MEETING NO. 8

CHEEKTOWAGA, NEW YORK
APRIL 5, 1982

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 Roads, in said Town on the 5th day of April, 1982 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Theodore DeFedericis, Chief of Police; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Services Director II; Michael Miecznikowski, Temporary Director of Recreation; Mrs. Julia Reinstein, Town Historian; Al Thrun, Representative of the Cheektowaga Traffic Safety Commission; Donald Wegner, Chairman, Zoning Board of Appeals; Alfred Wnek, Superintendent of Highway Department; Patricia Wojcik, Recreation Supervisor, Senior Citizens; Bernard Wojtkowiak, Mayor of Sloan; and Ronald Zoeller, Working Foreman-Sanitation Department.

I. BIDS

Item No. 2 Moving of election machines to and from election polling locations.
Bids referred to Richard M. Moleski, Town Clerk.

Item No. 3 Seasonal road materials for Highway Department.
Bids referred to Alfred Wnek, Highway Superintendent.

Item No. 4 Supplying furnishings and equipment for the Senior Citizens Center.
Bids referred to James Matecki, Facilities Department.

Item No. 5 Maintenance chemicals and liquid chlorine for various departments.
Bids referred to Chester Bryan, Town Engineer.

Item No. 6 Vitrified clay pipe and materials needed for sanitary sewer repairs for 1982.
Bids referred to Chester Bryan, Town Engineer.

Item No. 7 Manhole frames and 24" diameter covers for Sewer Maintenance Department.
Bids referred to Chester Bryan, Town Engineer.

II. RESOLUTIONS

Item No. 8 Motion by Councilman Johnson, seconded by Councilman W.P. Rogowski

WHEREAS, the Town of Cheektowaga has been engaged in a town-wide Resource Recovery Program since February 8, 1982, AND

WHEREAS, it is the intent to further expand the collection of recyclable refuse through improved procedures, equipment, and public awareness, AND

No. 8
No. 9

Item No. 8 Cont'd.

WHEREAS, collection of recyclable refuse generates income to offset labor costs, decreases refuse disposal costs, and facilitates the conservation of natural resources, AND

WHEREAS, a new bill sponsored by New York State Assembly Members Yevoli, Bianchi, and Newburger (Assembly Bill 10091), such bill introduced at the request of Assemblyman Lewis J. Yevoli; and also introduced by State Senator Trunzo in the New York State Senate (Senate Bill 8407), AND

WHEREAS, such bills create a two million dollar appropriation for source separation purposes, AND

WHEREAS, this action would promote the concept of source separation by providing local municipalities with the financial incentive to embark upon such voluntary programs, AND

WHEREAS, the sum of two million dollars ($2,000,000) or so much thereof would be appropriated to the New York State Department of Environmental Conservation to carry out provisions of Section 27-0503 of the Environmental Conservation Law by providing moneys to reimburse municipalities for fifty percent of the cost of implementing a source separation program, AND

WHEREAS, the Town of Cheektowaga has inaugurated a provisional voluntary source separation program, NOW, THEREFORE, BE IT

RESOLVED that it is the intention of the Cheektowaga Town Board to apply for such funds, AND BE IT

FURTHER RESOLVED that this Town Board supports the subject legislation as proposed and hereby memorializes the New York State Legislature to enact companion bills S8407 and A10091 into law, AND BE IT

FURTHER RESOLVED that certified copies of this resolution be forwarded to Assemblyman Dennis T. Gorski and State Senator Dale M. Volker.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, Carlton V. and Philip N. Hasselback have made application and requested the rezoning of property located at 2125 Walden Avenue from M-1 Light Manufacturing District to CM-General Commercial District, said applicants being the owners of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 19, 1982 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
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5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Times, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 8th day of April, 19 82, and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 8th day of April, 19 82

Donna M. Yamboe

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Notice of Public Hearing

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 19th day of April, 1982 at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Carlton V. & Philip N. Hasselback to Rezone from M-1 — Light Manufacturing District to CM - General Commercial District on property located at 2125 Walden Avenue and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-000 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF THE
TOWN BOARD
Kenneth J. Meyers
Supervisor
Frank E. Swiatek
Councilman
Thomas M. Johnson, Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
Councilman
RICHARD A. MOLESKI
Town Clerk

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number sixteen (16), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and being further bounded and described as follows:

COMMENCING at a point in the southerly line of New Walden Aver ue at the northeast corner of lands in Liber 7223 of Deeds page 489; thence proceeding southeasterly along the southerly line of New Walden Avenue 539.93 feet to an angle point; thence proceeding easterly along the southerly line of New Walden Avenue 176 feet to the northwest corner of lands in Liber 7475 of Deeds page 417; thence proceeding southerly along the westerly line of lands in Liber 7475 of Deeds page 417 67.55 feet to a point in the southerly line of lands in Liber 5956 of Deeds page 398; thence proceeding westerly along the southerly line of lands in Liber 5956 of Deeds page 398 480.36 feet to the northeast corner of lands in Liber 6587 of Deeds page 606; thence proceeding southerly along the easterly line of lands in Liber 6587 of Deeds page 606 and the westerly line of lands in Liber 5831 of Deeds page 61 to a point which is 659.59 feet north of the northerly line of Duke Road as measured along the westerly line of lands in Liber 5831 of Deeds page 61; thence proceeding westerly distant 597.63 feet south of the point of beginning 184.68 feet to a point in the east line of lands in Liber 7223 of Deeds page 489; thence proceeding northerly a distance of 597.63 feet to the point or place of beginning. As well as

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. 16, Township 11, Range 7 of the Holland Land Company's Survey, more fully described as follows:

COMMENCING at the intersection of the east line of lands conveyed to H. William Derrick, Jr. and Robert G. Derrick by Deed recorded in the Erie County Clerk's Office September 12, 1955 in Liber 5831 of Deeds at page 61 with the northwesterly line of Duke Road (Old Walden Avenue); thence north along said east line of Derrick and parallel with the east line of Lot 16, 464.08 feet to a point therein; said point being the true point or place of beginning; continuing thence north along the east line of Derrick and parallel with the east line of Lot 16, 239.69 feet to the northeast corner of said lands of Derrick; thence westerly and along the north line of said lands of Derrick, being also the south line of lands conveyed to Carlton W. Hasselback by Deed recorded in the Erie County Clerk's Office in Liber 5956 of Deeds at page 398, 300 feet to the northwest corner of said lands of Derrick; being also the northeast corner of lands conveyed to Carlton W. Hasselback by Deed recorded in said Clerk's Office in Liber 6587 of Deeds at page 606; thence southerly at an included angle of 90° 54' 25", and parallel with the east line of Lot 16 being the west line of said lands of Derrick and the east line of said lands of Hasselback conveyed by the last described Deed, 251.16 feet; thence easterly 300.39 feet to the point or place of beginning, containing 1.69 acres more or less.

Apr. 8

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

WHEREAS, the Building and Plumbing Inspector of the Town of Cheektowaga has recommended that certain provisions of the "Housing Code" of the Town of Cheektowaga, New York be amended or repealed;

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 19th day of April, 1982 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 "Housing 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 BEE, the official newspaper of the Town of Cheektowaga, not less than ten (10) days prior to the date of such hearing.

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

NOTICE OF HEARING ON PROPOSAL TO AMEND

HOUSING 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 5th day of April, 1982, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 19th day of April, 1982 at 7:00 o'clock P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the "Housing Code" of the Town of Cheektowaga, New York shall be amended and changed as follows:

*SEE NEXT FOUR (4) PAGES FOR PROPOSAL TO AMEND HOUSING CODE

No. 9

1. RESOLVED THAT Section 1-105 a, which relates to the non-applicability of the Housing Code, shall be amended by deleting the words "migrant housing premises" therefrom.

2. RESOLVED THAT Sections 1-107, 1-109.3, 1-202 and 1-301a, which relate to the Town Building Code, definitions, occupancy classification of buildings and general requirements, shall be amended by substituting the "State Building Construction Code" for the "Town Building Code" in said Sections, and by substituting "September 19, 1979" for "December 21, 1942" in Section 109.3.

3. RESOLVED THAT Section 109.3 which defines various words used in the Housing Code, shall be amended by repealing the following definitions in their entirety: "migrant," "migrant housing premises."

4. RESOLVED THAT Section 1-202, which relates to occupancy classification of buildings, shall be amended by repealing the word "boatel" where it appears therein.

5. RESOLVED THAT Section 1-302b, which relates to structure exterior protection, shall be amended by the inclusion thereinto following the word "weathertight" the phrase "in sound condition and in good repair."

6. RESOLVED THAT Section 1-302, Subsections, which relate to structure exterior protection, shall be amended by the inclusion of a new subsection "e" reading: "storm doors or approved insulated doors, and storm windows or approved insulated windows shall be required from October 1 to April 30."

7. RESOLVED THAT Section 1-502.5b which relates to plumbing facilities, shall be amended by the inclusion thereinto of the phrase "the hot water tank shall have a minimum capacity of 4 gallons per occu-

pant and shall have a minimum recovery capacity of 2500 B.T.U. per hour per occupant" following the phrase "to midnight.".

8. RESOLVED THAT Section 1-506.5 which relates to fuel supply connections to fuel-burning equipment, shall be amended by substituting the phrase "or with means conforming to the requirements of generally accepted standards" in place and stead of the phrase "or approved appliance connector."

9. RESOLVED THAT Section 1-509.2d which relates to electrical facilities pertaining to kitchens, shall be amended by substituting the phrase "20 ampere" in place and stead of the phrase "15-ampere."

10. RESOLVED THAT Section 1-509.4a which relates to the location and clearance of overhead electrical conductors, shall be amended by substituting the clearance requirement "3 feet" in place and stead of the clearance requirement "6 feet" and by substituting the clearance requirement "10 feet" in place and stead of the clearance requirement "15 feet."

11. RESOLVED THAT Section 1-509.4 which relates to the location and clearance of overhead electrical conductors, shall be amended by the inclusion and enactment of an additional location and clearance requirement to read:

Location	Clearance
"over residential areas not subject to truck traffic".	"15 feet"

12. RESOLVED THAT Section 1-604b which relates to rodent infestation and screening, shall be amended by repealing the phrase "where rodent infestation exists."

13. RESOLVED THAT Section 1-604c which relates to the screening requirements for rodent infestation, shall be amended by substituting the phrases "up to and including the third story. In any dwelling where mechanical ventilation is supplied, screens shall only be required in areas using natural ventilation. All screens shall be maintained in good condition" in place and stead of "except that screens shall not be required in the upper stories of multiple dwellings which are free of mosquitoes, flies, and other flying insects."

14. RESOLVED THAT Section 1-606b which relates to storage of junk, shall be amended by substituting the phrase "junked or unlicensed vehicles" in place and stead of the phrase "junked vehicles."

15. RESOLVED THAT Section 2-106 which relates to the definition of an agent, shall be amended by repealing the phrase "as filed with the Building Inspector."

16. RESOLVED THAT Section 2-202c which relates to the powers and duties of the Building Inspector, shall be amended by repealing the phrase "to require the registration of premises and."

17. RESOLVED THAT Section 2-202f which relates to certain duties of the Building Inspector, shall be amended as follows:

Part "5" is repealed in its entirety;

Part "6" is renumbered Part "5";

Part "7" is renumbered Part "6";

Part "8" is renumbered Part "7";

Part "9" is renumbered Part "8";

18. RESOLVED THAT Section 2-205a which relates to guidelines in issuing a Housing Code Violation Order shall be amended as follows:

by repealing the phrase "for failure to register premises;" Part "(5)" is repealed in its entirety; the Part "6" is renumbered Part "(5)."

19. RESOLVED THAT Section 2-205b which relates to how a Housing Code Violation Order may be served, shall be amended as follows: Part (2) by substituting the phrase "to the owner, in accordance, with this chapter, to his address" in place and stead of the phrase "to the person whose name has been filed with the Building Inspector, in accordance with this chapter, to his address as therewith filed"; Part (3) by substituting the pharase "if unforwardable, unacceptable, or returned to the Building Inspector by the owner, lessor, or their respected agent" in place and stead of the phrase "if no person has filed with the Building Inspector the name and address of the owner, lessor, or their respected agent."

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

Dated: April 5, 1982

RICHARD M. MOLESKI
Town Clerk

Item No. 10 Cont'd.

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

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

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STATE OF NEW YORK
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Times, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 8th day of April, 19 82, and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 8th day of April, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

NOTICE OF HEARING ON PROPOSAL TO AMEND HOUSING 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 5th day of April, 1982, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 19th day of April, 1982 at 7:00 o'clock P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the "Housing Code" of the Town of Cheektowaga, New York shall be amended and changed as follows:

1. RESOLVED THAT Section 1-105 a, which relates to the non-applicability of the Housing Code, shall be amended by deleting the words "migrant housing premises" therefrom.

2. RESOLVED THAT Sections 1-107, 1-109.3, 1-202 and 1-601a, which relate to the Town Building Code, definitions, occupancy classification of buildings and general requirements, shall be amended by substituting the "State Building Construction Code" for the "Town Building Code" in said Sections, and by substituting "September 19, 1979" for "December 21, 1942" in Section 109.3.

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Location: "over residential areas not subject to truck traffic"

Clearance: "15 feet"

12. RESOLVED THAT Section 1-604b which relates to rodent infestation and screening, shall be amended by repealing the phrase "where rodent infestation exists."

13. RESOLVED THAT Section 1-604c which relates to the screening requirements for rodent infestation, shall be amended by substituting the phrases "up to and including the third story. In any dwelling where mechanical ventilation is supplied, screens shall only be required in areas using natural ventilation. All screens shall be maintained in good condition" in place and stead of "except that screens shall not be required in the upper stories of multiple dwellings which are free of mosquitoes, flies, and other flying insects."

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Part "6" is renumbered Part "5";

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19. RESOLVED THAT Section 2-205b which relates to how a Housing Code Violation Order may be served, shall be amended as follows: Part (2) by substituting the phrase "to the owner, in accordance with this chapter, to his address" in place and stead of the phrase "to the person whose name has been filed with the Building Inspector, in accordance with this chapter, to his address as therewith filed"; Part (3) by substituting the phrase "if unforwardable, unacceptable, or returned to the Building Inspector by the owner, lessor, or their respected agent" in place and stead of the phrase "if no person has filed with the Building Inspector the name and address of the owner, lessor, or their respected agent."

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

Dated: April 5, 1982.

RICHARD M. MOLESKI
Town Clerk

apr. 8

Item No. 11 Motion by Councilman J.V. Rogowski, 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 19th day of April, 1982 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 BEE, on the 8th day of April, 1982; 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 19th day of April, 1982 at 7:00 P.M., Eastern Standard Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

C. No parking here to corner

LIBERTY TERRACE	west side	"between the north curbline of Cleveland Drive and a point fifty (50) feet northerly therefrom" shall be amended to: "between the north curbline of Cleveland Drive and a point eighty-eight (88) feet northerly therefrom"

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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

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STATE OF NEW YORK } ss.
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George J. Measer

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NOTICE OF HEARING

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ARTICLE X
Parking, Standing and Stopping

Section 102 is amended as follows:

C. No parking here to corner

LIBERTY TERRACE — west side, "between the north curbline of Cleveland Drive and a point fifty (50) feet northerly therefrom" shall be amended to: "between the north curbline of Cleveland Drive and a point eighty-eight (88) feet northerly therefrom"

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

RICHARD M. MOLESKI
Town Clerk

Apr. 8

Subscribed and sworn to before me this 8th day of April, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1984

Item No. 12 Motion by Councilman W. Rogowski, seconded Councilman Dux

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of street signs for use 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 BEE, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., April 19, 1982 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 street name signs and requirements at the Town Board meeting of April 19, 1982:

STREET NAME SIGNS, sizes described in specifications.

SIGN BRACKETS FOR SIGNS

CROSS PIECE FOR SIGN BRACKETS.

Note: All bids to be F.O.B. Cheektowaga Highway Department, 3145 Union Road, Cheektowaga, New York.

INFORMATION FOR BIDDERS AND SPECIFICATIONS MAY BE OBTAINED FROM THE OFFICE OF ALFRED F. WNEK, SUPT. OF HIGHWAYS AT HIS OFFICE LOCATED AT 3145 UNION ROAD, SOUTH CHEEKTOWAGA, NEW YORK. PROPOSALS MUST BE ENCLOSED AND SEALED IN AN OPAQUE ENVELOPE PLAINLY MARKED "STREET SIGN BIDS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID. THE SUPT. OF HIGHWAYS MAY REJECT ANY OR ALL BIDS SUBMITTED.

RICHARD MOLESKI - TOWN CLERK

DATED: April 5, 1982

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE

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STATE OF NEW YORK
COUNTY OF ERIE

Advertisement for Bids

LEGAL NOTICE
TO BIDDERS
TOWN OF CHEEKTOWAGA
NEW YORK

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for street name signs and requirements at the Town Board meeting of April 19, 1982.

STREET NAME SIGNS, sizes described in specifications.

SIGN BRACKETS FOR SIGNS.

CROSS PIECE FOR SIGN BRACKETS.

Note: All bids to be F.O.B. Cheektowaga Highway Department, 3145 Union Rd., Cheektowaga, New York.

INFORMATION FOR BIDDERS AND SPECIFICATIONS MAY BE OBTAINED FROM THE OFFICE OF ALFRED F. WNEK, SUPT. OF HIGHWAYS AT HIS OFFICE LOCATED AT 3145 UNION RD., SOUTH CHEEKTOWAGA, NEW YORK. PROPOSALS MUST BE ENCLOSED AND SEALED IN AN OPAQUE ENVELOPE PLAINLY MARKED "STREET SIGN BIDS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID. THE SUPT. OF HIGHWAYS MAY REJECT ANY OR ALL BIDS SUBMITTED.

RICHARD MOLESKI
TOWN CLERK

Apr. 8

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Times, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 8th day of April, 19 82, and the last insertion being on the same day of ....., 19.....

George J. Measer

Subscribed and sworn to before me this 8th day of April, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Item No. 13 Motion by Councilman Johnson, seconded by Councilman Jaworowicz

WHEREAS, Bid Proposals were duly received for Custodial Supplies at the Town Board meeting of March 15, 1982, AND

WHEREAS, the Facilities Department Director has received same for compliance with the terms set forth in the specifications therein, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards Category I, II, and III, Custodial Supplies to Hubbs & Howe Company, 2200 Harlem Road, Cheektowaga, New York.

*SEE NEXT PAGE FOR BID PROPOSAL.

TOWN OF CHEEKTOWAGA

Pursuant to and in accordance with your advertisement for Bids dated March 1, 1982 and the Specifications relating thereto, the undersigned hereby offers to deliver Custodial Supplies to the Town of Cheektowaga in various quantities throughout the year of 1982, at the following Bid Prices:

CATEGORY #I PAPER PRODUCTS

ITEM #	DESCRIPTION	UNIT PRICE PER CASE DELIVERED	UNIT PRICE PER CASE PICKED-UP
1.	Paper Towels-Roll	$ 25.97 cs. .	$ 24.97 cs. .
2.	Paper Towels C-Fold	$ 18.95 cs. .	$ 18.95 cs. .
3.	Toilet Tissue	$ 29.40 cs. .	$ 27.96 cs. .
SUB TOTALS OF ITEMS #1 - #3		$ 74.32 .	$ 71.88 .

CATEGORY #II POLYLINERS

ITEM #	DESCRIPTION	UNIT PRICE PER CASE DELIVERED	UNIT PRICE PER CASE PICKED-UP
1.	56 Gallon	$ 48.95 cs. .	$ 46.02 cs. .
2.	23 Gallon	$ 12.65 cs. .	$ 11.40 cs. .
3.	6 Gallon	$ 13.95 cs. .	$ 13.50 cs. .
4.	55 Gallon	$ 13.90 cs. .	$ 12.50 cs. .
SUB TOTALS OF ITEMS #1 - #4		$ 89.45 .	$ 83.42 .

CATEGORY #III CLEANER/DISINFECTANT

ITEM #	DESCRIPTION	UNIT PRICE PER 5 GAL. CONTAINER-DELIVERED	UNIT PRICE PER 5 GAL. CONTAINER-PICKED-UP
1.	Germicidal Cleaner	$ 8.95 gal. = .$44.75	$8.45 gal. = $42 . 25
2.	All Purpose Cleaner	$ 4.95 gal. = .$24.75	$4.30 gal. = $21.50
SUB TOTALS OF ITEMS #1 & #2		$69.50 .	$63.75 .

Item No. 13 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, this Town Board, on February 16, 1982, received bids as a result of advertisement, therefore, for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, 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 to the Town Board dated February 24, 1982, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga is awarded to Webber Trucking & Excavating Company, Buffalo Olean Road, Chaffee, New York 14030, for submission of the lowest bid meeting the requirements of the specifications as per the unit bid prices of:

ITEM 1	Hydraulic Backhoe	$580.00 per 8 hour day
1A	Hydraulic Backhoe	$596.00 per 8 hour day
ITEM 2	Tractor with Front End Loader	$200.00 per 8 hour day
2A	Tractor with Front End Loader	$280.00 per 8 hour day
ITEM 3	Dozer	$294.00 per 8 hour day
3A	Dozer	$300.00 per 8 hour day
ITEM 4	Dozer	$514.00 per 8 hour day
4A	Dozer	$520.00 per 8 hour day
ITEM 5	Dump Truck, Tandem	$200.00 per 8 hour day
5A	Dump Truck, Tandem	$214.00 per 8 hour day
ITEM 6	Tractor, Landscape Type	$38.00 per 8 hour day
6A	Tractor, Landscape Type	$40.00 per 8 hour day
ITEM 7	Hydraulic Backhoe	$200.00 per 8 hour day
7A	Hydraulic Backhoe	$228.00 per 8 hour day
ITEM 8	Laborers	$118.00 per 8 hour day
8A	Laborers	$128.00 per 8 hour day
ITEM 9	Hydraulic Backhoe	$438.00 per 8 hour day
9A	Hydraulic Backhoe	$438.00 per 8 hour day

AND, BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to execute the agreement with said Webber Trucking & Excavating Company on behalf of the Town of Cheektowaga.

*SEE NEXT TWO (2) PAGES 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

February 24, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Award of Bid - Furnishing of Equipment and Operators for Public Works Projects

Gentlemen:

Bids were received and opened at the February 16, 1982 Town Board Meeting for the furnishing of equipment and operators for Public Works Projects. There were four (4) bids submitted and their totals are as follows:

	ITEMS 1 - 9	ITEMS 1A - 9A
1.) Webber Trucking & Excavating	$2,582.00	$2,744.00
2.) Falgiano Construction	2,938.00	3,194.00
3.) Custom Topsoil	3,470.00	4,175.00
4.) West Wind Construction	4,896.00	4,896.00

The bid totals were received in order to provide a basis for bid award. Based on these totals, it is recommended that the bids be awarded in both categories Items 1-9 and Items 1A-9A to Webber Trucking & Excavating Company, Buffalo Olean Road, Chaffee, New York 14030 for their submission of the lowest bid meeting the requirements of the specifications. The contract is being awarded on the following unit prices that were bid in the specifications.

No. 9

SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS

February 24, 1982

ITEM 1 Hydraulic Backhoe - $580.00 per 8 hour day
1A Hydraulic Backhoe - $596.00 per 8 hour day

ITEM 2 Tractor with Front End Loader - $200.00 per 8 hour day
2A Tractor with Front End Loader - $280.00 per 8 hour day

ITEM 3 Dozer - $294.00 per 8 hour day
3A Dozer - $300.00 per 8 hour day

ITEM 4 Dozer - $514.00 per 8 hour day
4A Dozer - $520.00 per 8 hour day

ITEM 5 Dump Truck, Tandem - $200.00 per 8 hour day
5A Dump Truck, Tandem - $214.00 per 8 hour day

ITEM 6 Tractor, Landscape Type - $38.00 per 8 hour day
6A Tractor, Landscape Type - $40.00 per 8 hour day

ITEM 7 Hydraulic Backhoe - $200.00 per 8 hour day
7A Hydraulic Backhoe - $228.00 per 8 hour day

ITEM 8 Laborers - $118.00 per 8 hour day
8A Laborers - $128.00 per 8 hour day

ITEM 9 Hydraulic Backhoe - $438.00 per 8 hour day
9A Hydraulic Backhoe - $438.00 per 8 hour day

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk

Chester L. Bryan, P.E.
Town Engineer

By: Edward Lepczyk
Senior Engineer Assistant

CLB:EL:mjh

Item No. 14 Cont'd.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) 1982 Low Boy Dump Truck for the Sewer Maintenance Department, which bids were duly received and opened at a public 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) 1982 Low Boy Dump Truck be awarded to Gillogly Chevrolet, 1777 Union Road, West Seneca, New York, for their bid in the amount of $11,284.00, said bid being the lowest meeting the specifications, AND, BE IT FURTHER

RESOLVED, that said funds have been allocated in the Sanitary Sewer District #5 budget 8125.220 and Sanitary Sewer District #3 budget 8123.220.

