 50 feet.
3. Rear Yard
 - a. minimum - 10 feet.
 - b. along an R district boundary - 50 feet.
4. Maximum Building Height: 65 feet, unless governed by other restrictions (ie: Zoning Ordinance 4-04).

II. ROADWAYS

1. Minimum pavement width - 32 feet.
2. Minimum right-of-way - 72 feet.
3. Maximum grade - 5%.
4. Minimum 20' inside curve radius, 50' outside radius.
5. Minimum 60' cul-de-sac radius.
6. Curbing: where provided, curbing to be edged with concrete curbing (6" upright or 2'6" wide channel) on both sides along entire length (see drainage).
7. Pavement surfaces, subsurface materials and roadway cross-section to comply with Town public arterial standards and specifications.
8. Maximum of two points of vehicular access to any lot from public street.
9. Driveways to be 20' maximum width.
10. Minimum 50' spacing between driveways.
11. No parking allowed on any public road.

III. PARKING & SERVICE

1. All parking to be paved and striped.
2. Parking to be provided on site in accordance with following schedule:
 - a. Office - three spaces for each 1,000 sq. ft. of useable office area;
 - b. Warehousing/distribution - two spaces for each three employees, but in no case less than one space for each 2,000 sq. ft. of gross floor area;
 - c. Manufacturing - two spaces for each three employees, but in no case less than one space for each 1,000 sq. ft. of gross floor area.
3. Parking areas to be connected to main building entrance by paved 4'0" minimum width sidewalk.
4. No parking within 25' of non-industrially zoned districts.
5. All service roads, loading zones and aprons to be paved in accordance with Town Ordinance requirements.
6. Loading zones: areas designated for "loading and unloading" will have a necessary depth to avoid causing blockage of any public right-of-way.
7. Aprons to have minimum 50' width.
8. Service areas facing adjacent non-industrial districts to be visually screened, in accordance with landscaping standards.
9. Minimum 25' setback of service areas from adjacent non-industrial districts.

IV. LANDSCAPING

1. Minimum of 25% of lot area to be landscaped open space. Such space would include features such as lawns, shrubs, trees, fountains, ground covers, ornamental and passive recreation areas, and sculptures. Vehicular use areas are prohibited as part of the 25%.
2. Front yard lawn area (within 50 feet setback requirement) shall not serve a duplicate purpose for swales, water retention areas or similar such uses.
3. For each lot, one 2" caliper tree for every 20' of frontage will be planted in the landscaped open space area. It is recommended that such plantings be located in the front yard to the maximum feasible extent.

4. Site to be properly graded to eliminate standing water.
5. Parking lots and service areas adjacent to R districts shall be screened in one or more of the following manners:
 - a. Earth Berm, covered with appropriate landscaping;
 - b. Wood fencing of a uniform color, providing a minimum 80% level of opacity;
 - c. Masonry walls of a uniform color, except concrete blocks which shall be prohibited;
 - d. Shrubs and/or evergreen trees;
 - e. Any combination of a-d above.

Such screening will be restricted to the perimeter of the relevant parking or service area, and will be a minimum of 6' in height.

6. Entire site is to be kept free and clear of all debris at all times.
7. Outdoor storage of all equipment, raw and processed materials, waste, junk, etc., will be restricted to a designated area not exceeding 10% of the total site area and will be completely enclosed by screening as previously defined. Materials, equipment, etc. will not exceed the height of the screening provided. Corporate vehicles, cranes, and bulldozers, will be exempt from the height restriction.

V. DRAINAGE

1. Methodology and calculation of drainage requirements to be reviewed and approved by Town Engineer.
2. Plans, cross-sections, and specifications for all sewer installations to be reviewed and approved by Town Engineer.
3. Final plans for any retention basins to be reviewed and approved by Town Engineer. Retention basins to be classified in one of two categories: Permanent or Temporary. The following standards shall apply to each category:
 - a. Permanent - such facility shall maintain a minimum permanent water depth of 3'0" and be appropriately landscaped along the perimeter. The Town Engineer will review and approve all plans and locations of such facilities to ensure that stagnation, insect breeding and other similar deleterious side effects will not occur;
 - b. Temporary - such facility shall be designed so that all storm water shall be discharged within 36 hours of collection. Plans and locations to be reviewed by the Town Engineer.

4. Front yard open drainage.
 - a. Maximum permitted depth of the open drainage ditch in the front yard is three (3) feet.
 - b. Maximum slope permitted: 3 on 1 (three (3) foot slope for every one (1) foot in ditch depth).
 - c. The slope of the front yard swale shall be within the right-of-way.
5. Rear yard open drainage.
 - a. Maximum permitted depth of the open drainage is unlimited.
 - b.
 1. Maximum slope permitted without bank stabilizer 3 on 1 (three (3) foot slope for every one (1) foot in ditch depth).
 2. Maximum slope permitted using a bank stabilizer (ie: rip-rap, vegetation such as crown vetch) 2 on 1 (two (2) foot slope for every one (1) foot in ditch depth).
6. Enclosed drainage and curbing shall be provided in lieu of open drainage.
7. Side yard drainage shall be enclosed.

VI. UTILITIES

1. Utility services shall be located underground in accordance with the requirements of the respective Utility Companies.

VII. SIGNS

1. No rotating, moving, flashing or blinking signs will be allowed.
2. One primary corporate identification sign per lot will be allowed. Such sign shall be located either directly on the building or in the front yard set at a minimum of 25' setback from the right-of-way. If located directly on the building, such sign shall not project above the roof line and shall be set flush along the building facade. If located in the front yard, such sign shall not exceed 5'0" in height. A maximum area of 120 sq. ft. will be allowed for such signs.
3. In the case of multiple tenants in a single building, an additional 16 sq. ft. per tenant shall be allowed.
4. Supplementary signs identifying features such as internal site circulation, parking, service entrances, etc. shall be allowed pending review and approval of their number and location by the Review Board. Such signs shall not exceed 16 sq. ft. in area, and when free-standing shall not exceed 4'6" in height above grade.

5. Signs painted directly on walls are prohibited.
6. One sign advertising sale/lease of space shall be allowed per lot. Such sign shall not exceed 32 sq. ft. in area, and be located in conformance with the section regulating the primary identification sign.
7. Signs shall have a single uniform background color and single uniform color for all lettering. All multi-colored (ie: three or more colors) signs are prohibited, with the exception of including a corporate symbol or logo pending review and approval by the Review Board.

VIII. BUILDING DESIGN

1. Innovative and tasteful building design is encouraged.
2. Facade materials will not be limited with the exception of steel and/or aluminum panel facades which are prohibited.

IX. LIGHTING

1. Height, placement, type and intensity of exterior lighting to be consistent throughout the project site.
2. Lighting will be directed so as not to illuminate adjacent parcels.
3. All illuminated signs shall be either internally illuminated or illuminated from concealed sources.
4. For publicly-dedicated roads, recommended lighting is as follows:
 - a. Illumination to be provided by 250-watt high-pressure sodium I.E.S. Type IV distribution pattern luminaires, mounted on 30'-high standards spaced 100' on alternate sides of the roadway, maintaining a minimum level of illumination of one footcandle on pavement.

Item No. 2 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.

Item No. 3 Motion by Councilman Dux, seconded by Councilman Rogowski to adjourn the hearing.

RICHARD M. MOLESKI
Town Clerk