*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

April 1, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid for
Low Boy Dump Truck

Gentlemen:

At the Regular Town Board Meeting of March 15, 1982 bids were received and publicly opened for one (1) low boy dump truck for use by the Sewer Maintenance Department in the Town of Cheektowaga. Four (4) sets of specifications were picked up at the Town Clerk's Office and only one (1) bid was received as follows:

BIDDER	BID PRICE
Gillogly Chevrolet Inc. /TW Body	$11,284.00

It is, therefore, recommended that the bid be awarded to Gillogly Chevrolet, Inc., 1777 Union Road, West Seneca, New York 14224 for submitting the only bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Allan B. Blachowski
Sr. Engineer Assistant

CLB:ABB:dms

No. 9

Item No. 15 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, bids were duly received by this Town Board on March 15, 1982 as a result of advertisement for the furnishing of watertight manhole inserts, AND

WHEREAS, Harry T. Rusert Company, Inc., Hamburg, New York 14075 was the sole bidder, AND

WHEREAS, the above mentioned company, being a responsible bidder meeting the requirements of the specifications, AND

WHEREAS, funds are available under WWFR Remedial Program S8125.493, NOW, THEREFORE, BE IT

RESOLVED, that the contract for furnishing watertight manhole inserts be awarded to Harry T. Rusert Company, Inc. at the following bid prices:

18" thru 27½" I.D. of manhole frame rim in quantities of:	1 - 24	$96.00 each
	25 - 99	$86.00 each
	100 & over	$76.00 each
28" thru 30" I.D. of manhole frame rim in quantities of:	1 - 24	$110.00 each
	25 - 99	$96.00 each
	100 & over	$86.00 each

*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

April 1, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Watertight
Manhole Inserts

Gentlemen:

At the Regular Town Board Meeting of March 15, 1982 bids were received and publicly opened for furnishing watertight manhole inserts. One (1) bid was received as follows:

BIDDER		BID PRICE	
Harry T. Rusert Company Inc.	18" thru 27" I.D. of manhole frame rim in quantities of:	1 - 24	$96.00 each
		25 - 99	$86.00 each
		100 & over	$76.00 each
	28" thru 30" I.D. of manhole frame rim in quantities of:	1 - 24	$110.00 each
		25 - 99	$96.00 each
		100 & over	$86.00 each

It is, therefore, recommended that the bid be awarded to Harry T. Rusert Company, Inc., 110 Woodview Avenue, Hamburg, New York 14075 for submitting the only bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Henry Borkowski

Henry Borkowski
Engineering Aide

HB:dms

Item No. 16 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, be granted a leave of absence from July 26th through August 6th, 1982 to attend active duty training with the United States Army Reserve at Fort Leonardwood, Missouri.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Finger Lakes Building Officials Association is sponsoring the seventh Annual Building Officials School, to be held on April 26, 27, and 28, 1982, at the Marriott Inn, Rochester, New York, and

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

RESOLVED that Ronald Marten, or designate, be and hereby is authorized to attend the seventh Annual Building Officials School, April 26, 27, and 28, 1982 in Rochester, New York, at a cost not to exceed $95.00; and BE IT FURTHER

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

RESOLVED that Nancy Sztukowski, Cheektowaga, New York, employed as Recreation Instructor in the Department of Recreation, be and hereby is terminated from her position, effective Tuesday, April 6, 1982.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 20 Appointment of Clerk-Typist in Police Department.
This item was withdrawn.

Item No. 21 Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of a Supervising Accountant position in the Departments of Accounting and Payroll, and

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

RESOLVED that the position of Supervising Accountant in the Departments of Accounting and Payroll be and hereby is created.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Jaworowicz, seconded by Councilman W. P. Rogowski

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of two (2) Police Sergeant positions in the Cheektowaga Police Department, and

WHEREAS, the Erie County Department of Personnel has approved the creation of these two positions, NOW, THEREFORE, BE IT

RESOLVED that two (2) Police Sergeant positions in the Cheektowaga Police Department, be and hereby are created.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 23 Hiring of seasonal employees in Facilities Department.
This item was withdrawn.

Item No. 24 Motion by Councilman W. P. Rogowski, seconded by Councilman Dux

WHEREAS, Terry Marlinski has resigned as a part-time clerk in the Justice Department, and

WHEREAS, the need still exists for this part-time clerk's position, NOW, THEREFORE, BE IT

RESOLVED that Dawn D. Shane, of Cheektowaga, New York, be and hereby is hired as part-time clerk in the Justice Department at a rate of $3.50 per hour, not to exceed twenty (20) hours per week; effective immediately, and BE IT FURTHER

RESOLVED that Terry Marlinski is officially terminated from her position in the Justice Department.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

No. 9

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

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 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 $5,000, 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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Johnson, seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the U.S. Department of Housing & Urban Development through the Erie County Community Development Consortium for the 1979-80 and 1980-81 program years, AND

WHEREAS, application for said funds by the Town included provisions for a Housing Rehabilitation Grant Program for elderly residents in the Town's four designated Neighborhood Improvement Areas, AND

WHEREAS, housing rehabilitation is an eligible activity under the Community Devlopment Block Grant Program, AND

WHEREAS, said Housing Rehabilitation Grant Program was established by Town Board resolution dated March 3, 1980, and the Town has since received applications for assistance under said Program, AND

WHEREAS, the Town Community Development Coordinator has received said applications and determined that the owners of the property listed below are eligible for participation in the Housing Rehabilitation Grant Program pursuant to the quidelines established for said Program, NOW, THEREFORE, BE IT

RESOLVED that Community Development Housing Rehabilitation Grants are hereby approved for the owners of below listed property:

10 Rockleigh Drive
2 Shelby Drive

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga is hereby authorized to sign checks, prior to Town Board Warrant List approval, necessary

Item No. 26 Cont'd.

for the disbursement of said grant funds, providing that the work to be performed has been performed to the satisfaction of the Town Building Inspector, and that all program regulations have been complied with to the satisfaction of the Town Community Development Coordinator, AND BE IT

FURTHER RESOLVED that the Town Community Development Coordinator is hereby given authorization to issue preliminary notices of grant approvals to applicants who qualify for said grant funds pursuant to eligibility requirements and regulations established for the Housing Rehabilitation Grant Program.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, a need exists in the Cheektowaga Police Department for 14 new Police Cars, AND

WHEREAS, funds have been allocated in the Federal Revenue Sharing Fund budget for the purchase of these vehicles, AND

WHEREAS, Transitowne Dodge, Inc. has been awarded a contract by the State of New York for the sale of Law Enforcement Passenger Cars, NOW, THEREFORE, BE IT

RESOLVED, that the Chief of the Cheektowaga Police Department be and hereby is authorized to purchase as follows:

10 - 1982 4-door Dodge Doplomats under N.Y.S. Contract No. P-05369 at a unit price of $7,719.77 for a total cost of: $77,197.70

4 - 1982 Dodge Aries under N.Y.S. Contract No. P-04881 at a unit price of $5,725.30 for a total cost of: $22,901.20

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

WHEREAS, the Williamstowne Senior Citizens have chosen June 12 and 13, 1982 as the weekend to celebrate their annual gala event with this year's theme being "Polish-American Fun Festival 82", AND

WHEREAS, the Williamstowne Senior Citizens, as part of their celebration, will be sponsoring a parade, commencing at 9:00 A.M., on Saturday, June 12th, AND

WHEREAS, the parade route will begin at the parking lot of the Como Mall Bells Market, proceed west on Como Park Boulevard to Union Road, continue south on Union Road to William Street, turn west on William Street, and end at the Williamstowne Apartment Complex, NOW, THEREFORE, BE IT

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services and to insure compliance with the Vehicle and Traffic Law by providing conspicuous detour signs to prevent traffic delay on Union Road.

Item No. 28 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, by resolution dated March 1, 1982, Mary F. Holtz, First Deputy Town Clerk was authorized to attend a Local Government Seminar in Albany, New York on March 28, 29 and 20, 1982, AND

WHEREAS, by said resolution Mary F. Holtz was allowed $175.00 for all reasonable and necessary expenses for said seminar, AND

WHEREAS, an additional $156.00 was necessary to cover expenses for travel and lodging, NOW, THEREFORE, BE IT

RESOLVED that Mary F. Holtz be reimbursed in the amount of $156.00 in connection with here attendance at said seminar.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, changes were recommended in the construction of the Main Pump Station as enumerated in the Town Engineer's letter of March 26, 1982, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 8, Contract 3A, for the construction of the Main Pump Station of Sanitary Sewer District No. 5 in the amount of $8,901.19 as an addition to the contract of Frank L. Ciminelli Construction Company, 135 Manhattan Avenue, Buffalo, New York, be approved, AND, BE IT FURTHER

RESOLVED, that this Town Board, acting as the Board of Managers of Sanitary Sewer District No. 5, directs and authorizes the Supervisor to sign said Change Order No. 8 on behalf of Sewer District No. 5.

*SEE NEXT PAGE FOR LETTER FROM TOWN ENGINEER.

No. 9

Town of Cheektowaga

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

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

March 26, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order #8
Contract 3A
Main Pump Station
Sewer District #5

Gentlemen:

Attached for your review and approval is a resolution for Change Order No. 8 on the Main Pump Station construction job. This Change Order was for the removal of a 48 inch diameter concrete masonary bulkhead at station 1+72 on the Northeast Interceptor Sewer. The reason for this extra work was to allow flow from the Northeast Interceptor Sewer to flow to Chamber "A" and subsequently to the Main Pump Station. The amount of this addition to the original cost of the contract is $8,901.19.

It is also necessary to extend the contract from December 31, 1981 to June 30, 1982. The extension of time is required to complete the 48 inch sewer installation, street paving at Chamber "B" and other climate dependent items still open on the punch list. The extension of time will not result in any additional charge to the Town.

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. 30 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

WHEREAS, there is need for obtaining technical services that are not included in the scope of any current project, AND

WHEREAS, such services are needed in resolving erosion control problems, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer is hereby authorized to secure the services of Merriman Conservation Consultants, 504 Ridge Avenue, East Aurora, New York 14052, as needed at the rate of twenty-four dollars ($24.00) per hour for the services of a Conservation Consultant, said rate to apply for the calendar year of 1982, AND, BE IT FURTHER

RESOLVED, that payment for said services shall be made only where authorized by the Town Engineer in writing to said consultant and that services are charged to the Erosion Control and Drainage Budget (CF8540.400).

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Councilman J. V. Rogowski, seconded by Supervisor Meyers

WHEREAS, the ongoing sewer rehabilitation program in District #5 is near completion, AND

WHEREAS, although some excess flows in the Roycroft and Beach Road trunk sanitary sewer systems have been removed through the rehabilitation program. considerable excess flow (flooding) problems remain, AND

WHEREAS, it is necessary to investigate the sewers in these areas and the Roycroft and Union Road Pump Stations, to determine additional interceptor sewer needs in these areas, whereby portable pumping and flooding can be reduced or eliminated, AND

WHEREAS, Nussbaumer & Clarke, Inc. has been found well qualified to perform the necessary engineering services, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, acting as the Board of Managers for Sewer District #5, authorizes and directs the Supervisor to sign the agreement with Nussbuamer & Clarke, Inc. in accordance with their proposal dated March 31, 1982, AND, BE IT FURTHER

RESOLVED, that costs for said study are to be charged to the Sanitary Sewer District #5 remedial program, budget item S8125.493.

*SEE NEXT THREE (3) PAGES FOR PROPOSAL FROM NUSSBAUMER & CLARKE, INC.

Nussbaumer & Clarke, inc.

DANIEL J. HURLEY, Chairman
VITO J. CARLSO, President
RICHARD E. VANDERBROOK, Vice-President
WALTER E. ROEDER, Secretary-Treasurer

OSWEGO OFFICE
147 W. 1st St.
Oswego, N.Y. 13126
(315) 342-3010

Associates
PAUL J. BECKER
MICHAEL J. MIRANDA
CHARLES R. PETTIT
RAYMOND D. SULLIVAN
JOHN TRIANDA

March 31, 1982

Re: Cheektowaga, New York
Roycroft Pump Station
and Interceptor
NCI File No. 82-109

Chester L. Bryan, P. E.
Cheektowaga Town Engineer
Broadway and Union Road
Cheektowaga, New York 14227

Dear Mr. Bryan:

We are pleased to submit our proposal for an investigation and report on the Roycroft Pump Station, the Union Road Pump Station, and potential interceptors in the Woodridge and Beach Road areas. Specific tasks to be conducted are as follows:

Task 1 - Roycroft Pump Station Investigation - $5,100

Under this task we will evaluate the current condition of the pump station and analyze capacities with regard to future needs.

Task 2 - Flow Monitoring - $2,400

Under this task we will monitor flows at six (6) locations for four (4) weeks to determine specific flow conditions in sanitary sewers in the Roycroft, Mildred and Beach Road areas. Flow monitoring locations will be coordinated with the Town Engineer and changed weekly, as necessary, during the four-week monitoring period.

Task 3 - Roycroft Trunk Sewer Investigation - $3,500

Under this task we will investigate trunk sewers along Andres Place, Milred Drive, Rosary Boulevard, Seton Road, Woodridge Avenue, Cleveland Drive and Roycroft Boulevard, which sewers are tributary to a trunk sewer on George Urban Boulevard in Sewer District 5. We will conduct manhole investigations, perform a rim survey, and conduct other field work. Information from previous studies and designs will be used with this data to determine current trunk sewer needs in the Roycroft area.

Task 4 - Andres Siphon Investigation - $1,900

Under this task we will investigate current conditions of the siphons on Andres Street and the condition of the existing drain crossing Andres between George Urban Boulevard and Oriole Place. An analysis will be conducted to determine the feasibility of eliminating the siphons on Andres.

Task 5 - Union Road Pump Station Investigation - $5,100

Under this task we will evaluate the current condition of the pump station and analyze capacities with regard to future needs.

Task 6 - Beach Road Trunk Sewer Investigation - $3,380

Under this task we will investigate trunk sewers along Fonda Drive, Beach Road, Maryvale Drive and Cleveland Drive, which sewers are tributary to the trunk sewer on Mildred Drive.

We will conduct manhole investigations, perform a rim survey, and conduct other field work. Information from the Union Road Sewer System Rehabilitation Report (1976) and other previous studies and designs will be used with the field data to determine current trunk sewer needs in the Beach Road area.

Task 7 - Report - $8,580

Under this task we will reduce flow monitoring data, compile sewer investigation data, and compile information on the Roycroft and Union Road Pump Stations. We will discuss the current situation and needs in the planning area. Finally, we will recommend sewerage improvements in the area based on the findings during the investigations.

We propose to conduct Tasks 1-7 above for a not-to-exceed cost of $29,960. Costs will be invoiced monthly, as the work proceeds, at 2.5 times direct labor plus miscellaneous expenses at cost.

This proposal shall remain valid until June 30, 1982. After that date, we reserve the right to renegotiate the costs.

Upon Town Board approval, please secure the Supervisor's signature on this Proposal and return one copy as our Agreement for the work.

Yours truly,

NUSSBAUMER & CLARKE, INC.

Richard E. Vanderbrook

Richard E. Vanderbrook, P. E.
Vice President

WAT/REV:n

APPROVED BY:

Kenneth J. Bryan
Supervisor

Apr. 5, 1982
Date

Item No. 32 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town of Cheektowaga has a heritage rich in cultural and historical significance, AND

WHEREAS, the Town of Cheektowaga is a large town with a large population, but does not have established an historical museum or other building within its boundaries to display artifacts of historical value, AND

WHEREAS, this Town Board is interested in providing for the preservation and protection of said artifacts having special historical value, AND

WHEREAS, the Town currently has available a building located at 3329 Broadway in the Town, which said building this Town Board is interested in for use as a Town Historical Museum, AND

WHEREAS, the Town has received donations and expects more donations from private sources to be used to renovate said building so that it will be restored to its original condition and will then be used as the Historical Museum, AND

WHEREAS, this Town Board deems it desirable to create a volunteer staffed "Board of Directors" for the Town Historical Museum, which said "Board of Directors" shall oversee and inform the Town Board of the status of the renovation of said building, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board designates the following individuals to serve as the volunteers of the "Board of Directors" for the Town Historical Museum:

Dennis J. Ciotuszynski
Michael H. Burzynski
Sister Marcella Marie Garus
Myra Gittere
Charles P. Evingham
Mary F. Holtz
Kenneth J. Jeffords
Kenneth J. Kopacz
Robert Louth
Kenneth Lipke
Julia Reinstein
William E. Scarafia
Ronald C. Zoeller
Kenneth J. Meyers, Ex-Officio Member

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, this Town Board is interested in establishing a Town Historical Museum on town property located at 3329 Broadway, Cheektowaga, New York, for the purpose of preserving and protecting artifacts of historical significance for future generations, AND

Item No. 34 Cont'd.

WHEREAS, it is desirable that the building located on premises at 3329 Broadway be renovated and restored to its design when originally constructed, AND

WHEREAS, the Town is in need of the professional services of an architect to complete measurements, structure investigation and document existing conditions and, also, to make recommendations, complete with drawings, as a preliminary phase to the renovation of said building, AND

WHEREAS, the Cheektowaga Historical Society has agreed to pay the professional fees for Kenneth R. Selden, Architect, for his services as outlined above, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby formally expresses its appreciation for the interest and services provided to the Town and its residents by the Cheektowaga Historical Society in agreeing to pay for the services of the aforesaid architect, and BE IT FURTHER

RESOLVED, that the Cheektowaga Town Board hereby authorizes Kenneth R. Selden, Architect, to enter said building, for the purpose of conducting the work necessary for this preliminary phase of the renovation, and BE IT FURTHER

RESOLVED, that prior to any renovation and or restoration, as aforesaid, plans, specifications and other professional architectural services should be prepared and submitted to this Board for review.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

BE IT RESOLVED that Niagara Mohawk Power Corporation be and hereby is authorized to remove one (1) 4000 watt power globe at 148 Mapleview Road, Town of Cheektowaga, and to reinstall two (2) 1000 watt mercury vapor street lights on one (1) standard for an annual decrease in the Town's General Lighting District of $720.25, in accordance with the attached proposal which is hereby made a part of this Resolution.

*SEE NEXT PAGE FOR STREET LIGHTING PROPOSAL

NIAGARA MOHAWK

NIAGARA MOHAWK POWER CORPORATION/535 WASHINGTON STREET, BUFFALO, N. Y. 14203/TELEPHONE (716) 856-2424

March 15, 1982

Mr. Thomas Johnson
Councilman - Town of Cheektowaga
Town Hall
Broadway @ Union
Cheektowaga, New York 14225

RE: 148 Mapleview Road

Dear Councilman Johnson:

To remove the 4000 watt power globe at 148 Mapleview Road and to reinstall two (2) 1000 watt mercury vapor street lights on one (1) standard, the annual decrease would be $720.25.

If you have any questions, please do not hesitate to call me at 856-2424, Extension 235.

Very truly yours,

Clifford Reuter Jr.

Clifford Reuter, Jr.
Consumer Representative

CR/dc

Item No. 35 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on property located at 47 Heather Road (East and West side of property) Map Cover 1616, Sublot 43, Cheektowaga, New York, Tax Account Number 16-192 and according to the Assessors' Office is owned by Marvin L. Schiffman, 47 Heather Road, Cheektowaga, New York

WHEREAS, these conditions require that some positive steps be taken to rectify same by 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 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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

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

SPECIAL DISTRICTS FUND

From:	8525.493	(S.D. No. 5-Remedial Work)	$10,000.00
	8525.493	(S.D. No. 5-Remedial Work)	6,300.00
	8525.493	(S.D. No. 5-Remedial Work)	5,000.00
TO:	8525.459	(S.D. No. 5-Consulting Engineers)	$10,000.00
	8525.506	(S.D. No. 5-Pre-Fab Building)	6,300.00
	8525.506	(S.D. No. 5-Pre-Fab Building)	5,000.00

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 5th, 1982 are hereby approved and the SUPERVISOR is ordered to pay said warrants.

FUND	CHECK NOS.	AMOUNT
GENERAL FUND	16081-16293	$ 132,385.55
SPECIAL DISTRICT FUND	11611-11677	82,583.50
HIGHWAY FUND	6231-6276	45,653.09

Item No. 38 Cont'd.

FUND	CHECK NOS. FROM TO	AMOUNT
FEDERAL REVENUE SHARING FUND	10369-10373	$ 2,746.55
CAPITAL FUND	647-654	155,790.49
TRUST AND AGENCY FUND	1151	4,858.15
H.U.D.-C.D.B.G. FUND	445-448	13,714.67
PART TOWN FUND	639-644	1,294.15
H.U.D.-N.P.P. FUND	166-167	895.00
SPECIAL ASSESSMENT FUND	3	973.80
DEBT SERVICE FUND	159-163	128,767.40
		$ 569,662.35

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 39 Building Permits.
Received and filed.

Item No. 40 Supervisors Statement of Funds for the months of January and February, 1982.
Received and filed.

Item No. 41 Raymond M. Matot; Superintendent of Buildings: Letter of resignation.
Received and filed.

Item No. 42 Cheektowaga Public Library Board: Minutes of February 19, 1982 meeting.
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 43 Erie County Legislators Slisz and Stolarski: Copy of resolution regarding William Street Railroad Overpass.
A copy of this resolution was sent to the Engineering Department.
This item was received and filed.

Item No. 44 Erie County Legislators Slisz and Stolarski: Copy of resolution regarding reconstruction of 1.4 mile of William Street.
A copy of this resolution was sent to the Engineering Department.
This item was received and filed.

Item No. 45 Erie County Legislature: Copy of resolution urging New York State Legislature to appropriate monies for funding of feasibility study regarding baseball-soccer stadium in downtown Buffalo.
This item was received and filed.

No. 9

Item No. 46 Erie County Commissioner of Finance: Financial Statement for 1981.
This item was received and filed.

Item No. 47 Erie County Department of Public Works: Division of Highways: Letter regarding signalization of Dick Road and North Creek Drive.
Copies of this correspondence were sent to: Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Cheektowaga Traffic Safety Commission; Captain Kempski, Traffic Division; and Engineering Department.
This item was received and filed.

Item No. 48 Erie County Water Authority: Acceptance of proposal for installation of two (2) hydrants in Coatsworth Subdivision, Pt. 10, Phase 3.
A copy of this proposal was sent to the Engineering Department.
This item was received and filed.

Item No. 49 Village of Sloan: Copy of resolution regarding disaster preparedness plans and procedures in conjunction with Town of Cheektowaga.
Copies of this resolution were sent to: Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; James Kirisits, Town Attorney; Earl Loder, Disaster Coordinator; and Chester Bryan, Town Engineer.
This item was received and filed.

Item No. 50 Letter from residents of McNaughton Avenue regarding safety hazard.
Copies of this correspondence were sent to: Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Chester Bryan, Town Engineer; and Alfred Wnek, Highway Superintendent.
This item was received and filed.

Item No. 51 Residents of Pine Ridge Terrace: Petition regarding exemption of Pine Ridge Terrace from snow ban parking.
Copies of this petition were sent to: Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; and Alfred Wnek, Highway Superintendent.
This item was received and filed.

Item No. 52 Notice of Claim: Matthew Komorowski vs. Town of Cheektowaga.
Copies of this Claim were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E. T. Clauss & Co., Town's Insurance Carrier; Thomas M. Johnson, Councilman; Alfred Wnek, Highway Superintendent.
This item was received and filed.

Item No. 53 Notice of Claim: Robert E. Vallone vs. Town of Cheektowaga
Copies of this Claim were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Joseph J. Naples & Assoc, Inc., Town's Insurance Carrier; Thomas M. Johnson, Councilman.
This item was received and filed.

Item No. 54 Notice of Claim: Allstate Insurance/Bernard Blaszkowiak vs. Town of Cheektowaga.
Copies of this Claim were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E. T. Clauss & Co., Towns Insurance Carrier; Thomas M. Johnson, Councilman; and Theodore DeFedericis, Chief of Police.
This item was received and filed.

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

Motion by Councilman Swiatek, seconded by Councilman W. P. Rogowski to suspend the rules to include the following items.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

Item No. 55 Motion by Supervisor Meyers, seconded by Councilman W. P. Rogowski

WHEREAS, Subdivision 1(b) of Section 20 of the Executive Law of the State of New York declares that it is the policy of the state that local chief executives, including the supervisor of a town and a mayor of a village, take an active and personal role in the development and implementation of disaster preparedness programs. AND

WHEREAS, it is further declared to be the policy of the state that state and local natural and man-made disaster and emergency response functions be coordinated in order to bring the fullest protection and benefit to the people, AND

WHEREAS, the Town of Cheektowaga has the necessary facilities, equipment, supplies, personnel and other resources to cope with a disaster or any emergency resulting therefrom, AND

WHEREAS, the boundaries of the Town of Cheektowaga and the Village of Sloan are adjacent and a disaster in one municipality would necessarily affect the other, AND

WHEREAS, the Board of Trustees of the Village of Sloan, by means of a resolution adopted by the said Village Board on March 9th, 1982 has requested that the Town assist the Village and coordinate with the Village relative to the implementation of the Town's disaster preparedness plans and procedures, AND

WHEREAS, the Town Board feels it would be in the best interests of the Town to assist the Village so that, in the event of a disaster or imminent threat thereof near the boundaries of the Town, the joint efforts of the Town and Village can be consolidated to cope with the disaster, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga does hereby agree to provide assistance to the Village of Sloan in the preparation and coordination of its disaster preparedness plans and procedures, AND, BE IT FURTHER

RESOLVED that the Town Board hereby directs Earl Loder, Natural Disaster Services Coordinator for the Town, to render the aforementioned assistance to the Village of Sloan, its officers and employees, AND, BE IT FURTHER

RESOLVED that the Town Clerk send a certified copy of this resolution to the Board of Trustees of the Village of Sloan and Earl Loder, Cheektowaga Natural Disaster Services Coordinator.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 56 Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, the Town Board retained Robert F. Coleman, Inc., in 1980 to provide claims administration services for self-insured Worker's Compensation obligations, AND

Item No. 56 Cont'd.

WHEREAS, Robert F. Coleman, Inc., proposes to continue such services for the Town from March 30, 1982 to December 31, 1982 at a cost of $8,687.50 for the first 82 claims plus $104.50 per claim over 82; and

WHEREAS, the Town's Risk Management Consultant recommends continuation of the service contract; NOW, THEREFORE, BE IT

RESOLVED that Robert F. Coleman, Inc., be retained for the period March 30, 1982 to December 31, 1982, at the proposed rate to be charged to Worker's Compensation Self-Insurance Account, and the Town Supervisor is authorized to execute a contract extension on these terms.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 57 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Andrew Schwenk, Sole Assessor for the Town of Cheektowaga has informed the Town Board of a one-day seminar pertaining to "Creative Financing of Real Estate", and the new revaluation program to be held on April 7, 1982 at the Holiday Inn in Hamburg, New York, and

WHEREAS, Andrew Schwenk has requested permission to attend this one-day seminar, at the cost of $35.00, NOW, THEREFORE, BE IT

RESOLVED that Andrew Schwenk is hereby authorized to attend the above one-day seminar at the Holiday Inn in Hamburg, New York, at the above stated cost; and that he be further authorized to have the use of a Town vehicle for travel to and from the seminar.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 58 Motion by Councilman W. P. Rogowski, seconded by Councilman Dux

BE IT RESOLVED that the following individuals have completed their employment period as Seasonal Employees in the Sanitation Department and are hereby terminated effective as follows:

	LAST DAY WORKED
Bakowski, Terry	3/19/82
Barrett, James F.	3/19/82
Digati, Michael	3/26/82
Glowny, Timothy	4/8/82
Majtyka, Richard	3/19/82
Ruszkowski, Dorothy	3/31/82
Trzaska, Joseph	4/9/82

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

No. 9

Item No. 59 Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

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

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning 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 15th day of March, 1982 at 7:00 P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, AND

WHEREAS, it is in the public interest to amend the "Zoning Ordinance of the Town of Cheektowaga, New York" as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the "Zoning Ordinance of the Town of Cheektowaga, New York" be and the same hereby is amended and changed as follows:

*SEE NEXT THREE (3) PAGES FOR AMENDMENT TO ZONING ORDINANCE.

No. 9

AMENDMENTS TO THE ZONING ORDINANCE

1. RESOLVED THAT ARTICLE III - BUSINESS DISTRICT REGULATIONS, Section 3-11. A. 11 (h), which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"11 (h) Automobile laundries or automatic car wash subject to Section 6-01 and 6-05"

be renumbered Section 3-11. A. 11 (i)

2. RESOLVED THAT ARTICLE III - BUSINESS DISTRICT REGULATIONS, Section 3-11 A. 2, which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"2. New motor vehicle sales and service."

shall be deleted as a principal permitted use not requiring a special permit, and added as a new principal permitted use requiring a special permit under Subsection 3-11 A. 11 (j) in the CM-General Commercial District as follows:

"11 (j) New motor vehicles sales and service"

3. RESOLVED THAT ARTICLE III - BUSINESS DISTRICT REGULATIONS, Section 3-11 A. 6, which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"6. Boat or marine sales and service."

shall be deleted as a principal permitted use not requiring a special permit, and added as a new principal permitted use requiring a special permit under Subsection 3-11 A. 11 (k) in the CM-General Commercial District, as follows:

"11 (k) Boat or marine sales and service"

4. RESOLVED THAT ARTICLE III - BUSINESS DISTRICT REGULATIONS, Section 3-11 A. 10 (a), which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"10 (a) Public garage, but not including auto wrecking or the storage of motor vehicles not eligible for New York State motor vehicle inspection sticker."

shall be deleted as a principal permitted use not requiring a special permit, and added as a new principal permitted use requiring a special permit under Subsection 3-11 A. 11 (ℓ) in the CM-General Commercial District, as follows:

"11 (ℓ) Public garage, but not including auto wrecking or the storage of motor vehicles not eligible for New York State motor vehicle inspection sticker."

5. RESOLVED THAT ARTICLE III - BUSINESS DISTRICT REGULATIONS, Section 3-11 A. 10 (b), which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"10 (b) Warehouses, building materials supply, including incidental millwork."

shall be deleted as a principal permitted use not requiring a special permit, and added as a new principal permitted use requiring a special permit under Subsection 3-11 A. 11 (m) in the CM-General Commercial District, as follows:

"11 (m) Warehouse, building materials supply, including incidental millwork."

6. RESOLVED THAT THE FOLLOWING SUBDIVISIONS OF ARTICLE III - BUSINESS DISTRICT REGULATIONS, Section 3-11 A which relates to principal permitted uses in a CM-General Commercial District, be renumbered according to the following:

§3-11 A. 3	shall become	§3-11 A. 2
§3-11 A. 4	shall become	§3-11 A. 3
§3-11 A. 5	shall become	§3-11 A. 4
§3-11 A. 7	shall become	§3-11 A. 5
§3-11 A. 8	shall become	§3-11 A. 6
§3-11 A. 9	shall become	§3-11 A. 7

§3-11 A. 10 (c)	shall become	§3-11 A. 8 (a)
§3-11 A. 10 (d)	shall become	§3-11 A. 8 (b)
§3-11 A. 11	shall become	§3-11 A. 9

Item No. 59 Cont'd.

AND

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on April 5, 1982; and that a certified copy thereof be published in the CHEEKTOWAGA BEE, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

The aforementioned changes to the "Zoning Ordinance of the Town of Cheektowaga, New York" shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

*SEE NEXT PAGE FOR AFFIDAVIT.

NO. 9

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Times, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 8th day of April, 19 82, and the last insertion being on the ~~same~~ day of ....., 19.....

Subscribed and sworn to before me this 8th day of April, 19 82

George J. Measer

Donna M. Yambor
Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

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 5th day of April, 1982 at 7:00 o'clock p.m. Eastern Standard Time there were.

PRESENT:
Supervisor
Kenneth J. Meyers
Councilman
Frank E. Swiatek
Councilman
Thomas M. Johnson, Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
ABSENT: 0

Motion by Councilman Johnson Seconded by Councilman Wm. Rogowski

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

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning 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 15th day of March, 1982 at 7:00 P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the "Zoning Ordinance of the Town of Cheektowaga, New York" as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the "Zoning Ordinance of the Town of Cheektowaga, New York" be and the same hereby is amended and changed as follows:

and

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on April 5, 1982; and that a certified copy thereof be published in the CHEEKTOWAGA BEE, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

The aformentioned changes to the "Zoning Ordinance of the Town of Cheektowaga, New York" shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

Upon roll call — Supervisor Meyers Voting AYE; Councilman Swiatek Voting AYE; Councilman Johnson Voting AYE; Councilman Dux Voting AYE; Councilman W.P. Rogowski Voting AYE; Councilman J.V. Rogowski Voting AYE; Councilman Jaworowicz Voting AYE. AYES: 7; NAYES: 0; ABSENT: 0.

AMENDMENTS TO THE ZONING ORDINANCE

1. RESOLVED THAT ARTICLE III — BUSINESS DISTRICT REGULATIONS, Section 3-11. A. 11 (h), which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"11 (h) Automobile laundries or automatic car wash subject to Section 6-01 and 6-05"

be renumbered Section 3-11. A. 11 (i)

2. RESOLVED THAT ARTICLE III — BUSINESS DISTRICT REGULATIONS, Section 3-11 A. 2, which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"2. New motor vehicle sales and service."

shall be deleted as a principal permitted use not requiring a special permit, and added as a new principal permitted use requiring a special permit under Subsection 3-11 A. 11 (j) in the CM-General Commercial District as follows:

"11 (j) New motor vehicles sales and service"

3. RESOLVED THAT ARTICLE III — BUSINESS DISTRICT REGULATIONS, Section 3-11 A. 6, which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"6. Boat or marine sales and service."

shall be deleted as a principal permitted use not requiring a special permit, and added as a new principal permitted use requiring a special permit under Subsection 3-11 A. 11 (k) in the CM-General Commercial District, as follows:

"11 (k) Boat or marine sales and service"

4. RESOLVED THAT ARTICLE III — BUSINESS DISTRICT REGULATIONS, Section 3-11 A. 10 (a), which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"10 (a) Public garage, but not including auto wrecking or the storage of motor vehicles not eligible for New York State motor vehicle inspection sticker."

shall be deleted as a principal permitted use not requiring a special permit, and added as a new principal permitted use requiring a special permit under Subsection 3-11 A. 11 (l) in the CM-General Commercial District, as follows:

"11 (l) Public garage, but not including auto wrecking or the storage of motor vehicles not eligible for New York State motor vehicle inspection sticker."

5. RESOLVED THAT ARTICLE III — BUSINESS DISTRICT REGULATIONS, Section 3-11 A. 10 (b), which relates to the principal permitted uses in a CM-General Commercial District, and which reads:

"10 (b) Warehouses, building materials supply, including incidental millwork."

shall be deleted as a principal permitted use not requiring a special permit, and added as a new principal permitted use requiring a special permit under Subsection 3-11 A. 11 (m) in the CM-General Commercial District, as follows:

"11 (m) Warehouse, building materials supply, including incidental millwork."

6. RESOLVED THAT THE FOLLOWING SUBDIVISIONS OF ARTICLE III — BUSINESS DISTRICT REGULATIONS, Section 3-11 A which relates to principal permitted uses in a CM-General Commercial District, be renumbered according to the following:

§3-11 A. 3 shall become §3-11 A. 2

§3-11 A. 4 shall become §3-11 A. 3

§3-11 A. 5 shall become §3-11 A. 4

§3-11 A. 7 shall become §3-11 A. 5

§3-11 A. 8 shall become §3-11 A. 6

§3-11 A. 9 shall become §3-11 A. 7

§3-11 A. 10 (c) shall become §3-11 A. 8 (a)

§3-11 A. 10 (d) shall become §3-11 A. 8 (b)

§3-11 A. 11 shall become §3-11 A. 9.

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 5, 1982, 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 59, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 5th day of April, 1982.

Richard M. Moleski
Town Clerk

apr. 8

Item No. 60 Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the below listed individuals be terminated from the Cheektowaga Youth Bureau (Recycling Program 4089.002), effective March 17, 1982, based on the fact that their scheduled number of weeks as seasonal employees have expired:

--Michael Abbarno

--Robert Reimer

BE IT FURTHER RESOLVED that the below listed individual be terminated from the Cheektowaga Youth Bureau (Recycling Program 4089.002), effective, April 5, 1982:

--David Wutz

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

Item No. 61 Motion by Councilman Swiatek, seconded by Councilman J. V. Rogowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

No. 9

MEETING NO. 9

CHEEKTOWAGA, NEW YORK
April 19, 1982

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 19th day of April, 1982 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Services Director II; Ron Marten, Building and Plumbing Inspector; Ken Kopacz, Executive Director of the Youth Bureau; Theodore DeFedericis, Chief of Police; Julia Reinstein, Town Historian; Pat Wojcik, Recreation Supervisor-Senior Citizens; Dr. Louis Vendetti, Town Health Officer.

I. BIDS

Item No. 2 Highway - Street name signs
Withdrawn. Bids were unopened.

II. PUBLIC HEARINGS

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Housing 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:

* See next four (4) pages for amendment

No. 9

1. RESOLVED THAT Section 1-105 a, which relates to the non-applicability of the Housing Code, shall be amended by deleting the words "migrant housing premises" therefrom.

2. RESOLVED THAT Sections 1-107, 1-109.3, 1-202 and 1-301a, which relate to the Town Building Code, definitions, occupancy classification of buildings and general requirements, shall be amended by substituting the "State Building Construction Code" for the "Town Building Code" in said Sections, and by substituting "September 19, 1979" for "December 21, 1942" in Section 109.3.

3. RESOLVED THAT Section 109.3 which defines various words used in the Housing Code, shall be amended by repealing the following definitions in their entirety: "migrant," "migrant housing premises."

4. RESOLVED THAT Section 1-202, which relates to occupancy classification of buildings, shall be amended by repealing the word "boatel" where it appears therein.

5. RESOLVED THAT Section 1-302b, which relates to structure exterior protection, shall be amended by the inclusion thereinto following the word "weathertight" the phrase "in sound condition and in good repair."

6. RESOLVED THAT Section 1-302, Subsections, which relate to structure exterior protection, shall be amended by the inclusion of a new subsection "e" reading: "storm doors or approved insulated doors, and storm windows or approved insulated windows shall be required from October 1 to April 30."

7. RESOLVED THAT Section 1-502.5b which relates to plumbing facilities, shall be amended by the inclusion thereinto of the phrase "the hot water tank shall have a minimum capacity of 4 gallons per occu-

pant and shall have a minimum recovery capacity of 2500 B.T.U. per hour per occupant" following the phrase "to midnight.".

8. RESOLVED THAT Section 1-506.5 which relates to fuel supply connections to fuel-burning equipment, shall be amended by substituting the phrase "or with means conforming to the requirements of generally accepted standards" in place and stead of the phrase "or approved appliance connector."

9. RESOLVED THAT Section 1-509.2d which relates to electrical facilities pertaining to kitchens, shall be amended by substituting the phrase "20 ampere" in place and stead of the phrase "15-ampere."

10. RESOLVED THAT Section 1-509.4a which relates to the location and clearance of overhead electrical conductors, shall be amended by substituting the clearance requirement "3 feet" in place and stead of the clearance requirement "6 feet" and by substituting the clearance requirement "10 feet" in place and stead of the clearance requirement "15 feet."

11. RESOLVED THAT Section 1-509.4 which relates to the location and clearance of overhead electrical conductors, shall be amended by the inclusion and enactment of an additional location and clearance requirement to read:

Location	Clearance
"over residential areas not subject to truck traffic".	"15 feet"

12. RESOLVED THAT Section 1-604b which relates to rodent infestation and screening, shall be amended by repealing the phrase "where rodent infestation exists."

13. RESOLVED THAT Section 1-604c which relates to the screening requirements for rodent infestation, shall be amended by substituting the phrases "up to and including the third story. In any dwelling where mechanical ventilation is supplied, screens shall only be required in areas using natural ventilation. All screens shall be maintained in good condition" in place and stead of "except that screens shall not be required in the upper stories of multiple dwellings which are free of mosquitoes, flies, and other flying insects."

14. RESOLVED THAT Section 1-606b which relates to storage of junk, shall be amended by substituting the phrase "junked or unlicensed vehicles" in place and stead of the phrase "junked vehicles."

15. RESOLVED THAT Section 2-106 which relates to the definition of an agent, shall be amended by repealing the phrase "as filed with the Building Inspector."

16. RESOLVED THAT Section 2-202c which relates to the powers and duties of the Building Inspector, shall be amended by repealing the phrase "to require the registration of premises and."

17. RESOLVED THAT Section 2-202f which relates to certain duties of the Building Inspector, shall be amended as follows:

Part "5" is repealed in its entirety;

Part "6" is renumbered Part "5";

Part "7" is renumbered Part "6";

Part "8" is renumbered Part "7";

Part "9" is renumbered Part "8";

18. RESOLVED THAT Section 2-205a which relates to guidelines in issuing a Housing Code Violation Order shall be amended as follows:

by repealing the phrase "for failure to register premises;" Part "(5)" is repealed in its entirety; the Part "6" is renumbered Part "(5)."

19. RESOLVED THAT Section 2-205b which relates to how a Housing Code Violation Order may be served, shall be amended as follows: Part (2) by substituting the phrase "to the owner, in accordance, with this chapter, to his address" in place and stead of the phrase "to the person whose name has been filed with the Building Inspector, in accordance with this chapter, to his address as therewith filed"; Part (3) by substituting the pharase "if unforwardable, unacceptable, or returned to the Building Inspector by the owner, lessor, or their respected agent" in place and stead of the phrase "if no person has filed with the Building Inspector the name and address of the owner, lessor, or their respected agent."

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

Dated: April 5, 1982

RICHARD M. MOLESKI
Town Clerk

Item No. 3 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. 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:

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

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended as follows:

C. No parking here to corner

LIBERTY TERRACE	west side	"between the north curbline of Cleveland Drive and a point fifty (50) feet northerly therefrom" shall be amended to:
		"between the north curbline of Cleveland Drive and a point eight-eight (88) feet northerly therefrom"

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

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. 5 Decision on Rezoning - 2001 Walden Avenue (Also Special Use Permit)
This item was withdrawn. See Item No. 38 under Suspension of Rules.

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

WHEREAS, the Cheektowaga Town Board is also the Board of Managers for Sanitary Sewer District #5, and

WHEREAS, the Greater Buffalo International Airport is a regional facility operated by the Niagara Frontier Transportation Authority, and

WHEREAS, the entire cost of airport sewage treatment is borne by the residents of Sanitary Sewer District #5 in which the airport is located, and

WHEREAS, the impact upon these residents is substantial and results in an average increase in sanitary sewer district assessments of 29.35%, representing lost revenues totaling #363,000. and

WHEREAS, there is a continuing and unabated requirement to deliver sewage effluent to Sanitary Sewer District #5 facilities, and

WHEREAS, it is neither fair nor equitable that local residents should suffer particular financial hardship with respect to the operations of a regional Authority and,

Item No. 6 cont'd

WHEREAS, since the creation of the Niagara Frontier Transportation Authority, the New York State Legislature has recognized the necessity of charging such Public Authorities for their fair share of assessments of expressly requiring that "Special Benefit Assessments" be paid by the Rochester-Genesee Regional Transportation Authority, the Capitol District Transportation Authority and the Central New York Regional Transportation Authority, and

WHEREAS, Senate Bill 7705 and Assembly Bill 9504, introduced respectively by Senator Dale M. Volker and Assemblyman Dennis T. Gorski, seek to amend the Public Authorities Law, Section 1299-o (the Niagara Fronter Transportation Act), so as to require the payment of special benefit assessments by inclusion of pertinent language identical to that contained in the laws creating the foregoing Authorities, and

WHEREAS, the Niagara Frontier Transportation Authority has filed a "Memorandum in Opposition", NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Legislature to approve the subject Senate and Assembly Bills, and BE IT FURTHER

RESOLVED that certified copies of this Resolution and attached "Reply Memorandum in Support of" S.7705 and A.9504 be forwarded to Senator Volker and Assemblyman Gorski, and to the Secretary for the Senate and Clerk of the Assembly.

* See next six (6) pages for "Reply Memorandum in support of Legislation"

REPLY MEMORANDUM IN SUPPORT OF LEGISLATION

FROM: THE TOWN OF CHEEKTOWAGA

TO: THE NEW YORK LEGISLATURE

SUBJECT: Proposed Amendment to Public Authorities Law § 1299-o
S. 7705 Senator Dale M. Volker
A. 9504 Assemblyman Dennis T. Gorski

SUMMARY OF AMENDMENT:

The proposed legislation would make the Niagara Frontier Transportation Authority ("NFTA") responsible for paying its fair share of special benefit assessments for its real property that is located in special benefit districts.

PURPOSE OF THIS MEMORANDUM:

To reply to the Memorandum in Opposition previously submitted by the NFTA.

I. BACKGROUND

The NFTA was established by this Legislature in L. 1967, c. 717, codified in Article 5 of the Public Authorities Law (The Niagara Frontier Transportation Act). As part of said Act, § 1299-o provides that the NFTA is expressly exempt "from (real property) taxation and special ad valorem levies," and it is not to be required to pay "fees, taxes or assessments on real estate." The Courts have recently ruled that it was the intent of the Legislature by this language to exempt the NFTA from payment of special benefit assessments.

The NFTA is the owner of substantial tax exempt real property in the Town of Cheektowaga's Sewer District No. 5, specifically including the land upon which is located the Greater Buffalo International Airport, a major airline facility serving the entire Buffalo Metropolitan area and much of Western New York. According to judicial rulings, the NFTA is now free to ignore special benefit assessments made for the operation and maintenance of Sewer District No. 5, although the NFTA is a major user of its plant and equipment. This we submit, is eminently unfair and should be corrected.

In L. 1971, c. 414, § 1, this Body has specifically found that:

> "(T)he continuous removal from the tax rolls of taxable real property is a particular hardship on the local governments of this state and upon the citizens of this state, who are increasingly burdened by additional taxes . . . . " (Emphasis added.)

Moreover, in ruling that a tax exempt organization was required to pay sewer charges, the Appellate Division has stated:

> "As we view it, the cost of sewage disposal may properly be chargeable upon all properties in a given area using the system. Organizations otherwise exempt from taxation are not exempt from paying municipal electric, gas or water bills, and we think sewage removal is a municipal service which may be fitted into the same category." (Emphasis added.)[1]

This Legislature has itself recognized the necessity of charging public authorities for their fair share of assessments. Thus, in more recently establishing the Rochester-Genesee Regional Transportation Authority (L. 1969, c. 1124, § 2); the Capitol District Transportation Authority (L. 1970, c. 460, § 2); and the Central New York Regional Transportation Authority (L. 1970, c. 740, § 2); the respective exemption provisions of the Public Authorities Law (§§ 1299-aa, 1316, 1341) each expressly states that:

> "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.)

The removal of such exemption is the very amendment which the Town requests on behalf of its Sewer District No. 5. Surely its citizens should not be subjected to more onerous

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1 Y.M.C.A. v. Rochester Pure Waters District, 44 A.D.2d 219, 354 N.Y.S.2d 201, 206 (4th Dept. 1974), aff'd, 37 N.Y.2d 371, 372 N.Y.S.2d 633 (1975).

burdens than those placed upon other upstate citizens; the NFTA should not be entitled to a windfall exemption denied to other authorities in like position.

II. RESPONSE TO NFTA.

A. The NFTA concedes it is understandable that local municipal officials and property owners should protest against tax exempt properties within a Sewer District, using and receiving services from the system, and not paying its fair, proportionate share of the construction and operational costs thereof. It seeks to rationalize this opposition on the basis of the development of the Greater Buffalo International Airport into "a facility having capacity for handling major international air traffic." This expansion, asserts the NFTA, has benefited the surrounding area. It particularly cites the proposed Town of Amherst Industrial Park/Foreign Trade Zone.

This argument is unpersuasive. No one disputes that NFTA transportation facilities - including the Airport - have benefited the City of Buffalo, Erie County and the entire Niagara Frontier. That is beside the point, however. The relevant issue is whether such benefits, which accrue to an entire metropolitan area, should be borne entirely on the back of one small sewer district in which the Airport happens to be located. The fact that the nearby Town of Amherst may have an industrial zone because of its relative proximity to the Airport, or the adjacent Town of Lancaster has a business zone benefiting from the Airport, is small consolation to the Cheektowaga residents of Sewer District No. 5, who are required to pay the full cost of sewer services for the Airport.

Moreover, the plight of the residents of Sewer District No. 5 is about to be substantially increased. Within a few months the new Buffalo Sewer Authority sewage treatment plant will become operational, and will commence billing Sewer District No. 5 according to water flow from the district, which would include the Airport and other NFTA properties. Unless the proposed amendment is enacted, the increased special benefit assessments will all fall on the shoulders of the non-exempt property owners in Sewer District No. 5.

As to the argument that 163 of the NFTA's 181 parcels use no water or sewer services at all, that simply indicates that the Town Assessor has not consolidated numerous minor parcels owned by the Authority. In fact, of the 181 parcels of NFTA property separately assessed, 94% of the $363,000 amount assessed was for the Airport itself.

B. The next excuse advanced by the NFTA to avoid paying its share of special benefit assessments is that if it

lost its exemption, it would become liable for far more than Sewer District No. 5 special assessments. The NFTA asserts potential payments to some eighteen Erie and Niagara County taxing jurisdictions, with liability under Real Property Tax Law [RPTL"] § 490(2) for "police protection; fire protection; street and highway construction, maintenance and lighting; sanitation; and water supply." It then projects (without detail of any sort) alleged special assessments of up to one million dollars per year, which figure is sheer speculation.

To further "buttress" its argument, the NFTA refers to RPTL § 400 as continuing its express exemption from special assessments.

It is submitted, first, that the NFTA "proves too much." What it is saying is that, in addition to its unjustified windfall as to sewer district special assessments, it also has unjustified exemptions for various other user services that must, instead, be paid for by others, and which it selfishly wished to preserve without change. Furthermore, while it cannot be predicted with certainty exactly what the NFTA sewer charge special benefit assessments for the district would be when the Buffalo Sewer Authority Plant is fully operational - actual water flow cannot be measured in advance - the "best estimate" of Sewer District No. 5's Certified Public Accountant would be in the area of $566,000. Any special benefit assessments imposed upon the NFTA by other special benefit districts, aside from the Airport sewage disposal, should be relatively modest.

Secondly, it appears that the NFTA's fears are without justification. Moreover, we are surprised that the NFTA would prepare and submit to the Legislature a Memorandum based in large part upon statutes which it knew - or should have known - have been repealed. RPTL § 490(2), which the NFTA cites as authority for the imposition of various additional special benefit assessments, was enacted by this body as L. 1971, c. 417, § 7. Effective May 15, 1981, by L. 1981, c. 105, § 1, RPTL § 490(2) was repealed in its entirety, and is thus no longer authority to charge the NFTA with additional special benefit assessments beyond the assessments of Sewer District No. 5. Moreover, RPTL § 400, which the NFTA cites as continuing its exemption from special assessments, was similarly repealed by L. 1981, c. 105, § 1. The Legislature has thus indicated that it is no longer committed to such exemptions.

C. As a final argument, the NFTA contends that the proposed amendment would be a violation of the covenant with NFTA bondholders contained in Public Authorities Law § 1299-o, and would therefore be unconstitutional.

As to the asserted violation of due process, it is long-established law, both New York and Federal, that there

are no vested rights in exemptions from taxes or assessments. In fact, Article 16, § 1 of the New York State Constitution expressly provides that tax exemptions may be "altered or repealed." Moreover, the repeal of the NFTA's special assessment exemption is not a deprivation of the property rights of its bondholders.

The NFTA's second contention is that the amendment would be an impairment of the obligations of contract, in violation of Article I, § 10 of the United States Constitution. This argument is also incorrect, based on recent case law.

In 1975, in order to prevent the impending bankruptcy of New York City, this body established the Municipal Assistance Corporation for the City of New York ["MAC"]. Funding for MAC included the revenues of the suspended City sales tax and the City's stock transfer tax. The holders of New York City bonds sued to block the diversion of New York City funds to MAC, claiming that the decrease in City revenues would make it more difficult to repay their bonds, and would violate the federal Contract Clause, Article I, § 10.

The New York Court of Appeals rejected this argument, in affirming summary judgment for defendant.2 The Court held that the bondholders were protected by the City's remaining obligation to repay the bonds, including the City's other traditional sources of revenue. Thus, there was no impairment of contract. On direct appeal, the United States Supreme Court summarily affirmed. In any event, the Court of Appeals has ruled that the State, under its police power, may override contractual provisions where "reasonable and necessary to serve an important purpose."3

Here, the amendment would still allow the NFTA to pay its bondholders out of its traditional revenue sources. Certainly its Airport leases could include traditional provisions requiring commercial tenants to pay special assessments for sewer charges.

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2 Quirk v. Municipal Assistance Corp. for City of NY, 41 N.Y.2d 644, 394 N.Y.S.2d 842 (1977), appeal dismissed for want of a substantial federal question. 434 U.S. 808 (1977).

3 Subway-Surface Supervisors Ass'n v. New York City Transit Authority, 44 N.Y.2d 101, 109, 404 N.Y.S.2d 323, 328 (1978).

CONCLUSION

For the above reasons, the Legislature is requested to remove the windfall exemption of the NFTA from special benefit assessments. The NFTA should pay its fair user's share of sewer charges, just as it must pay for gas, electricity and telephone service.

Respectfully submitted,

THE TOWN OF CHEEKTOWAGA

April, 1982

Item No. 6 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 7 Motion by Councilman Jaworowicz, seconded by Supervisor Meyers

WHEREAS, the 1.4 mile section of William Street, from Buffalo City Line to St. Felix Street, in the Town of Cheektowaga and the Village of Sloan, is under the jurisdiction of the County of Erie, and

WHEREAS, said portion of William resurfaced last in 1960, is in extremely poor condition and in need of immediate repair, and as such constitutes a hazard to the safety of motorists and pedestrians alike, and

WHEREAS, the poor condition of said portion of William Street has also adversely affected proper drainage and has contributed to flooding and property damage in the area, and

WHEREAS, said portion of William Street, which carries an average of over 18,000 vehicles a day, serves a large residential area and industrial and commercial establishments, and is a regionally significant highway, linking the City of Buffalo and the southern part of Cheektowaga, and

WHEREAS, said portion of William Street has ranked by the Erie County Highway Division as a highway that falls below County standards and has been prioritized for repair, and

WHEREAS, the Erie County Highway Division has recommended the complete reconstruction of William Street, including a closed drainage system with curbs and gutters, installation of turning lanes and appropriate signalization changes, and

WHEREAS, the severly deteriorated condition of this roadway makes it imperative that such a project be undertaken by the County as soon as possible, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby memorializes the County of Erie to include the reconstruction of William Street between Bufalo City Line and St. Felix Street, including any and all necessary engineering and design work, as a priority capital project in its 1983 Capital Projects Program, and BE IT FURTHER

RESOLVED that a certified copy of this Resolution be forwarded to Erie County Executive Edward Rutkowski, County Legislator Richard Slisz, the Clerk of the County Legislature and Erie County Public Works Commissioner Philip Frandina.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga and the Village of Sloan, Depew and Williamsville are eligible to receive an estimated $1,019,000 in Community Development Block Grant funds for fiscal year 1982-83, and

WHEREAS, a public hearing regarding use of such funds was held on February 1, 1982, and where the consensus of opinions expressed was that said Community Development Block Grant funds should be utilized for basic community needs, those including continued neighborhood and housing improvements and flood relief projects in the Town's and Villages' designated Neighborhood Improvement Areas, and

Item No. 8 cont'd

WHEREAS, such utilization of Community Development funds, as proposed in the 1982-83 Community Development Block Grant application, would serve to assist low and moderate income persons and families within the Town and Villages by alleviating future flooding and consequent deterioration of existing housing, as well as maintaining and improving neighborhoods and existing housing, NOW, THEREFORE, BE IT

RESOLVED that the proposed 1982-83 Community Development Block Grant application, which includes the following projects, be and hereby is adopted and authorization is hereby given to the Town Supervisor to submit said application to the U.S. Department of Housing and Urban Development.

Cedargrove Heights	$ 300,000
Walden Avenue	30,000
Beach Road	300,000
Chapel Avenue	10,000
Housing Rehabilitation & Code Enforcement (Town & Villages)	116,500
Administration	32,500
Planning	25,000
Village of Sloan	31,830
Village of Depew	-----
Terrace Blvd. Target Area	111,738
Supplementary Program Funding	13,600
Contingency	47,832
	$1,019,000

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town of Cheektowaga is desirous of continuing the operation of its Housing Rehabilitation Loan Program under the Community Development Block Grant Program, and

WHEREAS, funds for such a Program were appropriated by the Town and the Villages of Sloan and Depew in the 1980-81 and 1981-82 Community Development Program years in the amounts of $55,000 and $92,000 respectively, and

WHEREAS, use of said funds for the purpose of operating a Housing Rehabilitation Program was approved by the Department of Housing and Urban Development, and

WHEREAS, the Town has secured proposals from area financial institutions for their participation in said Housing Rehabilitation Loan Program, and

WHEREAS, Manufacturers & Traders Trust Company has submitted a proposal for participation with the most favorable interest rate for said loan program, and

WHEREAS, the intent of the Housing Rehabilitation Loan Program is to provide low-interest loans to income eligible property-owners in the Town's and Villages' designated target areas for housing rehabilitation and correction of Town Housing Code violations, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to enter into Agreement with Manufacturers & Trader's Trust Company for their participation in the Town of Cheektowaga's Housing Rehabilitation Loan Program, said Agreement subject to final approval of the Agreement by Manufacturers & Traders Trust Company.

Item No. 9 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, by resolution dated March 15, 1982 this Town Board authorized survey and strip mapping in the Clearvale Drive, Pinevale Court and Fairvale Drive area in order to institute a plan for the improvement of sanitary sewer service, and

WHEREAS, the Town Engineer advised that the mapping has been completed and he recommends that we proceed with the preparation of plans and specifications for the improvement of said Clearvale Drive, Pinevale Court and Fairvale Drive sewer system, which santiary sewer system is in need of replacement, and

WHEREAS, this Town Board agrees with the need for such sanitary sewer improvements, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., as submitted in their letter of April 15, 1982 to the Town Engineer for the preparation of plans and specifications be and hereby is approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby directed and authorized to sign the agreement with said Nussbaumer & Clarke, Inc., and BE IT FURTHER

RESOLVED that the cost for said preparation of plans and specifications is to be charged to the Sanitary Sewer District #5 Remedial Program, budget item S8125.493.

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, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman J. Rogowski

WHEREAS, applications for dog licenses in the Town of Cheektowaga are currently made only to the Town Clerk's Office, and

WHEREAS, some residents of this Town are unable to get to the Town Clerk's Office during said office's regular business hours in order to apply for a dog license, and

WHEREAS, subsection 1(b) of Section 109 of the Agriculture and Markets Law of the State of New York permits the Town Board to authorize one or more named dog control officers to also receive applications for dog licenses, NOW, THEREFORE, BE IT

RESOLVED that the following dog control officers be and hereby are empowered to accept applications for and issue dog licenses, effective immediately:

Earl Passmore
John Slisz
Michaelene Mahoney

and BE IT FURTHER

Item No. 11 cont'd

RESOLVED that the issuance of dog licenses by the aforementioned dog control officers shall be under the control and supervision of the Town Clerk.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman W. Rogowski, seconded by Councilman Dux

WHEREAS, this Town Board has continually expressed concern about both the past development and future development of the Town of Cheektowaga, and

WHEREAS, the appearance of all land areas in the Town and developments therein are of further concern to all of the inhabitants of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the period of May 3, 1982 through May 14, 1982 be and hereby is designated Clean-up, Paint-up and Fix-up Week in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that appropriate posters of said Clean-up, Paint-up and Fix-up Week be placed in Business windows throughout the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Meeser

being duly sworn, deposes and says that he is the

Publisher of the

Cheektowaga Bee , a

public newspaper published at

Williamsville , New York, that the

notice of which the annexed printed slip taken from

said newspaper, is a copy, was inserted and published

therein once a week for 1 weeks, the first

insertion being on the 22nd day of April ,

19 82 , and the last insertion being on the same

day of ....., 19.....

Subscribed and sworn to before me this 22nd day

of April , 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

EXTRACTS FROM
MINUTES OF
CHEEKTOWAGA
TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 19th day of April, 1982 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor
Kenneth J. Meyers
Councilman
Frank E. Swiatek
Councilman
Thomas M. Johnson, Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz

ABSENT: 0

Motion by Councilman Wm. Rogowski, Seconded by Councilman Dux.

WHEREAS, this Town Board has continually expressed concern about both the past development and future development of the Town of Cheektowaga, AND

WHEREAS, the appearance of all land areas in the Town and developments therein are of further concern to all of the inhabitants of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the period of May 3, 1982 through May 14, 1982 be and hereby is designated Clean-up, Paint-up and Fix-up Week in the Town of Cheektowaga, AND BE IT

FURTHER RESOLVED that appropriate posters of said Clean-up, Paint-up and Fix-up Week be placed in Business windows throughout the Town of Cheektowaga.

Upon roll call . . .
Supervisor Meyers
Voting AYE
Councilman Swiatek
Voting AYE
Councilman Johnson
Voting AYE
Councilman Dux
Voting AYE
Councilman W.P. Rogowski
Voting AYE
Councilman J.V. Rogowski
Voting AYE
Councilman Jaworowicz
Voting AYE

AYES: 7
NAYES: 0
ABSENT: 0

Apr. 22

Item No. 13 Motion by Councilman Johnson, seconded by Councilman Jaworowicz

WHEREAS, there is a need for drainage improvements on Northcrest Avenue and on Southcrest Avenue at the intersection of Orchard Place, and

WHEREAS, the consulting firm of McFarland Johnson Engineers, Inc. has prepared plans for the construction of said drainage improvements, and

WHEREAS, $15,000 in Community Development Block Grant funds was allocated for engineering work and construction improvements on Northcrest and Southcrest Avenues by Town Board Resolution on August 17, 1981, NOW, THEREFORE, BE IT

RESOLVED that an additional $9,000 in Community Development Block Grant funds be allocated to undertake the installation of said drainage improvements on Northcrest Avenue and on Southcrest Avenue at the intersection of Orchard Place.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 14a Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, there is need to approve a Change Order for the extension of time in the construction of the Main Pump Station as specified in the Town Engineer's letter of April 14, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED that the extension of contract time is approved and that Change Order #4 of Contract 3B for mechanical work on the Main Pump Station in Sanitary Sewer District #5 for the Aquasan Corporation, 227 Thorn Avenue, Orchard Park, New York 14127 be approved, and BE IT FURTHER

RESOLVED that this Town Board, acting as the Board of Managers of Sanitary Sewer District #5 directs and authorizes the Supervisor to sign said Change Order #4 on behalf of Sanitary Sewer District #5.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 14b Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, there is need to approve a Change Order for the extension of time in the construction of the Main Pump Station, as specified in the Town Engineer's letter of April 14, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED that the extension of contract time is approved and that Change Order #4 of Contract 3D for heating and ventilating work on the Main Pump Station in Sanitary Sewer District #5 for the John W. Danforth Company, 1940 Fillmore Avenue, Buffalo, New York 14214 be approved, and BE IT FURTHER

RESOLVED that this Town Board, acting as the Board of Managers of Sanitary Sewer District #4, directs and authorizes the Supervisor to sign said Change Order #4 on behalf of Sanitary Sewer District #5.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 14c Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, there is need to approve a Change Order for the extension of time in the construction of the Main Pump Station as specified in the Town Engineer's letter of April 14, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED that the extension of contract time is approved and that Change Order #3 of Contract 3E & F for electrical work on the Main Pump Station in Sanitary Sewer District #5 for the Ferguson Electric Construction Company, Inc., 333 Ellicott Street, Buffalo, New York 14203 be approved and BE IT FURTHER

RESOLVED that this Town Board, acting as the Board of Managers of Sanitary Sewer District #5, directs and authorizes the Supervisor to sign said Change Order #3 on behalf of Sanitary Sewer District #5.

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, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Jaworowicz, seconded by Councilman Dux

WHEREAS, bids were duly received on April 5, 1982 as the result of advertisement, therefore, for the furnishing of maintenance chemicals and liquid chlorine for various Town of Cheektowaga requirements for the year of 1982, and

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

WHEREAS, said Town Engineer submitted same which is hereto attached and made a part hereof, and

WHEREAS, said funds are available in the Wastewater Treatment Plant #5 account, budget items 8535.414, 8535.494 and 8535.496, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of said maintenance chemicals and liquid chlorine, as per said unit prices and as recommended by the Town Engineer, be and the same is hereby awarded to:

Supplies Unlimited 561 Huth Road Chktg., N.Y. 14225	Item I Deodorizer (Liq.)	$3.69/gal
	Item II Deodorizer (Dry)	$.65/lb.
	Item IV Degreaser	$4.90/gal.
Bidall P.O. Box 25233 Milwaukee, Wi. 53225	Item III Enzymes	$2.57/lb.
Jones Chemicals, Inc. 100 Sunny Sol Blvd. Caledonia, N.Y. 14423	Item V-A Liquid Chlorine	$263.00/ton
	Item V-B Deposit/Cylinder	$750.00/cyl.

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

William L. Wielinski

* See next page for letter

Town of Cheektowaga

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

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

April 15, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Maintenance Chemicals

Gentlemen:

At the regular Town Board meeting of April 5, 1982, bids were received and opened for the furnishing of maintenance chemicals and liquid chlorine to meet the requirements of various departments for the year of 1982.

Five (5) bids were received as follows:

NAME	ITEM					
	I	II	III	IV	V-A	V-B
Jones Chemicals	--	--	--	--	263.00	750.00
Zep Manufacturing	5.50	.7384	3.60	--	--	--
Thames Chemical	3.75	.70	2.75	5.35	--	--
Supplies Unlimited	3.69	.65	2.71	4.90	--	--
Bidall	10.37	.6773	2.5668	7.41	--	--

Bids were reviewed with Fred Zalenski, Chief Operator of Wastewater Treatment Plant #5. It is, therefore, recommended that the bids be awarded to the lowest responsible bidder meeting the requirements of the specifications as listed on the attached resolution.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

Allan B Blachowski, /ds

BY: Allan B. Blachowski
Sr. Engineer Assistant

CLB:ABB:dms

Item No. 15 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman W. Rogowski, seconded by Supervisor Meyers

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of vitrified clay pipe and materials needed in making sanitary sewer repairs, which bids were duly received and opened at the April 5, 1982 Town Board Meeting, and

WEHREAS, 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, and

WHEREAS, said funds are available in the Sanitary Sewer District #5 Account #8525.493 and Sanitary Sewer District #3 Account #8323.493, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of said vitrified clay pipe and materials needed in making sanitary sewer repairs as per said unit prices and as recommended by the Town Engineer be and the same are hereby awarded to:

Kans Supply, Inc. 1971 Gunnville Road Lancaster, N.Y. 14086	Item A Vitrified Clay Pipe	1 - 6" 2 - 8" 3 - 10" 4 - 12"	$ 1.62/ft. 2.57/ft. 4.16/ft. 5.53/ft.
	Item B Mission Couplings	1 - 6" 2 - 8" 3 - 10" 4 - 12"	5.29 each 8.12 each 14.12 each 16.47 each
David James Associates, Inc. P.O. Box 69	Item C Water Plug	50 lb.	20.00 each

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

William L. Wielinski

* See next page for letter

Town of Cheektowaga

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

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

April 15, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Vitrified Clay Pipe and
Materials for Making
Sanitary Sewer Repairs

Gentlemen:

At the regular Town Board Meeting of April 5, 1982, bids were received and opened for the furnishing of vitrified clay pipe and materials for making sanitary sewer repairs for the year of 1982.

Three (3) bids were received as follows:

NAME	ITEM								
	A-1	A-2	A-3	A-4	B-1	B-2	B-3	B-4	C
Amherst Builders	2.30	3.65	6.00	7.90	16.00	24.40	31.10	39.50	41.50
Kans Supply	1.62	2.57	4.16	5.53	5.29	8.12	14.12	16.47	23.45
David James Assoc.	2.40	3.25	5.35	7.15	6.15	9.45	16.50	19.50	20.00

Bids were reviewed by the Engineering Department and it is, therefore, recommended that the bids be awarded to the lowest responsible bidder meeting the requirements of the specifications as listed on the attached resolution.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

Allan B Blachowski/ds

BY: Allan B. Blachowski
Sr. Engineer Assistant

CLB:ABB:dms

Item No. 16 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 17 Award of bid for furnishings and equipment for the Senior Citizen Center
This item was withdrawn.

Item No. 18 Motion by Councilman J. Rogowski, seconded by Supervisor Meyers

WHEREAS, bids were duly received by this Town Board at a meeting held on April 5, 1982 for the moving of election machines to and from various locations in the Town for the year of 1982 as a result of advertisement, and

WHEREAS, such bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is attached hereto and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the bid for the moving of election machines to and from various locations in the Town be awarded to P.J. Garvey Carting & Storage, Inc., 465 Cornwall Avenue, Buffalo, New York 14215 for their submission of the lowest bid of $5994.00 meeting the requirements of the specifications.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, this Town Board adopted a program for the improvement of the drainage system along Beach Road, a County Highway, and Town streets tributary to Beach Road using Community Development Block Grant funds, and

WHEREAS, such drainage improvements will improve the character of the neighborhood and provide for the well being of its citizens, and

WHEREAS, the Town desires to proceed with the second phase of this drainage improvement project utilizing Community Development Block Grant Funds relative to the Beach Road area, and

WHEREAS, the Engineering Department has informed this Town Board that plans and specifications have been completed by McFarland Johnson Engineers, Inc., NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders in connection with said Beach Road storm system construction, notice to be published in the BUFFALO EVENING NEWS, BUFFALO CRITERION and the CHEEKTOWAGA BEE, and BE IT FURTHER

RESOLVED that this Town Board meet on the 17th day of May, 1982 at 7:00 P.M., Local Time, for the purpose of receiving sealed bids at which time they will be publicly opened at a public meeting.

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

INVITATION FOR BIDS

TOWN OF CHEEKOTWAGA

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

Item No. 19 cont'd

of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, at 7:00 P.M., Local Time on Monday, the 17th of May, 1982 at which time and place they will be publicly opened and read aloud for the following work: "Drainage Improvements Beach Road Phase II".

The work comtemplated under this proposal consists of the construction of approximately 2,600 linear feet of various size (up to 48" diameter) reinforced concrete storm sewer and appurtenances along Beach Road between Maryvale Drive and Balbach Drive, along Fairvale Drive between Beach Road and Clearvale Drive and from Fairvale Drive along Clearvale Drive approximately 600 feet.

For bidding purposes, the project has been divided into three (3) parts. Bidders will be required to submit bids for all three (3) parts. The Town of Cheektowaga will award a single contract covering one, two or three of the parts based on the availability of funds.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of $50.00 per set of Documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the Contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($25.00) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government Bonds (at par value), or a satisfactory bid bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total Bid shall be submitted with each Bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applications for employment are not discriminated against because of their race, color, religion, sex, or national origin.

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

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of Bids for the purpose of reviewing the Bids and investigating the qualifications of Bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
Town Clerk

Town of Cheektowaga, New York

DATED: April 19, 1982.

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

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Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the

Publisher of the

Cheektowaga Bee , a

public newspaper published at

Williamsville , New York, that the

notice of which the annexed printed slip taken from

said newspaper, is a copy, was inserted and published

therein once a week for 1 weeks, the first

insertion being on the 22nd day of April ,

19 82 , and the last insertion being on the same

day of , 19 .

Subscribed and sworn to before me this 22nd day

of April , 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, at 7:00 P.M. Local Time on Monday, the 17th of May, 1982 at which time and place they will be publicly opened and read aloud for the following work; "Drainage Improvements Beach Road Phase II"

The work contemplated under this proposal consists of the construction of approximately 2,600 linear feet of various size (up to 48" diameter) reinforced concrete storm sewer and appurtenances along Beach Road between Maryvale Drive and Balbach Drive, along Fairvale Drive between Beach Road and Clearvale Drive and from Fairvale Drive along Clearvale Drive approximately 600 feet.

For bidding purposes, the project has been divided into three (3) parts. Bidders will be required to submit bids for all three (3) parts. The Town of Cheektowaga will award a single contract covering one, two or three of the parts based on the availability of funds.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of $50.00 per set of Documents. Checks shall be made payable to the "Town of Cheektowaga."

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the Contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($25.00) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government Bonds (at par value), or a satisfactory bid bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total Bid shall be submitted with each Bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

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

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the 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 April 19, 1982
Apr. 22

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

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that S he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~a week for~~ ~~xxxxxxxxx~~ ~~xweeks~~, the first insertion being on the 22nd day of April 19 82 ~~and the last insertion being on the xxxx day of xxxxx 19xxx~~

D. Eileen Perry

Sworn to before me this 22nd day of April 19 82

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 83

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

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
NOTICE TO CONTRACTORS:

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, at 7:00 PM Local Time on Monday, the 17th of May, 1982 at which time and place they will be publicly opened and read aloud for the following work: "Drainage Improvements Beach Road Phase II."

The work contemplated under this proposal consists of the construction of approximately 2,600 linear feet of various size (up to 48" diameter) reinforced concrete storm sewer and appurtenances along Beach Road between Maryvale Drive and Balbach Drive, along Fairvale Drive between Beach Road and Clearvale Drive and from Fairvale Drive along Clearvale Drive approximately 600 feet.

For bidding purposes, the project has been divided into three (3) parts. Bidders will be required to submit bids for all three (3) parts. The Town of Cheektowaga will award a single contract covering one, two or three of the parts based on the availability of funds.

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 $30.00 per set of Documents. Checks shall be made payable to the "Town of Cheektowaga."

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the Contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($25.00) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government Bonds (at par value), or a satisfactory bid bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total Bid shall be submitted with each Bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

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

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of Bids for the purpose of reviewing the Bids and investigating the qualifications of Bidder, prior to awarding the Contract.

DATED: April 19, 1982

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga,
New York

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that S he is Principl Clerk of the **BUFFALO EVENING NEWS, INC.**, Publisher of the **BUFFALO EVENING NEWS**, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~a week for XXXXXXXXXX~~ ~~XXXXX~~ weeks, the first insertion being on the 22nd day of April 19 82 ~~and the last insertion being on the XXXX day of XXXXX 19XXXX~~

D. Eileen Perry

Sworn 22nd day
of 19 82

FRANCIS X. VOLLMER, JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

STATE OF NEW YORK

Erie County, City of Buffalo ss.

The BUFFALO CRITERION

623-25 WILLIAM ST. BUFFALO 6, N. Y.

Frank E. Merriweather

of the City of Buffalo, being duly sworn deposes and says, that ...he is Editor-Publisher... of The Buffalo Criterion, a weekly newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for one weeks, the first insertion being on the 21st day of April, 19 82 and the last insertion being on the ..... day of ..... 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 27th day of April, 19 82

Frank E. Merriweather

~~Notary Public.~~

Commissioner of Deeds

Invitation For Bids

TOWN OF CHEEKTOWAGA

ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, at 7:00 PM Local Time on Monday, the 17th Day of May, 1982, at which time and place they will be publicly opened and read aloud for the following work; "Drainage Improvements Beach Road Phase II".

The work contemplated under this proposal consists of the construction of approximately 2,600 linear feet of various size [up to 48" diameter] reinforced concrete storm sewer and appurtenances along Beach Road between Maryvale Drive and Balbach Drive, along Fairvale Drive between Beach Road and Clearvale Drive and from Fairvale Drive along Clearvale Drive approximately 600 feet.

For bidding purposes, the project has been divided into three [3] parts. Bidders will be required to submit bids for all three [3] parts. The Town of Cheektowaga will award a single contract covering one, two or three of the parts based on the availability of funds.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of $50.00 per set of Documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such Contract Plans and Documents in good condition within ten [10] days following the award of the Contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit [$25.00] for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U. S. Government Bonds, [at par value], or a satisfactory bid bond executed by the Bidder and an acceptable surety, in an amount equal to five percent [5%] of the total Bid shall be submitted with each Bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

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

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five [45] days from the 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: April 19, 1982

Item No. 20 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, there is need for construction of new sidewalks and for the replacement of existing deteriorated sidewalks along Walden Avenue and Cedargrove Heights and various other locations, and

WHEREAS, funding for sidewalk construction along Walden Avenue and Cedargrove Heights has been budgeted under the Community Development Block Grnat Program, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the construction of new sidewalks and for the replacement of existing deteriorated sidewalks, notice to be published in the CHEEKTOWAGA BEE, the BUFFALO EVENING NEWS, and the BUFFALO CRITERION, AND BE IT FURTHER

RESOLVED that the Town Board meet on the 17th day of May, 1982 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 held for that purpose.

* *

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

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 17, 1982 at 7:00 P.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the furnishing, installation and construction of sidewalks, including incidental piping, brick pavers, trees, miscellaneous grading and seeding, and required permits and approvals for Walden Avenue and other Town locations.

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

Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00. Non-bidders will be refunded $10.00 upon return of contract document within 30 days following the taking of bids.

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

Proposals shall be in sealed envelopes, plainly marked on the outside with "Walden Avenue Street Improvements" and the contractors name and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in the amount not less than 100% of the contract price will be required of the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commissioner must be paid to laborers and mechanics engaged in the construction of 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 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

Item No. 20 cont'd

other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 19, 1982

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski, and Jaworowicz
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 22nd day of April, 19 82, and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 22nd day of April, 19 82

Donna M. Yamor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1984

Form No. 1

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 17, 1982 at 7:00 P.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the furnishing, installation and construction of sidewalks, including incidental piping, brick pavers, trees, miscellaneous grading and seeding, and required permits and approvals for Walden Avenue and other Town locations.

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

Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00. Non-bidders will be refunded $10.00 upon return of contract document within 30 days following the taking of bids.

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

Proposals shall be in sealed envelopes, plainly marked on the outside with "Walden Avenue Street Improvements" and the contractors name and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

Attention is called to the fact that not less than the latest minimum salaries and wages as set forth in the Contract Documents and as established by the Secretary of Labor and State Industrial Commissioner must be paid to laborers and mechanics engaged in the construction of 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 Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.

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

Richard M. Moleski
Town Clerk

DATED: April 19, 1982
Apr. 22

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

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that S he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~XXXXXXXXXXXXXXX~~ a week for ~~XXXXXXXXXX~~ weeks, the first insertion being on the 22nd day of April 1982 and the last ~~XXXXXXX~~ insertion being on the ~~XXXXXXX~~ day of ~~XXXXXXX~~ 19~~XXXX~~

D. Eileen Perry

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Sworn to before me this XXX 22 day of April 1982

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

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

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

D. Eileen Perry

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BUFFALO EVENING NEWS, INC.,

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he annexed printed slip taken from said

er is a copy, was inserted and published

once ~~a week for~~

he first insertion being on the 22nd

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~~being on the day of~~

D. Eileen Perry

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 19, 1982

Sworn to before me this XXX 22 day

of April 1982

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

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

STATE OF NEW YORK

Erie County, City of Buffalo ss.

The BUFFALO CRITERION

623-25 WILLIAM ST. BUFFALO 6, N. Y.

Frank E. Merriweather

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Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 27th day of April, 19 82

Frank E Merriweather

~~Notary Public~~

Commissioner of Deeds

Notice to Bidders

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

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

Richard M. Moleski
Town Clerk

DATED: April 19, 1982

Item No. 21 Motion by Councilman Swiatek, seconded by Councilman W. Rogowski

WHEREAS, the Heritage Conservation and Recreation Service Contract #36-00849, Niagara Frontier State Parks and Recreation Commission, Project #80-5090, has authorized the Town of Cheektowaga to commence construction work on "Improvements To The Town Park, Phase II", and

WHEREAS, funds for said action have been previously authorized by the Town of Cheektowaga and the Heritage Conservation and Recreation Service, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is hereby directed to publish an Invitation to Bidders for "Improvements To The Town Park, Phase II", located in the Cheektowaga Town Park, Harlem Road, Cheektowaga, New York for the following Contracts:

Contract #1: Paved Parking Areas and Basketball Courts

Contract #2: Reconstruction of Softball Diamonds
Subsurface Drainage
Concrete Work
New Access Doors at Cultural Center
Plaque

Contract #3: Tree Planting

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

RESOLVED that the Town Board will meet at 7:00 P.M., Local Time on May 17, 1982 at which time said sealed proposals will be publicly opened and read.

* *

INVITATION TO BID

IMPROVEMENTS TO THE TOWN PARK
PHASE II 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
Basketball Courts

Contract #2: Reconstruction of Softball Diamonds
Subsurface Drainage
Concrete work
New access doors at Cultural Center
Plaque

Contract #3: Tree Planting

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

7:00 P.M. Local Time
Monday, May 17, 1982

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.

Item No. 21 cont'd

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. Non bidders shall forfeit their deposit.

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 shall 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 irregularities in the bidding.

RICHARD M. MOLESKI
Town Clerk

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

PROOF OF PUBLICATION

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Subscribed and sworn to before me this 22nd day of April, 19 82

George J. Measer

Donna M. Yamdor

Notary Public in and for Erie County

DONNA M. YAMDOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1984

Form No. 1

INVITATION TO BID
IMPROVEMENTS TO THE
TOWN PARK
PHASE II
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; Basketball Courts

Contract #2: Reconstruction of Softball Diamonds; Subsurface Drainage; Concrete Work; New Access Doors at Cultural Center; Plaque

Contract #3: Tree Planting

The Owner shall receive sealed proposals from qualified bidders for each of the above named Contracts until: 7:00 P.M. Local Time, Monday, May 17, 1982 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

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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 shall 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 irregularities in the bidding.

Richard M. Moleski
Town Clerk
Apr. 22

Item No. 22 Motion by Councilman Jaworowicz, seconded by Supervisor Meyers

WHEREAS, the Erie County Department of Personnel has approved the creation of two Police Sergeant positions in the Cheektowaga Police Department, and

WHEREAS, the Cheektowaga Town Board created said positions by resolution on April 5, 1982, NOW, THEREFORE, BE IT

RESOLVED that Cheektowaga Police Officers Frederick R. Roll and Mark E. Nacke, who are first and second respectively on the current certified Civil Service List, be and hereby are appointed Sergeants in the Cheektowaga Police Department, effective immediately.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 23a Motion by Councilman Swiatek, seconded by Councilman Dux

WHEREAS, the Cheektowaga Facilities Department requires Seasonal and Part-Time employees to service recreational and seasonal maintenance functions on an annual basis, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby transfer the following personnel from Part-Time status to Seasonal employees, effective April 19, 1982.

Parks Division 7110.149

Seasonal Employee @ $3.10 per hr.

Gregory Borgosz
Cheektowaga, N.Y.

George Julio
Cheektowaga, N.Y.

Frank Longo
Cheektowaga, N.Y.

Edward Clark, Jr.
Cheektowaga, N.Y.

Joseph Sikorski
Sloan, N.Y.

Stanley Olek
Cheektowaga, N.Y. 14227

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 23b Motion by Councilman W. Rogowski, seconded by Supervisor Meyers

WHEREAS, the Cheektowaga Facilities Department requires Seasonal and Part-Time employees to service recreational and seasonal maintenance functions on an annual basis, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby appoints the following personnel as listed hereinafter:

BEACH & POOL 7181.149

Seasonal Employee at $5.00 per hour

Raymond Schieder
Chktg., N.Y. 14225

Item No. 23b cont'd

PARKS DIVISION 7110.149

Seasonal Employee at $3.10 per hour

Alan Glogowski
Chktg., N.Y. 14212

STREET LIGHT MAINTENANCE L5182.149

Seasonal Employee at $5.00 per hour - effective 4/26/82

Gene Ruszkowski
Chktg., N.Y.

STREET LIGHT MAINTENANCE L5182.149

Seasonal Employees at $3.10 per hour - Effective 4/26/82

Mark Banaszak
Joe Stallone
Wayne Cummings
Kevin Dzwigal
James Horst

VAN DRIVERS (Part-Time)

Department of Senior Services at $3.75 per hour - Effective 4/20/82

Henry Karasiewicz
Henry Zdarsky
Casimer Dukat

RECREATION DEPARTMENT

Seasonal Laborer at $3.10 per hour - Retroactive to March 26, 1982

Jack Kirisits

SEWAGE TREATMENT PLANT

Seasonal Laborer - $3.10 per hour

Francis R. Norman

SEWER MAINTENANCE

Seasonal Employee at $3.10 per hour

John R. Kremblas

PARKS DIVISION 7110.149

Seasonal Employees at $3.10 per hour - Effective 4/20/82

Jerome Kapturowski
Gary A. Wazny
James D. Kucewicz
Anthony Siergiej
Michael Olejniczak
Jerome Czajka
Andrew J. Rutski
Larry Wojciechowski
Roy Scherrer

Item No. 23b cont'd

TRANSFER FROM PART-TIME SEASONAL to FULL TIME SEASONAL:

Town Attorney's Office - $5.00 per hour - effective immediately:
Kevin Schenk, Law Clerk

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski
NAYES: 0
ABSENT: 0

Item No. 24 Hiring for the Cheektowaga Youth Bureau's Recycling Program
This item was withdrawn.

Item No. 25 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, a training course regarding public/private financing for Housing Rehabilitation Programs is being sponsored by the Buffalo Area Office of the Department of Housing and Urban Development and the Community Rehabilitation Training Center, and

WHEREAS, said course will be held from Sunday, May 16, to Wednesday, May 19, 1982 at the Executive Inn in Cheektowaga, New York, and

WHEREAS, the Director of the Community Planning and Development Department of the Buffalo Area Office of the Department of Housing and Urban Development has recommended that Jerome J. Gabryszak, Town Community Development Director, attend said course, NOW, THEREFORE, BE IT

RESOLVED that Jerome J. Gabryszak, Community Development Director, be and hereby is authorized to attend said course from May 16-19, 1982, and be reimbursed for all necessary mileage, and BE IT FURTHER

RESOLVED that the $350.00 fee for the course be paid with Community Development Block Grant funds.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Johnson, seconded by Councilman W. Rogowski

BE IT RESOLVED that New York State Electric and Gas Corporation be and hereby is authorized to install 2 - 24700 lumen high pressure sodium lights on the approach to the Harlem Road Bridge at a cost of $111.45 per light for a total annual increase to the Town's General Lighting District of $222.90, in accordance with the attached proposal which is hereby made a part of this Resolution.

* See next two (2) pages for proposal

April 13, 1982

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Harlem Road

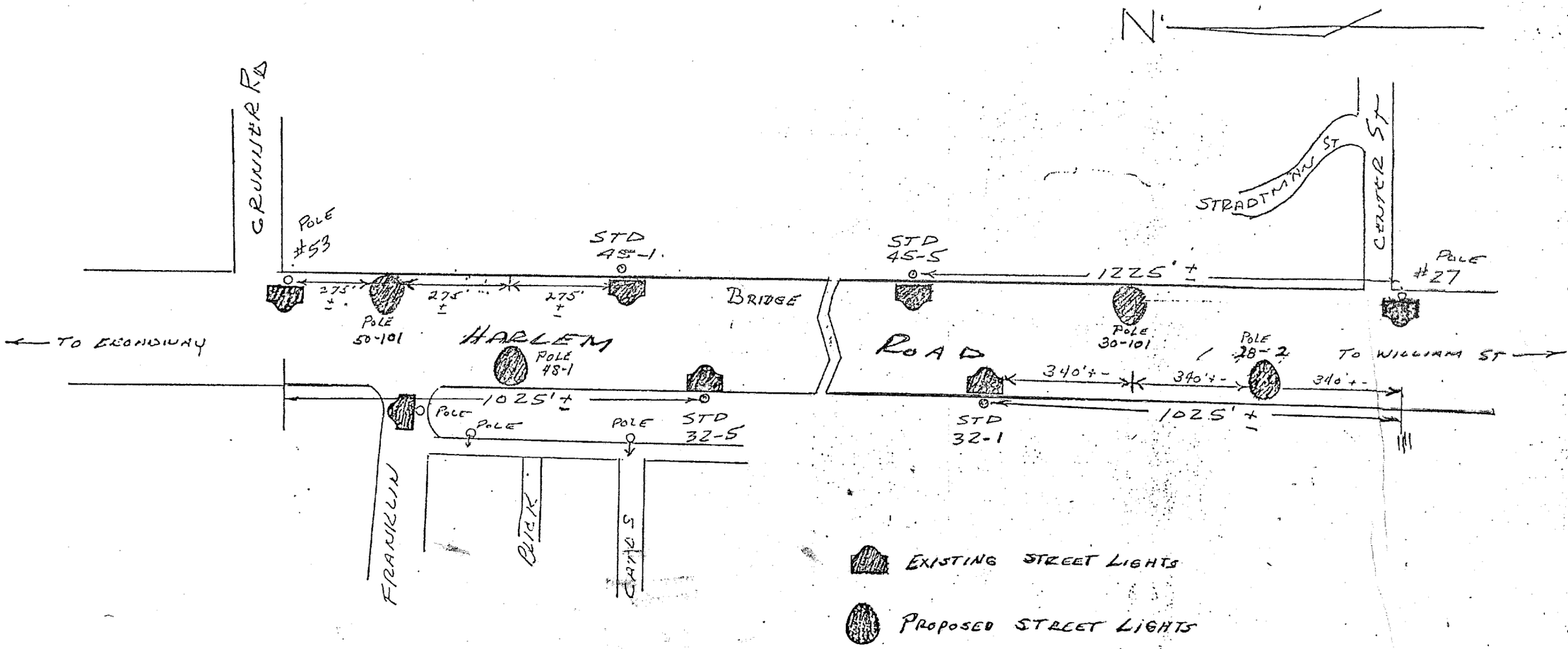
Install 2 - 24700 lumen HPS lights @ $111.45 ea. -- $ 222.90
(P-30-101,50-101*, L-457)

TOTAL ANNUAL INCREASE -------- $222.90

* new poles

This proposal is to light the northern approach to the new bridge over the railroad yard.

NEW YORK STATE ELECTRIC & GAS CORPORATION


N
C. RUNNER RD
POLE #53
STD 45-1
STD 45-5
1225' ±
STRADTMAN ST
CENTER ST
POLE #27
275' ±
275' ±
275' ±
BRIDGE
POLE 50-101
HARLEM
POLE 48-1
ROAD
POLE 30-101
POLE 28-2
TO ECONOMY WAY
TO WILLIAMS ST
340'±
340'±
340'±
1025' ±
1025' ±
POLE
POLE
POLE
STD 32-5
STD 32-1
FRANKLIN
BLICK
CAVE S
EXISTING STREET LIGHTS
PROPOSED STREET LIGHTS

HARLEM ROAD

Item No. 26 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

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

H.U.D. - C.D.B.G. FUND-PROJECT YEAR 1981-1982

From:	Contingency (Cheektowaga)	$ 5,000.00
	Chapel-Tree Planting	4,000.00
	Chapel-Tree Planting	6,500.00
	Chapel-Sidewalks	12,000.00
	Contingency	1,500.00
	Sloan-Rehabilitation	6,050.00
	Sloan-Rehabilitation	1,950.00
To:	Housing Assistance Center	5,000.00
	Chapel-Engineering Services	4,000.00
	Chapel-Drainage Improvements	6,500.00
	Chapel-Drainage Improvements	12,000.00
	Chapel-Drainage Improvements	1,500.00
	Sloan-Street Improvements	6,050.00
	Contingency (Cheektowaga)	1,950.00

GENERAL FUND

From:	A.7270.447 (Zenith Color Guard - Cultural Society)	$ 1,114.00
To:	A.7270.449 (Geriannettes - Cultrual Society)	557.00
	A.7270.444 (Garden Club-Cultural Society)	278.50
	A.7270.440 (Historical Society	278.50

FEDERAL REVENUE SHARING FUND

From:	CF.8540.400 (Erosion Control and Drainage)	$15,000.00
To:	CF.8540.440 (Miscellaneous Drainage Work)	15,000.00

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

William L. Wielinski

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheekowaga prior to April 19, 1982 are hereby approved and the Supervisor is ordered to pay said warrant:

Item No. 28 cont'd

FUND	CHECK NO. From	To	AMOUNT
General Fund	19139-19153,19157-19163,16294-16459		$ 889,086.54
Special District Fund	11681-11721, 8391-8406		531,654.80
Highway Fund	6279-6317, 6192-6230		174,973.36
Federal Revenue Sharing Fund	10374-10382, 10022		150,805.86
Capital Fund	661-666, 668, 1-3, 601-602		1,090,625.04
Trust and Agency Fund	1153-1155, 1146-1147, 1150		152,277.02
HUD-CDBG Fund	449-452		6,362.56
Part Town Fund	657-660, 626, 636-638, 645-646		15,109.63
Municipal Clearing Account	1-76 VOIDED		-0-
			$3,010,894.81

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 29 Health report for March, 1982
Received and Filed.

Item No. 30 Minutes of Library Board for March, 1982
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 31 N.Y.S. Dept. of Transportation - Notice of Order & Signal Operation Specs - Broadway and Union Road
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Captain Henry Kempski, Police Department; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 32 Designation of Restricted Highway - a portion of Walden Avenue
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Captain Henry Kempski, Police Department; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 33 E.C. Legislature - letter regarding Interest on Sales Tax Receipts
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary.
Received and Filed.

Item No. 34 NOTICE OF CLAIM - Michael Dziamski vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 35 NOTICE OF CLAIM - Sandra Metros vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Ron Zoeller, Working Foreman in Sanitation Department; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 36 SUMMONS & COMPLAINT - George Collopy vs Town of Cheektowaga
Copies were went to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Theodore DeFedericis, Chief of Police; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 37 Petition from former employees of Town, now retired, requesting Town of Cheektowaga pay health insurance
Copies were sent to: Kenneth J. Meyers, Supervisor; All Town Board Members

VI. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Johnson to suspend the rules to include the following four (4) items.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 38 Call for public hearing for Rezoning and Special Use Permit for 2001 Walden Avenue

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Thomas Bryant, President of T.P.H. Supply Co., Inc. has made application and requested a Special Use Permit and Rezoning of property located at 2001 Walden Avenue from M1-Light Manufacturing District to CM-General Commercial District, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 3, 1982 at 6:30 o'clock P.M., Eastern Daylight Savings Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 22nd day of April, 19 82, and the last insertion being on the same day of ....., 19.....

George J. Measer

Subscribed and sworn to before me this 22nd day of April, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 83

Form No. 1

o'clock P.M. Daylight Saving Time of said day for the purpose of considering the application of T.P.H. Supply Co., Inc. for a Special Permit for gasoline station sales and service on property located at 2001 Walden Avenue (formerly known as Two Guys) pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF
THE TOWN BOARD
Kenneth J. Meyers
Supervisor
Frank E. Swiatek,
Councilman
Thomas M. Johnson, Jr.,
Councilman
Frank J. Dux,
Councilman
William P. Rogowski,
Councilman
John V. Rogowski,
Councilman
Patricia A. Jaworowicz,
Councilman
RICHARD M. MOLESKI
Town Clerk

LEGAL DESCRIPTION
SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Township of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located the following three (3) courses from the intersection of the westwardly extension of the north line of Duke Road and the center line of the interchange road located on the property of Ontario Thruway, (a) S 87° 32' 39" E along said westwardly extension of the north line of Duke Road and along the north line of Duke Road 589.62 feet, (b) S 0° 37' 04" W still along the line of Duke Road 12.73 feet, and (c) S 87° 28' 36" E still along said north line of Duke Road, 606.70 feet); thence

1. N 0° 37' 04" E along land now or formerly of Lackawanna Steel Construction Corporation, 847.34 feet; thence

2. S 89° 22' 56" E still along said land now or formerly of Lackawanna Steel Construction Corpoation, 80.0 feet to a point in the line of land now or formerly of T. Demblewski (reputed owner); thence

3. S 0° 37' 04" W along said land now or formerly of Demblewski, 850.0 feet to a point in the north line of Duke Road; thence

4. N 87° 28' 36" W along the north line of Duke Road, 80.04 feet to the point of BEGINNING:

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be the same premises conveyed to the Grantor by a deed from Pauline M. Van Evers and Margaret G. Bohmbauer dated January 24, 1950 and recorded January 24, 1950 in Liber 4650 of Deeds at page 93.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located S 87° 32' 39" E along the westwardly extension of the north line of Duke Road and along the north line of Duke Road 151.72 feet from the intersection of said westwardly extension of the north line of Duke Road with the center line of the interchange road located on the property of Ontario Thruway); thence

3. S 87° 28' 36" E still along the north line of Duke Road, 606.70 feet to a point in the line of lands now or formerly of Clara Pulkownik; thence

4. N 0° 37' 04" E along said land now or formerly of Pulkownik, 847.34 feet; thence

5. S 89° 22' 56" E still along said land now or formerly of Pulkownik, 80.0 feet to a point in the line of lands now or formerly of T. Demblewski (reputed owner); thence

6. N 0° 37' 04" E along said land now or formerly of Demblewski (reputed owner) and along land now or formerly of 515 Walden Ave. Inc. (reputed owner), 779.02 feet to a point in the south line of Walden Avenue; thence

7. N 78° 30' W along the south line of Walden Avenue, 218.32 feet; thence

8. N 84° 47' W still along the south line of Walden Avenue, 316.50 feet to a point in the easterly right of way line of Ontario Thruway; thence

9. S 27° 35' 19" W along said easterly right of way line of Ontario Thruway, 97.56 feet; thence

10. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 593.44 feet; thence

11. S 57° 0' 21" W still along said easterly right of way line of Ontario Thruway, 418.77 feet; thence

12. S 47° 37' W still along said easterly right of way line of Ontario Thruway, 187.40 feet; thence

13. S 18° 42' W still along said easterly right of way line of Ontario Thruway, 209.0 feet; thence

14. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 356.82 feet; thence

15. S 87° 59' 39" E, 25.0 feet; thence

16. S 2° 0' 21" W, 50.20 feet to the point of BEGINNING;

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises title to which is in the party of the first part; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be a part of the premises conveyed to the Grantor by a deed from Andrew W. Dubois, as Trustee for First Presbyterian Church of Coudersport, Pennsylvania, and William A. Shear and Grace A. Shear, his wife, dated February 24, 1950 and recorded February 27, 1950 in Liber 4664 of Deeds at page 465, by a deed from Pauline M. Van Evers and Margaret G. Bohmhauer, dated February 2, 1950 and recorded February 23, 1950 in Liber 4663 of Deeds at page 189 and by a deed from County of Erie, dated January 24, 1952 and recorded January 25, 1952 in Liber 5062 of Deeds at page 495.

apr. 22

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held

PROOF OF PUBLICATION

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

STATE OF NEW YORK
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the

Publisher of the

Cheektowaga Bee, a

public newspaper published at

Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 22nd day of April, 19 82, and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 22nd day

of April, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

Notice of Public Hearing

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by 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 3rd day of May, 1982, at 6:30 o'clock P.M., Daylight Saving Time of said day for the purpose of considering the application of T.P.H. Supply Co., Inc. to Rezone from M1 Light Manufacturing District to CM-General Commercial Distnct on property located at 2003 Walden Avenue (formerly known as Two Guys) and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF
THE TOWN BOARD
Kenneth J. Meyers,
Supervisor
Frank E. Swiatek,
Councilman
Thomas M. Johnson, Jr.,
Councilman
Frank J. Dux,
Councilman
William P. Rogowski,
Councilman
John V. Rogowski,
Councilman
Patricia A. Jaworowicz,
Councilman
RICHARD M. MOLESKI
Town Clerk

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SCHEDULE A

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1. N 0° 37' 04" E along land now or formerly of Lackawanna Steel Construction Corporation, 847.34 feet; thence

2. S 89° 22' 56" E still along said land now or formerly of Lackawanna Steel Construction Corporation, 80.0 feet to a point in the line of land nor or formerly of T. Demblewski (reputed owner); thence

3. S 0° 37' 04" W along said land now or formerly of Demblewski, 850.0 feet to a point in the north line of Duke Road; thence

4. N 87° 28' 36" W along the north line of Duke Road, 80.04 feet to the point of BEGINNING:

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be the same premises conveyed to the Grantor by a deed from Pauline M. Van Evera and Margaret G. Bohmbauer dated January 24, 1950 and recorded January 24, 1950 in Liber 4650 of Deeds at page 93.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Township of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located S 87° 32' 39" E along the westwardly extension of the north line of Duke Road and along the north line of Duke Road 151.72 feet from the intersection of said westwardly extension of the north line of Duke Road with the center line of the interchange road located on the property of Ontario Thruway); thence

1. S 87° 32' 39" E along the north line of Duke Road, 437.90 feet; thence

2. S 0° 37' 04" W still along the line of Duke Road, 12.73 feet; thence

3. S 87° 28' 36" E still along the north line of Duke Road, 606.70 feet to a point in the line of lands now or formerly of Clara Pulkownik; thence

4. N 0° 37' 04" E along said land now or formerly of Pulkownik, 847.34 feet; thence

5. S 89° 22' 56" E still along said land now or formerly of Pulkownik, 80.0 feet to a point in the line of lands now or formerly of T. Demblewski (reputed owner); thence

6. N 0° 37' 04" E along said land now or formerly of Demblewski (reputed owner) and along land now or formerly of 515 Walden Ave. Inc. (reputed owner), 779.02 feet to a point in the south line of Walden Avenue; thence

7. N 78° 30' W along the south line of Walden Avenue, 218.32 feet; thence

8. N 84° 47' W still along the south line of Walden Avenue, 316.50 feet to a point in the easterly right of way line of Ontario Thruway; thence

9. S 27° 35' 19" W along said easterly right of way line of Ontario Thruway, 97.56 feet; thence

10. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 593.44 feet; thence

11. S 57° 0' 21" W still along said easterly right of way line of Ontario Thruway, 418.77 feet; thence

12. S 47° 37' W still along said easterly right of way line of Ontario Thruway, 187.40 feet; thence

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15. S 87° 59' 39" E, 25.0 feet; thence

16. S 2° 0' 21" W, 50.20 feet to the point of BEGINNING;

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises tile to which is in the party of the first part; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be a part of the premises conveyed to the Grantor by a deed from Andrew W. Dubois, as Trustee for First Presbyterian Church of Coudersport, Pennsylvania, and William A. Shear and Grace A. Shear, his wife, dated February 24, 1950 and recorded February 27, 1950 in Liber 4664 of Deeds at page 465, by a deed from Pauline M Van Evers and Margaret G. Bohmbauer, dated February 2, 1950 and recorded February 23, 1950 in Liber 4663 of Deeds at page 189 and by a deed from County of Erie, dated January 24, 1952 and recorded January 25, 1952 in Liber 5062 of Deeds at page 495.

apr. 22

Item No. 39 Authorization for Town Engineer to attend fact finding trip

Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, representatives of the Buffalo Sewer Authority and Wegman Engineers are going to Boylston, Massachusetts to witness tests on the ultrasonic flow measuring device that will be installed in the Scajaquada tunnel interceptor, and

WHEREAS, they recommend that it may be in the best interest of our Sanitary Sewer District #5 that the Town Engineer also attend and witness the testing of flow measurement equipment, and

WHEREAS, this Town Board agrees with the need for being completely informed and appraised of measuring equipment that will have an effect on the Town's Sanitary Sewer District #5 payments to the Buffalo Sewer Authority, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is hereby directed and authorized to attend said fact finding technical trip to Bolstyn, Massachusetts with all legal expenses to be charged to the Sewer District #5 account #S8135.412.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 40 Abolishment of three (3) town positions

Motion by Councilman Dux, seconded by Supervisor Meyers

RESOLVED that the following positions in the Town of Cheektowaga be and hereby are abolished:

Senior Engineering Assistant
Maintenance Man
General Mechanic

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 41 Acceptance of easement of property at 522 Beach Road

WHEREAS, on numerous occasions this Town Board has expressed a commitment to the residents of the Town that, where feasible and necessary, it would act to protect their properties from floods, freshets and high waters by acquiring, improving and/or maintaining drainage facilities, and

WHEREAS, in furtherance of the aforementioned commitment this Board has adopted a program for the improvement of the drainage system along Beach Road and streets tributary thereto, and

WHEREAS, such drainage improvements will enhance the character of the neighborhood and provide for the well being of its residents, and

WHEREAS, it is desirable to acquire a drainage easement of an existing pipe drain for such drainage system from the owner of the real property at 522 Beach Road, Cheektowaga, New York, NOW, THEREFORE, BE IT

RESOLVED that a drainage easement be accepted from the owner of land at 522 Beach Road, Cheektowaga, New York subject to the approval of its description and general terms by the Town Engineer and Town Attorney.

Item No. 41 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Johnson, seconded by Councilman W.P. Rogowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

* * * *

BIDS

* * * *

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* * * * * * * * *

PUBLIC HEARINGS

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RESOLUTIONS

* * * * * * *

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MEETING NO. 10

CHEEKTOWAGA, NEW YORK
MAY 3, 1982

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 Roads, in said Town on the 3rd day of May, 1982 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 William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Services Director II; Ronald Marten, Building Inspector; Michael Miecznikowski, Director of Recreation; Julia Reinstein, Town Historian; Andrew Schwenk, Town Assessor; Al Thrun, Representative of Cheektowaga Traffic Safety Commission; Dr. Louis A. Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent; Patricia Wojcik, Recreation Supervisor-Senior Citizens; and Barney Wojtkowiak, Mayor of Sloan.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Johnson, seconded by Councilman Jaworowicz

WHEREAS, the Building and Plumbing Inspector of the Town of Cheektowaga has recommended that certain provisions of the "Housing Code" of the Town of Cheektowaga, New York be amended or repealed; and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the "Housing Code" of the Town of Cheektowaga, New York, and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed changes was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 19th day of April, 1982 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 Building and Plumbing Inspector's recommended changes to said "Housing Code";

NOW, THEREFORE, BE IT RESOLVED, that the "Housing Code" of the Town of Cheektowaga, New York be, and the same hereby is, amended and changed as follows:

*SEE NEXT FOUR (4) PAGES FOR AMENDMENT TO HOUSING CODE.

1. RESOLVED THAT Section 1-105 a, which relates to the non-applicability of the Housing Code, shall be amended by deleting the words "migrant housing premises" therefrom.

2. RESOLVED THAT Sections 1-107, 1-109.3, 1-202 and 1-301a, which relate to the Town Building Code, definitions, occupancy classification of buildings and general requirements, shall be amended by substituting the "State Building Construction Code" for the "Town Building Code" in said Sections, and by substituting "September 19, 1979" for "December 21, 1942" in Section 109.3.

3. RESOLVED THAT Section 109.3 which defines various words used in the Housing Code, shall be amended by repealing the following definitions in their entirety: "migrant," "migrant housing premises."

4. RESOLVED THAT Section 1-202, which relates to occupancy classification of buildings, shall be amended by repealing the word "boatel" where it appears therein.

5. RESOLVED THAT Section 1-302b, which relates to structure exterior protection, shall be amended by the inclusion thereinto following the word "weathertight" the phrase "in sound condition and in good repair."

6. RESOLVED THAT Section 1-302, Subsections, which relate to structure exterior protection, shall be amended by the inclusion of a new subsection "e" reading: "storm doors or approved insulated doors, and storm windows or approved insulated windows shall be required from October 1 to April 30."

7. RESOLVED THAT Section 1-502.5b which relates to plumbing facilities, shall be amended by the inclusion thereinto of the phrase "the hot water tank shall have a minimum capacity of 4 gallons per occu-

pant and shall have a minimum recovery capacity of 2500 B.T.U. per hour per occupant" following the phrase "to midnight.".

8. RESOLVED THAT Section 1-506.5 which relates to fuel supply connections to fuel-burning equipment, shall be amended by substituting the phrase "or with means conforming to the requirements of generally accepted standards" in place and stead of the phrase "or approved appliance connector."

9. RESOLVED THAT Section 1-509.2d which relates to electrical facilities pertaining to kitchens, shall be amended by substituting the phrase "20 ampere" in place and stead of the phrase "15-ampere."

10. RESOLVED THAT Section 1-509.4a which relates to the location and clearance of overhead electrical conductors, shall be amended by substituting the clearance requirement "3 feet" in place and stead of the clearance requirement "6 feet" and by substituting the clearance requirement "10 feet" in place and stead of the clearance requirement "15 feet."

11. RESOLVED THAT Section 1-509.4 which relates to the location and clearance of overhead electrical conductors, shall be amended by the inclusion and enactment of an additional location and clearance requirement to read:

Location	Clearance
"over residential areas not subject to truck traffic".	"15 feet"

12. RESOLVED THAT Section 1-604b which relates to rodent infestation and screening, shall be amended by repealing the phrase "where rodent infestation exists."

13. RESOLVED THAT Section 1-604c which relates to the screening requirements for rodent infestation, shall be amended by substituting the phrases "up to and including the third story. In any dwelling where mechanical ventilation is supplied, screens shall only be required in areas using natural ventilation. All screens shall be maintained in good condition" in place and stead of "except that screens shall not be required in the upper stories of multiple dwellings which are free of mosquitoes, flies, and other flying insects."

14. RESOLVED THAT Section 1-606b which relates to storage of junk, shall be amended by substituting the phrase "junked or unlicensed vehicles" in place and stead of the phrase "junked vehicles."

15. RESOLVED THAT Section 2-106 which relates to the definition of an agent, shall be amended by repealing the phrase "as filed with the Building Inspector."

16. RESOLVED THAT Section 2-202c which relates to the powers and duties of the Building Inspector, shall be amended by repealing the phrase "to require the registration of premises and."

17. RESOLVED THAT Section 2-202f which relates to certain duties of the Building Inspector, shall be amended as follows:

Part "5" is repealed in its entirety;

Part "6" is renumbered Part "5";

Part "7" is renumbered Part "6";

Part "8" is renumbered Part "7";

Part "9" is renumbered Part "8";

18. RESOLVED THAT Section 2-205a which relates to guidelines in issuing a Housing Code Violation Order shall be amended as follows:

by repealing the phrase "for failure to register premises;" Part "(5)" is repealed in its entirety; the Part "6" is renumbered Part "(5)."

19. RESOLVED THAT Section 2-205b which relates to how a Housing Code Violation Order may be served, shall be amended as follows: Part (2) by substituting the phrase "to the owner, in accordance, with this chapter, to his address" in place and stead of the phrase "to the person whose name has been filed with the Building Inspector, in accordance with this chapter, to his address as therewith filed"; Part (3) by substituting the pharase "if unforwardable, unacceptable, or returned to the Building Inspector by the owner, lessor, or their respected agent" in place and stead of the phrase "if no person has filed with the Building Inspector the name and address of the owner, lessor, or their respected agent."

Item No. 2 Cont'd.

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on May 3, 1982; and that a certified copy thereof be published in the CHEEKTOWAGA BEE, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

The aforementioned changes to the "Housing Code" of the Town of Cheektowaga, New York shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the

Publisher of the

Cheektowaga Bee , a

public newspaper published at

Williamsville , New York, that the

notice of which the annexed printed slip taken from

said newspaper, is a copy, was inserted and published

therein once a week for 1 weeks, the first

insertion being on the 6th day of May ,

19 82, and the last insertion being on the same

day of , 19 .

Subscribed and sworn to before me this 6th day

of May , 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1984

EXTRACT 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 May, 1982, at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor
Kenneth J. Meyers
Councilman
Frank E. Swiatek
Councilman
Thomas M. Johnson Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
ABSENT: 0

Motion by Councilman Johnson, Seconded by Councilman Jaworowicz.

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WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the "Housing Code" of the Town of Cheektowaga, New York, and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed changes was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 19th day of April, 1982 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 Building and Plumbing Inspector's recommended changes to said "Housing Code";

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Location — "over residential areas not subject to truck traffic."
Clearance — "15 feet"

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BE IT FURTHER R
that a copy of this Re
entered in the minu
meeting of the Town B
Town of Cheektowag
May 3, 1982; and that
copy thereof be publis
CHEEKTOWAGA BE
paper published in th
Cheektowaga and havi
al circulation therein
affidavit of such public
be filed with the Town

The aforementioned
the "Housing Code" o
of Cheektowaga, New
take effect ten (10) days
publication, but said
shall take effect from
their service as against
served personally wit
thereof certified by
Clerk under the corpor
the Town and showing
their passage and entr
minutes.

Upon roll call — S
Meyers Voting AYE; Co
Swiatek Voting AYE;
man Johnson Voting A
cilman Dux Voting AYE
man W.P. Rogowski Vo
Councilman J.V. Rogo
ing AYE; Councilman
wicx Voting AYE. A
NAYES: 0, ABSENT: 0.

Item No. 3 Motion by Councilman J. Rogowski, seconded by Councilman Dux

WHEREAS, this Town Board duly held a public hearing on the 19th day of April, 1982 at 7:00 P.M., Eastern Standard 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:

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

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended as follows:

C. No parking here to corner

LIBERTY TERRACE	west side	"between the north curbline of Cleveland Drive and a point fifty (50) feet northerly therefrom"
		shall be amended to:
		"between the north curbline of Cleveland Drive and a point eighty-eight (88) feet northerly therefrom"

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 BEE, 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, Councilman Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR AFFIDAVIT.

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of May, 19 82, and the last insertion being on the same day of ....., 19.....

George J. Measer

Subscribed and sworn to before me this 6th day of May, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1984

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 May, 1982 at 7:00 o'clock P.M. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor
Kenneth J. Meyers
Councilman
Frank E. Swiatek
Councilman
Thomas M. Johnson, Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
ABSENT: 0

Motion by Councilman J. Rogowski, Seconded by Councilman Dux

WHEREAS, this Town Board duly held a public hearing on the 19th day of April, 1982 at 7:00 P.M., Eastern Standard 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:

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

ARTICLE X
Parking, Standing and Stopping

Section 102 is amended as follows:

C. No parking here to corner

LIBERTY TERRACE, west side "between the north curbline of Cleveland Drive and a point fifty (50) feet northerly therefrom" shall be amended to: "between the north curbline of Cleveland Drive and a point eighty-eight (88) feet northerly therefrom"

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 BEE, 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; Councilman Swiatek, Voting AYE; Councilman Johnson, Voting AYE; Councilman Dux, Voting AYE; Councilman W.P. Rogowski, Voting AYE; Councilman J.V. Rogowski, Voting AYE; Councilman Jaworowicz, Voting AYE.

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 3, 1982, 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 3, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 3rd day of May, 1982.

Richard M. Moleski
Town Clerk

May 6

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

WHEREAS, Carlton V. Hasselback and Philip N. Hasselback, of White Arrow Service Stations, Inc., have applied for a rezoning from Ml-Light Manufacturing District to CM-General Commercial District for the property located at 2125 Walden Avenue, Cheektowaga, New York; which property is more particularly described in the attached copy of the legal description thereto, and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before this Town Board on the 5th day of April, 1982 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, subject to strict compliance with the Development Plan and time schedule submitted to the Planning Board, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 2125 Walden Avenue, and has rendered a determination the rezoning will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of Carlton V. Hasselback and Philip N. Hasselback for the rezoning of 2125 Walden Avenue, Cheektowaga, New York from Ml-Light Manufacturing District to CM-General Commercial District be and the same is hereby granted subject to strict compliance with the Development Plan and time schedule submitted to the Cheektowaga Planning Board, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

*SEE LEGAL DESCRIPTION ON NEXT PAGE.

'LL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, beingpart of Lot Number sixteen (16), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and being further bounded and described as follows:

COMMENCING at a point in the southerly line of New ~~Walden Avenue~~ at the northeast corner of lands in Liber 7223 of Deeds page 489; thence proceeding southeasterly along the southerly line of New Walden Avenue 539.93 feet to an angle point; thence proceeding easterly along the southerly line of New Walden Avenue 176 feet to the northwest corner of lands in Liber 7475 of Deeds page 417; thence proceeding southerly along the westerly line of lands in Liber 7475 of Deeds page 417 67.35 feet to a point in the southerly line of lands in Liber 5956 of Deeds page 398; thence proceeding westerly along the southerly line of lands in Liber 5956 of Deeds page 398 480.36 feet to the northeast corner of lands in Liber 6587 of Deeds page 606; thence proceeding southerly along the easterly line of lands in Liber 6587 of Deeds page 606 and the westerly line of lands in Liber 5831 of Deeds page 61 to a point which is 650.59 feet north of the northerly line of Duke Road as measured along the westerly line of lands in Liber 5831 of Deeds page 61; thence proceeding westerly distant 597.63 feet south of the point of beginning 184.68 feet to a point in the east line of lands in Liber 7223 of Deeds page 489; thence proceeding northerly a distance of 597.63 feet to the point or place of beginning. AS WELL AS.

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. 16, Township 11, Range 7 of the Holland Land Company's Survey, more fully described as follows:

COMMENCING at the intersection of the east line of lands conveyed to H. William Derrick, Jr. and Robert G. Derrick by Deed recorded in the Erie County Clerk's Office September 12, 1955 in Liber 5831 of Deeds at page 61 with the northwesterly line of Duke Road (Old Walden Avenue); thence north along said east line of Derrick and parallel with the east line of Lot 16, 464.08 feet to a point therein; said point being the true point or place of beginning; continuing thence north along the east line of Derrick and parallel with the east line of Lot 16, 239.69 feet to the northeast corner of said lands of Derrick; thence westerly and along the north line of said lands of Derrick, being also the south line of lands conveyed to Carlton W. Hasselback by Deed recorded in the Erie County Clerk's Office in Liber 5956 of Deeds at page 398, 300 feet to the northwest corner of said lands of Derrick; being also the northeast corner of lands conveyed to Carlton W. Hasselback by Deed recorded in said Clerk's Office in Liber 6587 of Deeds at page 606; thence southerly at an included angle of 90° 54' 25", and parallel with the east line of Lot 16 being the west line of said lands of Derrick and the east line of said lands of Hasselback conveyed by the last described Deed, 251.16 feet; thence Easterly 300.39 feet to the point or place of beginning, containing 1.69 acres more or less.

Item No. 4 Cont'd.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

*SEE NEXT PAGE FOR AFFIDAVIT.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of May, 19 82, and the last insertion being on the same day of ....., 19.....

George J. Measer

Subscribed and sworn to before me this 6th day of May, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

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 May, 1982 at 7:00 o'clock P.M. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor
Kenneth J. Meyers
Councilman
Frank E. Swiatek
Councilman
Thomas M. Johnson, Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
ABSENT: 0

Motion by Supervisor Meyers, Seconded by Councilman Johnson.

WHEREAS, Carlton V. Hasselback and Philip N. Hasselback, of White Arrow Service St[illegible]ns, Inc., have applied for a re[illegible]ing from M1 — Light Manufacturing District to CM — General Commercial District for the property located at 2125 Walden Avenue, Cheektowaga, New York; which property is more particularly described in the attached copy of the legal description thereto, and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before this Town Board on the 5th day of April, 1982 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, subject to strict compliance with the Development Plan and time schedule submitted to the Planning Board, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 2125 Walden Avenue, and has rendered a determination the rezoning will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of Carlton V. Hasselback and Philip N. Hasselback for the rezoning of 2125 Walden Avenue, Cheektowaga, New York from M1 — Light Manufacturing District to CM — General Commercial District be and the same is hereby granted subject to strict compliance with the Development Plan and time schedule submitted to the Cheektowaga Planning Board, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

Upon roll call — Supervisor Meyers, Voting AYE; Councilman Swiatek, Voting AYE, Councilman Johnson, Voting AYE; Councilman Dux, Voting AYE; Councilman W.P. Rogowski, Voting AYE; Councilman J.V. Rogowski, Voting AYE, Councilman Jaworowicz, Voting AYE.

AYES: 7
NAYES: 0
ABSENT: 0

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number sixteen (16), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, more fully described as follows:

BEGINNING at the northwest corner of lands in Liber 7475 of Deeds page 417 thence proceeding southerly along the westerly line of lands in Liber 7475 of Deeds page 417 67.55 feet to a point in the southerly line of lands in Liber 5956 of Deeds page 398; thence proceeding westerly along the southerly line of lands in Liber 5956 of Deeds page 398 480.36 feet to the northeast corner of lands in Liber 6587 of Deeds page 606; thence proceeding southerly along the easterly line of lands in Liber 6587 of Deeds page 606 and the westerly line of lands in Liber 5831 of Deeds page 61 to a point which is 659.59 feet north of the northerly line of Duke Road as measured along the westerly line of lands in Liber 5831 of Deeds page 61; thence proceeding westerly distant 597.63 feet south of the point in beginning 184.68 feet to a point in the east line of lands in Liber 7273 of Deeds page 489; thence proceeding northerly a distance of 597.63 feet to the point or place of beginning. As well as

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. 16, Township 11, Range 7 of the Holland Land Company's Survey, more fully described as follows:

COMMENCING at the intersection of the east line of lands conveyed to H. William Derrick, Jr. and Robert G. Derrick by Deed recorded in the Erie County Clerk's Office September 12, 1955 in Liber 5831 of Deeds at page 61 with the northwesterly line of Duke Road (Old Walden Avenue); thence north along said east line of Derrick and parallel with the east line of Lot 16, 464.08 feet to a point therein; said point being the true point or place of beginning; continuing thence north along the east line of Derrick and parallel with the east line of Lot 16, 239.69 feet to the northeast corner of said lands of Derrick; thence westerly and along the north line of said lands of Derrick, being also the south line of lands conveyed to Carlton W. Hasselback by Deed recorded in the Erie County Clerk's Office in Liber 5956 of Deeds at page 398, 300 feet to the northwest corner of said lands of Derrick, being also the northeast corner of lands conveyed to Carlton W. Hasselback by Deed recorded in said Clerk's Office in Liber 6587 of Deeds at page 606; thence southerly at an included angle of 90° 54' 25", and parallel with the east line of Lot 16 being the west line of said lands of Derrick and the east line of said lands of Hasselback conveyed by the last described Deed, 251.16 feet; thence easterly 300.39 feet to the point or place of beginning, containing 1.69 acres more or less.

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 3, 1982, 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 4, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corpo-

Item No. 5 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Thomas Bryant, President, T.P.H. Supply Co., Inc. has applied for a rezoning from M-1 Light Manufacturing District to CM-General Commercial District for the property located at 2001 Walden Avenue, Cheektowaga, New York; which property is more particularly described in the attached copy of the legal description thereto, and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before this Town Board on the 3rd day of May, 1982 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof on the condition that the applicant strictly comply with its Development Plan dated April 6, 1982, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 2001 Walden Avenue, and has rendered a determination that the rezoning will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of Thomas Bryant for the rezoning of 2001 Walden Avenue, Cheektowaga, New York from M-1 Light Manufacturing District to CM-General Commercial District be and the same is hereby granted subject to the condition that the applicant strictly comply with the aforesaid Development Plan, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

*SEE NEXT FOUR (4) PAGES FOR LEGAL DESCRIPTION.

LEGAL DESCRIPTION

(1

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Township of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located the following three (3) courses from the intersection of the westwardly extension of the north line of Duke Road and the center line of the interchange road located on the property of Ontario Thruway, (a) S 87° 32' 39" E along said westwardly extension of the north line of Duke Road and along the north line of Duke Road 589.62 feet, (b) S 0° 37' 04" W still along the line of Duke Road 12.73 feet, and (c) S 87° 28' 36" E still along said north line of Duke Road, 606.70 feet); thence

1. N 0° 37' 04" E along land now or formerly of Lackawanna Steel Construction Corporation, 847.34 feet; thence

2. S 89° 22' 56" E still along said land now or formerly of Lackawanna Steel Construction Corporation, 80.0 feet to a point in the line of land now or formerly of T. Demblewski (reputed owner); thence

3. S 0° 37' 04" W along said land now or formerly of Demblewski, 850.0 feet to a point in the north line of Duke Road; thence

4. N 87° 28' 36" W along the north line of Duke Road, 80.04 feet to the point of BEGINNING:

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said

No. 11

party of the first part to any land lying in the bed of any stree alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be the same premises conveyed to the Grantor by a deed from Pauline M. Van Evers and Margaret G. Bohmbauer dated January 24, 1950 and recorded January 24, 1950 in Liber 4650 of Deeds at page 93.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located S 87° 32' 39" E along the westwardly extension of the north line of Duke Road and along the north line of Duke Road 151.72 feet from the intersection of said westwardly extension of the north line of Duke Road with the center line of the interchange road located on the property of Ontario Thruway) thence

1. S 87° 32' 39" E along the north line of Duke Road, 437.90 feet; thence

2. S 0° 37' 04" W still along the line of Duke Road, 12.73 feet; thence

3. S 87° 28' 36" E still along the north line of Duke Road, 606.70 feet to a point in the line of lands now or formerly of Clara Pulkownik; thence

4. N 0° 37' 04" E along said land now or formerly of Pulkownik, 847.34 feet; thence

5. S 89° 22' 56" E still along said land now or formerly of Pulkownik, 80.0 feet to a point in the line of lands now or formerly of T. Demblewski (reputed owner); thence

6. N 0° 37' 04" E along said land now or formerly of Demblewski (reputed owner) and along land now or formerly of 515 Walden Ave. Inc. (reputed owner), 779.02 feet to a point in the south line of Walden Avenue; thence

7. N 78° 30' W along the south line of Walden Avenue, 218.32 feet; thence

8. N 84° 47' W still along the south line of Walden Avenue, 316.50 feet to a point in the easterly right of way line of Ontario Thruway; thence

9. S 27° 35' 19" W along said easterly right of way line of Ontario Thruway, 97.56 feet; thence

10. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 593.44 feet; thence

11. S 57° 0' 21" W still along said easterly right of way line of Ontario Thruway, 418.77 feet; thence

12. S 47° 37' W still along said easterly right of way line of Ontario Thruway, 187.40 feet; thence

13. S 18° 42' W still along said easterly right of way line of Ontario Thruway, 209.0 feet; thence

14. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 356.82 feet; thence

15. S 87° 59' 39" E, 25.0 feet; thence

16. S 2° 0' 21" W, 50.20 feet to the point of BEGINNING;

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises title to which is in the party of the first part; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be a part of the premises conveyed to the Grantor by a deed from Andrew W. Dubois, as

Trustee for First Presbyterian Church of Coudersport, Pennsylvania, and William A. Shear and Grace A. Shear, his wife, dated February 24, 1950 and recorded February 27, 1950 in Liber 4664 of Deeds at page 465, by a deed from Pauline M. Van Evera and Margaret G. Bohmhauer, dated February 2, 1950 and recorded February 23, 1950 in Liber 4663 of Deeds at page 189 and by a deed from County of Erie, dated January 24, 1952 and recorded January 25, 1952 in Liber 5062 of Deeds at page 495.

Item No. 5 Cont'd.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

*SEE NEXT PAGE FOR AFFIDAVIT.

PROOF OF PUBLICATION

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the

Publisher of the

Cheektowaga Bee , a

public newspaper published at

Williamsville , New York, that the

notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of May ,

19 82, and the last insertion being on the same

day of , 19 .

Subscribed and sworn to before me this 6th day

of May , 19 82

George J. Measer

Donna M. Yambor

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Notary Public in and for Erie County

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 May, 1982, 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
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
ABSENT: 0

Motion by Supervisor Meyers
Seconded by Councilman Dux

WHEREAS, Thomas Bryant, President, T.P.H. Supply Co., Inc. has applied for a rezoning from M-1 Light Manufacturing District to CM-General Commercial District for the property located at 2001 Walden Avenue, Cheektowaga, New York; which property is more particularly described in the attached copy of the legal description thereto, and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before this Town Board on the 3rd day of May, 1982 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law, and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed the application and the Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the rezoning of 2001 Walden Avenue, and has rendered a determination that the rezoning will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of Thomas Bryant for the rezoning of 2001 Walden Avenue, Cheektowaga, New York from M-1 Light Manufacturing District to CM-General Commercial District be and the same is hereby granted subject to the condition that the applicant strictly comply with the aforesaid Development Plan, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

Upon roll call — Supervisor Meyers Voting AYE; Councilman Swiatek Voting AYE; Councilman Johnson Voting AYE; Councilman Dux Voting AYE; Councilman W.P. Rogowski Voting AYE; Councilman J.V. Rogowski Voting AYE; Councilman Jaworowicz Voting AYE. AYES: 7; NAYES: 0; ABSENT: 0.

LEGAL DESCRIPTION
SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Township of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located the following three (3) courses from the intersection of the westwardly extension of the north line of Duke Road and the center line of the interchange road located on the property of Ontario Thruway, (a) S 87° 32' 39" E along said westwardly extension of the north line of Duke Road and along the north line of Duke Road 589.62 feet, (b) S 0° 37' 04" W still along the line of Duke Road 12.73 feet, and (c) S 87° 28' 36" E still along said north line of Duke Road, 606.70 feet); thence

1. N 0° 37' 04" E along land now or formerly of Lackawanna Steel Construction Corporation, 847.34 feet; thence

2. S 89° 22' 56" E still along said land now or formerly of Lackawanna Steel Construction Corporation, 80.0 feet to a point in the line of land now or formerly of T. Demblewski (reputed owner); thence

3. S 0° 37' 04" W along said land now or formerly of Demblewski, 850.0 feet to a point in the north line of Duke Road; thence

4. N 87° 28' 36" W along the north line of Duke Road, 80.04 feet to the point of BEGINNING;

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be the same premises conveyed to the Grantor by a deed from Pauline M. Van Evera and Margaret G. Bohmbauer dated January 24, 1950 and recorded January 24, 1950 in Liber 4650 of Deeds at page 93.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located S 87° 32' 39" E along the westwardly extension of the north line of Duke Road and along the north line of Duke Road 151.72 feet from the intersection of said westwardly extension of the north line of Duke Road with the center line of the interchange road line of Duke Road, 12.73 feet; thence

3. S 87° 28' 36" E still along the north line of Duke Road, 606.70 feet to a point in the line of lands now or formerly of Clara Pulkownik; thence

4. N 0° 37' 04" E along said land now or formerly of Pulkownik, 847.34 feet; thence

5. S 89° 22' 56" E still along said land now or formerly of Pulkownik, 80.0 feet to a point in the line of lands now or formerly of T. Demblewski (reputed owner), thence

6. N 0° 37' 04" E along said land now or formerly of Demblewski (reputed owner) and along land now or formerly of 515 Walden Ave. Inc. (reputed owner), 779.02 feet to a point in the south line of Walden Avenue; thence

7. N 75° 30' W along the south line of Walden Avenue, 218.32 feet; thence

8. N 84° 47' W still along the south line of Walden Avenue, 316.50 feet to a point in the easterly right of way line of Ontario Thruway; thence

9. S 27° 35' 19" W along said easterly right of way line of Ontario Thruway, 97.56 feet; thence

10. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 593.44 feet; thence

11. S 57° 0' 21" W still along said easterly right of way line of Ontario Thruway, 418.77 feet; thence

12. S 47° 37' W still along said easterly right of way line of Ontario Thruway, 187.40 feet; thence

13. S 18° 42' W still along said easterly right of way line of Ontario Thruway, 209.0 feet; thence

14. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 356.82 feet; thence

15. S 87° 59' 39" E, 25.0 feet; thence

16. S 2° 0' 21" W, 50.20 feet to the point of BEGINNING;

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises title to which is in the party of the first part; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be a part of the premises conveyed to the Grantor by a deed from Andrew W. Dubois, as Trustee for First Presbyterian Church of Coudersport, Pennsylvania, and William A. Shear and Grace A. Shear, his wife, dated February 24, 1950 and recorded February 27, 1950 in Liber 4664 of Deeds at page 465, by a deed from Pauline M. Van Evera and Margaret G. Bohmbauer, dated February 2, 1950 and recorded February 23, 1950 in Liber 4663 of Deeds at page 189 and by a deed from County of Erie, dated January 24, 1952 and recorded January 25, 1952 in Liber 5062 of Deeds at page 495.

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 3, 1982, 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 5, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true

convened, the
meeting was
members of sa
tended said me

IN WITNES
have hereunto
have hereunto
rate seal of sa
day of May, 198

Richard M.
Town Clerk

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

WHEREAS, Thomas Bryant, President, T.P.H. Supply Co., Inc. has applied for a Special Use Permit for gasoline station sales and service on property located at 2001 Walden Avenue, Cheektowaga, New York pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 3rd day of May, 1982, at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Use Permit, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Use Permit subject to strict compliance with the Development Plan dated April 6, 1982, which was submitted to the Planning Board at the April 8, 1982 meeting, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application of the aforesaid Special Use Permit for 2001 Walden Avenue, and has rendered a determination that the Special Use Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Use Permit be and hereby is granted subject to the stipulations as laid out by the Cheektowaga Planning Board.

*SEE NEXT FOUR (4) PAGES FOR LEGAL DESCRIPTION.

(1)

LEGAL DESCRIPTION

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Township of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located the following three (3) courses from the intersection of the westwardly extension of the north line of Duke Road and the center line of the interchange road located on the property of Ontario Thruway, (a) S 87° 32' 39" E along said westwardly extension of the north line of Duke Road and along the north line of Duke Road 589.62 feet, (b) S 0° 37' 04" W still along the line of Duke Road 12.73 feet, and (c) S 87° 28' 36" E still along said north line of Duke Road, 606.70 feet); thence

1. N 0° 37' 04" E along land now or formerly of Lackawanna Steel Construction Corporation, 847.34 feet; thence

2. S 89° 22' 56" E still along said land now or formerly of Lackawanna Steel Construction Corporation, 80.0 feet to a point in the line of land now or formerly of T. Demblewski (reputed owner); thence

3. S 0° 37' 04" W along said land now or formerly of Demblewski, 850.0 feet to a point in the north line of Duke Road; thence

4. N 87° 28' 36" W along the north line of Duke Road, 80.04 feet to the point of BEGINNING:

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said

party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be the same premises conveyed to the Grantor by a deed from Pauline M. Van Evers and Margaret G. Bohmbauer dated January 24, 1950 and recorded January 24, 1950 in Liber 4650 of Deeds at page 93.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located S 87° 32' 39" E along the westwardly extension of the north line of Duke Road and along the north line of Duke Road 151.72 feet from the intersection of said westwardly extension of the north line of Duke Road with the center line of the interchange road located on the property of Ontario Thruway); thence

1. S 87° 32' 39" E along the north line of Duke Road, 437.90 feet; thence

2. S 0° 37' 04" W still along the line of Duke Road, 12.73 feet; thence

3. S 87° 28' 36" E still along the north line of Duke Road, 606.70 feet to a point in the line of lands now or formerly of Clara Pulkownik; thence

4. N 0° 37' 04" E along said land now or formerly of Pulkownik, 847.34 feet; thence

5. S 89° 22' 56" E still along said land now or formerly of Pulkownik, 80.0 feet to a point in the line of lands now or formerly of T. Demblewski (reputed owner); thence

6. N 0° 37' 04" E along said land now or formerly of Demblewski (reputed owner) and along land now or formerly of 515 Walden Ave. Inc. (reputed owner), 779.02 feet to a point in the south line of Walden Avenue; thence

7. N 78° 30' W along the south line of Walden Avenue, 218.32 feet; thence

8. N 84° 47' W still along the south line of Walden Avenue, 316.50 feet to a point in the easterly right of way line of Ontario Thruway; thence

9. S 27° 35' 19" W along said easterly right of way line of Ontario Thruway, 97.56 feet; thence

10. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 593.44 feet; thence

11. S 57° 0' 21" W still along said easterly right of way line of Ontario Thruway, 418.77 feet; thence

12. S 47° 37' W still along said easterly right of way line of Ontario Thruway, 187.40 feet; thence

13. S 18° 42' W still along said easterly right of way line of Ontario Thruway, 209.0 feet; thence

14. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 356.82 feet; thence

15. S 87° 59' 39" E, 25.0 feet; thence

16. S 2° 0' 21" W, 50.20 feet to the point of BEGINNING;

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises title to which is in the party of the first part; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be a part of the premises conveyed to the Grantor by a deed from Andrew W. Dubois, as

No. 11

Trustee for First Presbyterian Church of Coudersport, Pennsylvania, and William A. Shear and Grace A. Shear, his wife, dated February 24, 1950 and recorded February 27, 1950 in Liber 4664 of Deeds at page 465, by a deed from Pauline M. Van Evera and Margaret G. Bohmhauer, dated February 2, 1950 and recorded February 23, 1950 in Liber 4663 of Deeds at page 189 and by a deed from County of Erie, dated January 24, 1952 and recorded January 25, 1952 in Liber 5062 of Deeds at page 495.

Item No. 6 Cont'd.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

*SEE NEXT PAGE FOR AFFIDAVIT.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of May, 19 82, and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 6th day of May, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

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 May, 1982, 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
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
ABSENT: 0

Motion by Supervisor Meyers
Seconded by Councilman Dux

WHEREAS, Thomas Bryant, President, T.P.H. Supply Co., Inc. has applied for a Special Use Permit for gasoline station sales and service on property located at 2001 Walden Avenue, Cheektowaga, New York pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 3rd day of May, 1982 at 6:30 o'clock P.M., of said day for the purpose of considering said application for a Special Use Permit, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Use Permit subject to strict compliance with the Development Plan dated April 5, 1982, which was submitted to the Planning Board at the April 8, 1982 meeting, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application of the aforesaid Special Use Permit for 2001 Walden Avenue, and has rendered a determination that the Special Use Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Use Permit be and hereby is granted subject to the stipulations as laid out by the Cheektowaga Planning Board.

Upon roll call — Supervisor Meyers Voting AYE; Councilman Swiatek Voting AYE; Councilman Johnson Voting AYE; Councilman Dux Voting AYE; Councilman W.P. Rogowski Voting AYE; Councilman J.V. Rogowski Voting AYE; Councilman Jaworowicz Voting AYE. AYES: 7; NAYES: 0; ABSENT: 0.

LEGAL DESCRIPTION
SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Township of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located the following three (3) courses from the intersection of the westwardly extension of the north line of Duke Road and the center line of the interchange road located on the property of Ontario Thruway, (a) S 87° 32' 39" E along said westwardly extension of the north line of Duke Road and along the north line of Duke Road 589.62 feet, (b) S 0° 37' 04" W still along the line of Duke Road 12.73 feet, and (c) S 87° 28' 36" E still along said north line of Duke Road, 606.70 feet); thence

1. N 0° 37' 04" E along land now or formerly of Lackawanna Steel Construction Corporation, 847.34 feet; thence

2. S 89° 22' 56" E still along said land now or formerly of Lackawanna Steel Construction Corpoation, 80.0 feet to a point in the

4. N 87° 28' 36" W along the north line of Duke Road, 80.04 feet to the point of BEGINNING:

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid premises; the reversions and remainders; and the rents, issues and profits thereof;

Together with all right, title and interest of the said party of the first part to any land lying in the bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be the same premises conveyed to the Grantor by a deed from Pauline M. Van Evers and Margaret G. Bohmbauer dated January 24, 1950 and recorded January 24, 1950 in Liber 4650 of Deeds at page 93.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the north line of Duke Road (Said point is located S 87° 32' 39" E along the westwardly extension of the north line of Duke Road and along the north line of Duke Road 151.72 feet from the intersection of said westwardly extension of the north line of Duke Road with the center line of the interchange road located on the property of Ontario Thruway); thence

1. S 87° 32' 39" E along the north line of Duke Road, 437.90 feet; thence

2. S 0° 37' 04" W still along the line of Duke Road, 12.78 feet; thence

3. S 87° 28' 36" E still along the north line of Duke Road, 606.70 feet to a point in the line of lands now or formerly of Clara Pulkownik; thence

4. N 0° 37' 04" E along said land now or formerly of Pulkownik, 847.34 feet; thence

5. S 89° 22' 56" E still along said land now or formerly of Pulkownik, 80.0 feet to a point in the line of lands now or formerly of T. Demblewski (reputed owner); thence

6. N 0° 37' 04" E along said land now or formerly of Demblewski (reputed owner) and along land now or formerly of 515 Walden Ave. Inc. (reputed owner), 779.02 feet to a point in the south line of Walden Avenue; thence

7. N 78° 30' W along the south line of Walden Avenue, 218.32 feet; thence

8. N 84° 47' W still along the south line of Walden Avenue, 316.50 feet to a point in the easterly right of way line of Ontario Thruway; thence

9. S 27° 35' 19" W along said easterly right of way line of Ontario Thruway, 97.56 feet; thence

10. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 593.44 feet; thence

11. S 57° 0' 21" W still along said easterly right of way line of Ontario Thruway, 418.77 feet; thence

12. S 47° 37' W still along said easterly right of way line of Ontario Thruway, 187.40 feet; thence

13. S 18° 42' W still along said easterly right of way line of Ontario Thruway, 209.0 feet; thence

14. S 2° 0' 21" W still along said easterly right of way line of Ontario Thruway, 366.82 feet; thence

15. S 87° 59' 39" E, 25.0 feet; thence

16. S 2° 0' 21" W, 50.20 feet to the point of BEGINNING;

Together with all rights of way or use, riparian rights, water rights, servitudes, easements, tenements, hereditaments and appurtenances benefitting or belonging to or appurtenant to any of the foregoing; any strips and gores adjacent, adjoining, abutting or relating to the aforesaid

bed of any street, alley, road or avenue, open or proposed, in front of or adjoining the aforesaid premises.

The foregoing is intended to be a part of the premises conveyed to the Grantor by a deed from Andrew W. Dubois, as Trustee for First Presbyterian Church of Coudersport, Pennsylvania, and William A. Shear and Grace A. Shear, his wife, dated February 24, 1950 and recorded February 27, 1950 in Liber 4664 of Deeds at page 465, by a deed from Pauline M. Van Evera and Margaret G. Bohmhauer, dated February 2, 1950 and recorded February 23, 1950 in Liber 4663 of Deeds at page 189 and by a deed from County of Erie, dated January 24, 1952 and recorded January 25, 1952 in Liber 5062 of Deeds at page 495.

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 3, 1982, 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 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 May, 1982.

Richard M. Moleski
Town Clerk

may 6

Item No. 7 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, this Town Board approved a program of sanitary sewer improvements at the downstream ends of the Clearvale Drive, Pinevale Court and Fairvale Drive areas with authorization for the preparation of plans and specifications, AND

WHEREAS, the Town Engineer has informed this Town Board that plans and specifications have been completed by Nussbaumer & Clarke, Inc., Consulting Engineers, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is directed to publish a Notice to Bidders in connection with said Clearvale, Pinevale and Fairvale Sanitary Sewer Improvement, with notice to be published in the BUFFALO EVENING NEWS and the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that this Town Board meet on the 17th day of May, 1982 at 7:00 P.M. Local Time, for the purpose of receiving sealed bids at which time they will be publicly opened.

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

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 17th day of May, 1982, at 7:00 P.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment, and incidentals required for the construction of the Clearvale Drive and Fairvale Drive sanitary sewers, including manholes and appurtenant work, complete, in place, tested, and ready for use in accordance with the contract documents, therefore, including plans, specifications, instructions to bidders, etc., all of which are on file with the Town Engineer in his office at said Town Hall.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined at the Town Engineers' Office and copies of said documents may be secured at the Office of the Town Clerk, Cheektowaga Town Hall, upon payment of $50.00 in the form of two (2) checks, each for one-half the deposit, made payable to the Town of Cheektowaga.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Construction of the Clearvale Drive and Fairvale Drive Sanitary Sewers".

Any bids not delivered in person may be mailed to the Office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 in time for bid opening.

Any bidder returning plans and specifications in good condition within thirty (30) days following the award of the contract or 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 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. No refund will be made for documents received after this thirty (30) day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal be 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.

Item No. 7 Cont'd.

No bidder may withdraw his bid within forty five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the schedule 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.

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.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sale and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 120 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

BY ORDER OF: Richard M. Moleski
Town Clerk
Town of Cheektowaga

DATED: May 3, 1982

PUBLISHED: May 6, 1982

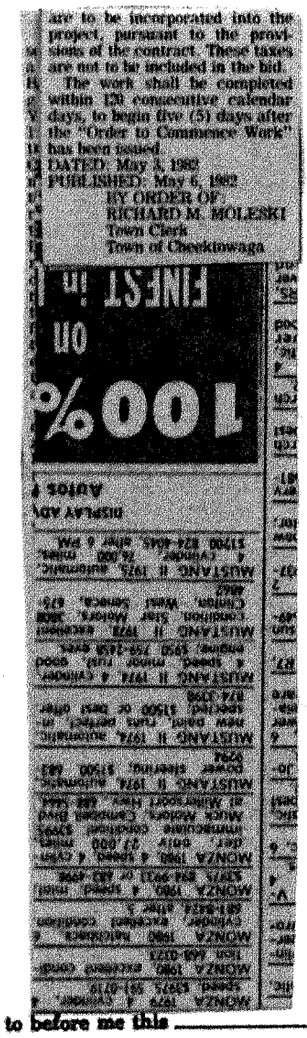
* * * * * * * * * * * * * * * * *

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE NEXT TWO (2) PAGES FOR AFFIDAVITS.

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



are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.
The work shall be completed within 120 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.
DATED: May 3, 1982
PUBLISHED: May 6, 1982
BY ORDER OF
RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that ~~he~~ she is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ~~XXXXXXXXX~~ weeks, the first insertion being on the 6th day of May 19 82 and the last~~x~~ insertion being on the ~~XXXXX~~ day of ~~XXXXXXX~~

D. Eileen Perry

Sworn to before me this 7th day of May 19 82

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

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

D. Eileen Perry

of Buffalo, New York, being duly sworn,

d says that She is Principal Clerk

FFALO EVENING NEWS, INC.,

of the BUFFALO EVENING NEWS, a

published in said city, that the notice of

annexed printed slip taken from said

is a copy, was inserted and published

once a week for ~~xxxxxxxx~~

first insertion being on the 6th

May 19 82 and the last~~x~~

~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~

D. Eileen Perry

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 17th day of May, 1982, at 7:00 P.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment, and incidentals required for the construction of the Clearvale Drive and Fairvale Drive sanitary sewers, including manholes and appurtenant work, complete, in place, tested, and ready for use in accordance with the contract documents, therefore, including plans, specifications, instructions to bidders, etc., all of which are on file with the Town Engineer in his office at said Town Hall.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined at the Town Engineer's Office and copies of said documents may be secured at the Office of the Town Clerk, Cheektowaga Town Hall, upon payment of $50.00 in the form of two (2) checks, each for one-half the deposit, made payable to the Town of Cheektowaga.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Construction of the Clearvale Drive and Fairvale Drive Sanitary Sewers".

Any bids not delivered in person may be mailed to the Office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 in time for bid opening.

Any bidder returning plans and specifications in good condition within thirty (30) days following the award of the contract or 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 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. No refund will be made for documents received after this thirty (30) day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal be accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the schedule 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.

Attention of the bidders is further called to Section 2994 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.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 120 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

DATED: May 3, 1982
PUBLISHED: May 6, 1982
BY ORDER OF:
RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

Sworn to ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ day

of ~~xxxxxxxxxxxxxxxxxxxx

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of May, 19 82, and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 6th day of May, 19 82

George J. Measer

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

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 17th day of May, 1982, at 7:00 P.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment, and incidentals required for the construction of the Clearvale Drive and Fairvale Drive sanitary sewers, including manholes and appurtenant work, complete, in place, tested, and ready for use in accordance with the contract documents, therefore, including plans, specifications, instructions to bidders, etc., all of which are on file with the Town Engineer in his office at said Town Hall.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined at the Town Engineer's Office and copies of said documents may be secured at the Office of the Town Clerk, Cheektowaga Town Hall, upon payment of $50.00 in the form of two (2) checks, each for one-half the deposit, made payable to the Town of Cheektowaga.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Construction of the Clearvale Drive and Fairvale Drive Sanitary Sewers."

Any bids not delivered in person may be mailed to the Office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 in time for bid opening.

Any bidder returning plans and specifications in good condition within thirty (30) days following the award of the contract or 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 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. No refund will be made for documents received after this thirty (30) day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal be accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty five (45) days after the date set for the opening thereof, but may withdraw same anytime prior to the schedule 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.

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.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 120 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

DATED: May 3, 1982
BY ORDER OF:
Richard M. Moleski
Town Clerk
Town of Cheektowaga
may 6

Item No. 8 Motion by Councilman W. P. Rogowski, seconded by Councilman Dux

WHEREAS, the Niagara Frontier Transportation Authority has approached the Town of Cheektowaga Police Department and asked them to enforce metered parking at the Greater Buffalo International Airport, AND

WHEREAS, the Town of Cheektowaga Police Department is willing and able to enforce such metered parking for the purpose of controlling traffic congestion and regulating traffic flow, AND

WHEREAS, Section 130(22) of the Town Law and Section 1660(a)(9) of the Vehicle and Traffic Law of the State of New York allows the Town Board to regulate and enforce parking at airports and at parking meters, NOW, THEREFORE, BE IT

RESOLVED that a public hearing on the proposed amendment to the Traffic Ordinance of the Town of Cheektowaga be held on the 17th day of May, 1982, at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the Traffic Ordinance of the Town of Cheektowaga, New York shall be amended as provided in the attached Notice of Hearing, AND, BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA BEE, 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 3rd day of May, 1982 and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 17th day of May, 1982 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Traffic Ordinance of the Town of Cheektowaga" shall be amended and changed as follows:

1. RESOLVED that the Traffic Ordinance of the Town of Cheektowaga be amended by the enactment of a new Article XIX, entitled "Airport Parking," providing as follows:

ARTICLE XIX

Airport Parking

Section 190. Parking or Standing on airport property without consent prohibited.

No person shall park or stand a motor vehicle upon any airport, airport property or airfield, in other than duly constituted and maintained commercial or employee parking areas thereof, without the consent and permission of the owner or lesee of said airport or airfield.

Section 191. Sign to be posted.

To effectuate the prohibition on such property as above described, a conspicuous sign or signs shall be posted at each entrance to such property. A sign as hereinafter described shall be deemed substantial compliance with this section.

NO PARKING OR STANDING
EXCEPT IN AUTHORIZED PARKING LOTS
POLICE ENFORCEMENT
UNDER PENALTY OF LAW
ORDINANCE OF THE TOWN
OF CHEEKTOWAGA

But any other words or phraseology prohibiting the parking or standing of motor vehicles shall suffice.

Section 192. Exceptions.

This Article shall not prevent the establishment or continuance of commercial or employee parking areas, provided said areas are plainly marked and designated, and shall not limit or prevent the designation of an area for the standing and parking of taxicabs, provided said area shall be plainly marked "Taxis only may stand or park in this area."

Section 193. Taxicab areas.

No person shall stop, stand or park a motor vehicle, other than a taxicab, in any area designated for the parking of taxicabs.

Section 194. Parking at parking meters.

Whenever any motor vehicle shall be found, by a police or peace officer, to be parked in violation of the meter regulations in the metered parking areas of airport property, said officer may affix a parking violations ticket or simplified traffic information to said motor vehicle, which parking violations ticket or simplified traffic information shall be acted upon and disposed of in conformance with the provisions of the Traffic Violations Bureau Ordinance of the Town of Cheektowaga.

Section 195. Presumptive evidence of violation.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this Article that the owner parked or caused his vehicle to be parked on such property.

2. RESOLVED that Ordinance 23, entitled "Parking Ordinance - Parking in Airports and Airfields"; Ordinance 23A, entitled "Parking on Airports and Airfields"; and Ordinance 23B, entitled "Parking on Airports and Airfields", shall be repealed.

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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR AFFIDAVIT.

PROOF OF PUBLICATION

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Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the

Publisher of the

Cheektowaga Bee , a

public newspaper published at

Williamsville , New York, that the

notice of which the annexed printed slip taken from

said newspaper, is a copy, was inserted and published

therein once a week for 1 weeks, the first

insertion being on the 6th day of May ,

19 82, and the last insertion being on the same

day of , 19 .

Subscribed and sworn to before me this 6th day

of May , 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

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 3rd day of May, 1982 and in accordance with the previsions of the Town Law of the State of New York, a Public Hearing will be held on the 17th day of May, 1982 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Traffic Ordinance of the Town of Cheektowaga" shall be amended and changed as follows:

1. RESOLVED that the Traffic Ordinance of the Town of Cheektowaga be amended by the enactment of a new Article XIX, entitled "Airport Parking," providing as follows: ARTICLE XIX

Airport Parking

Section 190. Parking or Standing on airport property without consent prohibited.

No person shall park or stand a motor vehicle upon any airport, airport property or airfield, in other than duly constituted and maintained commercial or employee parking areas thereof, without the consent and permission of the owner or lessee of said airport or airfield.

Section 191. Sign to be posted.

To effectuate the prohibition on such property as above described, a conspicuous sign or signs shall be posted at each entrance to such property. A sign as hereinafter described shall be deemed substantial compliance with this section.

NO PARKING OR STANDING EXCEPT IN AUTHORIZED PARKING LOTS POLICE ENFORCEMENT UNDER PENALTY OF LAW ORDINANCE OF THE TOWN OF CHEEKTOWAGA

But any other words or phraseology prohibiting the parking or standing of motor vehicles shall suffice.

Section 192. Exceptions.

This Article shall not prevent the establishment or continuance of commercial or employee parking areas, provided said areas are plainly marked and designated, and shall not limit or prevent the designation of an area for the standing and parking of taxicabs, provided said area shall be plainly marked "Taxis only may stand or park in this area."

Section 193. Taxicab areas.

No persons shall stop, stand or park a motor vehicle, other than a taxicab, in any area designated for the parking of taxicabs.

Section 194. Parking at parking meters.

Whenever any motor vehicle shall be found, by a police or peace officer, to be parked in violation of the meter regulations in the metered parking areas of airport property, said officer may affix a parking violations ticket or simplified traffic information to said motor vehicle, which parking violations ticket or simplified traffic information shall be acted upon and disposed of in conformance with the provisions of the Traffic Violations Bureau Ordinance of the Town of Cheektowaga.

Section 195. Presumptive evidence of violation.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this Article that the owner parked or caused his vehicle to be parked on such property.

2. RESOLVED that Ordinance 23, entitled "Parking Ordinance — Parking in Airports and Airfields"; Ordinance 23 A, entitled "Parking on Airports and Airfields"; and Ordinance 23 B, entitled "Parking on Airports and Airfields," shall be repealed.

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

RICHARD M. MOLESKI
Town Clerk

may 6

Item No. 9 Motion by Councilman W. P. Rogowski, seconded by Supervisor Meyers

WHEREAS, the Broadway Sports Center has applied for a Special Use Permit for a temporary, portable miniature golf course located at 3500 Broadway, Cheektowaga, New York, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance of the Town of Cheektowaga on May 17, 1982, at 6:30 o'clock p.m., Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in said Town of Cheektowaga, corner of Broadway and Union Road, on the 17th day of May 1982, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Broadway Sports Center for a Special Permit for a temporary portable miniature golf course on property located at 3500 Broadway pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz

RICHARD M. MOLESKI
Town Clerk

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR AFFIDAVIT.

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 17th day of May 1982, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Broadway Sports Center for a Special Permit for a temporary portable miniature golf course on property located at 3500 Broadway pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF THE
TOWN BOARD
Supervisor
Kenneth J. Meyers
Councilman
Frank E. Swiatek
Councilman
Thomas M. Johnson Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
RICHARD M. MOLESKI
Town Clerk

May 6

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of May, 19 82, and the last insertion being on the same day of ....., 19.....

George J. Measer

Subscribed and sworn to before me this 6th day of May, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1984

Item No. 10 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is presently participating in a State and Federal Construction Grants Program to abate pollution in the Cheektowaga Sewer District No. 3 service area, AND

WHEREAS, the Town of Cheektowaga received a Step II Grant Award (C-36-390-02) from the United States Environmental Protection Agency for the design of rehabilitation of sanitary sewers in the District No. 3 service area, AND

WHEREAS, on November 20, 1981 the Town of Cheektowaga did enter into an Engineering Service Agreement with Nussbaumer & Clarke, Inc. to provide services related to the design of the rehabilitation of these sanitary sewer, AND

WHEREAS, the United States Environmental Protection Agency established "Special Grant Conditions" to be satisfied by the grantee, which included protection of the environment, specifically environmentally sensitive areas such as floodplains and wetlands, AND

WHEREAS, the "Special Grant Conditions" require federal agencies to avoid through their actions, where practicable, direct or indirect support of floodplains or wetlands development, AND

WHEREAS, the Environmental Protection Agency construction grants regulations provide for protection of these environmentally sensitive areas by requiring sanitary sewer tap-in restrictions in these areas, AND

WHEREAS, the Town of Cheektowaga should consider a resolution stating: "that for a period of fifty years from the date of the award of the Federal Pure Waters Grant, no sewer hook-up or other connections to the sewerage collection system tributary to the District No. 3 connection to the Erie County Sewer District No. 4 Interceptor will be allowed or permitted for any facility located on a parcel of land within any wetland or the 100 year floodplain, which land parcel as of the date of the grant was undeveloped unless approved in writing by the New York State Department of Environmental Conservation", AND

WHEREAS, the New York State Department of Environmental Conservation, monitoring compliance with this "Special Grant Conditions" will require a public hearing to be held for the District No. 3 sewer area for the purpose of allowing comments on the above mentioned resolution and providing the opportunity for property owners to request waivers of this tap-in restriction for individual lots, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga advertise for a public hearing to be held on June 17, 1982 at the Town Hall for purpose of compliance with the "Special Grant Conditions"; said notice to be published in the BUFFALO EVENING NEWS, COURIER EXPRESS and the CHEEKTOWAGA BEE forty-five (45) days in advance of hearing.

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

NOTICE OF PUBLIC HEARING
PROPOSED SANITARY SEWER TAP-IN RESTRICTIONS
CHEEKTOWAGA SANITARY SEWER DISTRICT #3

Pursuant to the requirements of the United States Environmental Protection Agency, as published in the September 27, 1978 Federal Register, Volume 43, No. 188, the Town of Cheektowaga Sanitary Sewer District #3 will hold a Public Hearing on a Town Resolution to restrict sanitary sewer tap-ins from future development in any wetlands or floodplains in the District #3 service area, except as approved for waiver by the New York State Department of Environmental Conservation. The Public Hearing will be held at the Cheektowaga Town Hall, Broadway and Union Road, New York 14227 at 7:00 P.M., Local Time, on Thursday, June 17, 1982.

Cheektowaga Sanitary Sewer District #3 has received a Federal Grant for design of sanitary sewer rehabilitation. United States Executive Orders 11988 (Floodplain Management - May 24, 1977) and 11990 (Protection of Wetlands - May 24, 1977) require Federal Agencies (EPA) to avoid through their actions (Step II Grant for Design) direct or indirect support of floodplain or wetland development. The stated intents of these directives are "to reduce the risk of flood loss, to minimize the impact of floods on human safety, health and welfare,..." (E.O. 11988) and "to minimize the destruction, loss or degradation of wetlands" (E.O. 11990).

Item No. 10 Cont'd.

The EPA, through a "Special Grant Condition", is requiring the Town to pass a resolution stating:

> -that for a period of fifty years from the date of the Grant award (September 30, 1981), that no sewer hook-up or other connections to the sewerage collection system tributary to ECSD #4 connection at the Plant #3 site will be allowed or permitted for any facility located on a parcel of land within any wetland or the 100-year floodplain, which land parcel as of the date of the Grant was undeveloped unless approved in writing by the New York State Department of Environmental Conservation.

The Town of Cheektowaga will apply for a waiver of this restriction if a property owner so desires, and notifies the Town at the Public Hearing or within thirty (30) days thereafter.

The Hearing is open to the public. Interested parties are invited and encouraged to present their views on this resolution. Maps delinating wetlands and the 100-year floodplains of Buffalo River and Cayuga Creek in the District #3 service area with a list of affected land parcels will be available for inspection at the offices of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202, and at the offices of the Cheektowaga Town Engineer at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, beginning May 17, 1982, Monday through Friday, 9 A.M. to 4 P.M.

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

RICHARD M. MOLESKI
Town Clerk

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE NEXT THREE (3) PAGES FOR AFFIDAVITS.

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

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that S he is **Principal Clerk**

of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein **once** a week for ~~XXXXXXXXXXXX~~ ~~XXXXXXX~~ weeks, the first insertion being on the **6th** day of **May** 19**82** and the last ~~XXXXXXXXXXX

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

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that ~~S~~ he is **Principal Clerk** of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein **once** ~~a week for~~ ~~xxxxxxxxxxxxxxxx~~ ~~xxxxxxx~~ weeks, the first insertion being on the **6th** day of **May** 19**82** ~~and the last~~ ~~insertion being on the~~ ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ ~~day of~~

D. Eileen Perry

7th day

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19**83**

Notary Public, Erie County, N. Y.

NOTICE OF
PUBLIC HEARING
PROPOSED SANITARY
SEWER TAP-IN
RESTRICTIONS
CHEEKTOWAGA
SANITARY SEWER
DISTRICT #3

Pursuant to the requirements of the United States Environmental Protection Agency, as published in the September 27, 1978 Federal Register, Volume 43, No. 188, the Town of Cheektowaga Sanitary Sewer District #3 will hold a Public Hearing on a Town Resolution to restrict sanitary sewer tap-ins from future development in any wetlands or flood plains in the District #3 service area, except as approved for waiver by the New York State Department of Environmental Conservation. The Public Hearing will be held at the Cheektowaga Town Hall, Broadway and Union Road, New York 14227 at 6:30 P.M., Local Time, on Monday, June 21, 1982.

Cheektowaga Sanitary Sewer District #3 has received a Federal Grant for design of sanitary sewer rehabilitation. United States Executive Orders 11988 (Floodplain Management — May 24, 1977) and 11990 (Protection of Wetlands — May 24, 1977) require Federal Agencies (EPA) to avoid through their actions (Step II Grant for Design) direct or indirect support of floodplain or wetland development. The stated intents of these directives are "to reduce the risk of flood loss, to minimize the impacts of floods on human safety, health and welfare, ..." (E.O. 11988) and "to minimize the destruction, loss or degradation of wetlands" (E.O. 11990).

The EPA, through a "Special Grant Condition," is requiring the Town to pass a resolution stating:

—that for a period of fifty years from the date of the Grant award (September 30, 1981), that no sewer hook-up or other connections to the sewerage collection system tributary to ECSD #4 connection at the Plant #3 site will be allowed or permitted for any facility located on a parcel of land within any wetland or the 100-year flood-plain, which land parcel as of the date of the Grant was undeveloped unless approved in writing by the New York State Department of Environmental Conservation.

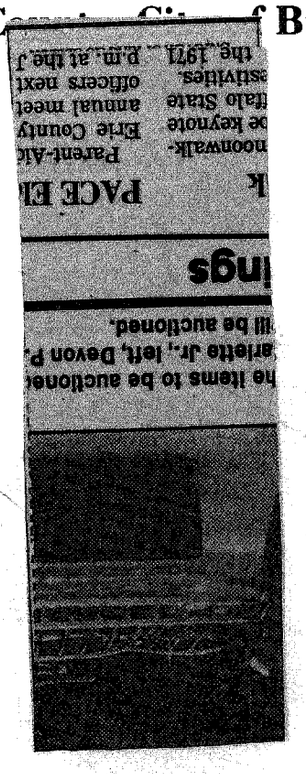
The Town of Cheektowaga will apply for a waiver of this restriction if a property owner so desires, and notifies the Town at the Public Hearing or within thirty (30) days thereafter.

The Hearing is open to the public. Interested parties are invited and encouraged to present their views on this resolution. Maps delinating wetlands and the 100 year floodplains of Buffalo River and Cayuga Creek in the District #3 service area with a list of affected land parcels will be available for inspection at the offices of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202, and at the offices of the Cheektowaga Town Engineer at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, beginning May 17, 1982, Monday through Friday, 9 A.M. to 4 P.M.

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

RICHARD M. MOLESKI
Town Clerk

STATE OF NEW YORK
Erie C[illegible] Buffalo, } ss.



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 6 day of May 19 82 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 7 day of May 19 82.

MARY LOU TROY
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 1984

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

STATE OF NEW YORK
Erie C... ...f Buffalo, } ss.

NOTICE OF PUBLIC HEARING
PROPOSED SANITARY SEWER
TAP-IN RESTRICTIONS
CHEEKTOWAGA SANITARY
SEWER DISTRICT #3

Pursuant to the requirements of the United States Environmental Protection Agency, as published in the September 27, 1978 Federal Register, Volume 43, No. 188, the Town of Cheektowaga Sanitary Sewer District #3 will hold a Public Hearing on a Town Resolution to restrict sanitary sewer taps/ins from future development in any wetlands on floodplains in the District #3 service area, except as approved for waiver by the New York State Department of Environmental Conservation. The Public Hearing will be held at the Cheektowaga Town Hall, Broadway and Union Road, New York 14227 at 8:30 P.M., Local Time, on Monday, June 21, 1982.

Cheektowaga Sanitary Sewer District #3 has received a Federal Grant for design of sanitary sewer rehabilitation. United States Executive Orders 11988 (Floodplain Management — May 24, 1977) and 11990 (Protection of Wetlands — May 24, 1977) require Federal Agencies (EPA) to avoid through their actions (Step II Grant for Design) direct or indirect support of floodplain or wetland development. The stated intents of these directives are "to reduce the risk of flood loss, to minimize the impacts of floods on human safety, health and welfare..." (E.O. 11988) and "to minimize the destruction, loss or degradation of wetlands" (E.O. 11990).

The EPA, through a "Special Grant Condition," is requiring the Town to pass a resolution stating:

— that for a period of fifty years from the date of the Grant award (September 30, 1981), that no sewer hook-up or other connections to the sewerage collection system tributary to ECSD #3 connection at the Plant #3 site will be allowed or permitted for any facility located on a parcel of land within any wetland or the 100-year floodplain, which land parcel as of the date of the Grant was undeveloped unless approved in writing by the New York State Department of Environmental Conservation.

The Town of Cheektowaga will apply for a waiver of this restriction if a property owner so desires, and notifies the Town at the Public Hearing or within thirty (30) days thereafter.

The Hearing is open to the public. Interested parties are invited and encouraged to present their views on this resolution. Maps delineating wetlands and the 100 year floodplains of Buffalo River and Cayuga Creek in the District #3 service area with a list of affected land parcels will be available for inspection at the offices of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202, and at the offices of the Cheektowaga Town Engineer at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 beginning May 17, 1982, Monday through Friday, 9 A.M. to 4 P.M.

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

RICHARD M. MOLESKI
Town Clerk

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 6 ..... day of May ..... 19 82 and the last insertion being on the ... day of ....., 19 , and not more than ..... days intervened between any two publications thereof.

Yvonne Mentro

Sworn befo... ...ay } MARY LOU TROY
of ... May ... . } Notary Public ... N.Y.
Qualified in Erie County
Commission Expires March 30, 1984

...ty, N.Y.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK
COUNTY OF ERIE } ss.

George J. Measer

being duly sworn, deposes and says that he is the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 6th day of May, 19 82, and the last insertion being on the same day of ....., 19.....

George J. Measer

Subscribed and sworn to before me this 6th day of May, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 83

NOTICE OF PUBLIC HEARING PROPOSED SANITARY SEWER TAP-IN RESTRICTIONS CHEEKTOWAGA SANITARY SEWER DISTRICT #3

Pursuant to the requirements of the United States Environmental Protection Agency, as published in the September 27, 1978 Federal Register, Volume 43, No. 188, the Town of Cheektowaga Sanitary Sewer District #3 will hold a Public Hearing on a Town Resolution to restrict sanitary sewer tap-ins from future development in any wetlands or floodplains in the District #3 service area, except as approved for waiver by the New York State Department of Environmental Conservation. The Public Hearing will be held at the Cheektowaga Town Hall, Broadway and Union Road, New York 14227 at 6:30 P.M., Local Time, on Monday, June 21, 1982.

Cheektowaga Sanitary Sewer District #3 has received a Federal Grant for design of sanitary sewer rehabilitation. United States Executive Orders 11988 (Floodplain Management — May 24, 1977) and 11990 (Protection of Wetlands — May 24, 1977) require Federal Agencies (EPA) to avoid through their actions (Step II Grant for Design) direct or indirect support of floodplain or wetland development. The stated intents of these directives are "to reduce the risk of flood loss, to minimize the impacts of floods on human safety, health and welfare, . . ." (E.O. 11988) and "to minimize the destruction, loss or degradation of wetlands" (E.O. 11990).

The EPA, through a "Special Grant Condition," is requiring the Town to pass a resolution stating:

— that for a period of fifty years from the date of the Grant award (September 30, 1981), that no sewer hook-up or other connections to the sewerage collection system tributary to ECSD #4 connection at the Plant #3 site will be allowed or permitted for any facility located on a parcel of land within any wetland or the 100 year floodplain, which land parcel as of the date of the Grant was undeveloped unless approved in writing by the New York State Department of Environmental Conservation.

The Town of Cheektowaga will apply for a waiver of this restriction if a property owner so desires, and notifies the Town at the Public Hearing or within thirty (30) days thereafter.

The Hearing is open to the public. Interested parties are invited and encouraged to present their views on this resolution. Maps delineating wetlands and the 100 year floodplains of Buffalo River and Cayuga Creek in the District #3 service area with a list of affected land parcels will be available for inspection at the offices of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202, and at the offices of the Cheektowaga Town Engineer at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, beginning May 17, 1982, Monday through Friday, 9 A.M. to 4 P.M.

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

Richard M. Moleski
Town Clerk

May 6

Item No. 11 Motion by Councilman J. V. Rogowski, seconded by Councilman Jaworowicz to table this item regarding the award of bid for furnishings and equipment for the Senior Citizens Center.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

Item No. 12 Motion by Councilman W. P. Rogowski, seconded by Supervisor Meyers

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on April 5, 1982 for the furnishing of road materials for the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE IT

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

*SEE NEXT TEN (10) PAGES FOR ANALYSIS, TABULATION AND REPORT OF HIGHWAY SUPERINTENDENT.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

April 29, 1982

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

Re: Award of bids for Road Materials

Gentlemen:

Bids for road materials were received by the Honorable Body on April 5, 1982 and after reviewing and tabulating same, I recommend that the bids be awarded to the following lowest responsible bidders:

Buffalo Block Co., 242 Hopkins St., Buffalo, N.Y.
Buffalo Crushed Stone, Inc., 8615 Wehrle Dr., Wmsv., New York
Buffalo Slag Co., Inc., 500 Como Park Blvd., Cheektowaga, N.Y.
Custom Top Soil, 320 Losson Rd., Cheektowaga, N.Y.
Duch Builders, Memorial Drive, Buffalo, N.Y.
Frey Concrete, 561 Pavement Rd., Lancaster, New York
Krantz Asphalt, 701 Elk St., Buffalo, N.Y.
Lancaster Stone Prod. Corp., 5833 Main St., Clarence, N.Y.
Pine Hill Concrete Mix Corp., 2255 Bailey Ave., Buffalo, N.Y.

Attached hereto is a tabulation of bids submitted by the above companies (encircled in red to indicate the lowest bidder) and their competitors, as listing each bid would be too lengthy, I trust the above will meet with your Honorable approval.

Very truly yours,
TOWN OF CHEEKTOWAGA HIGHWAY DEPT.

Alfred F. Wnek
Superintendent

AFW:erp

cc: Members, Town Board
Town Clerk
Town Attorney
Engineering Dept.

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

Ready Mixes	Bflo Slag Co., Inc. 500 Como Park Blvd. Cheektowaga 14225 Award of Contract	Lancaster Stone Prd. Corp. 5833 Main St. @ Pfohl Pl. 14221 to April 5, 1983	Buffalo Crushed Stone Inc. 8615 Wehrle Dr. Wmsv. 14221 During 1982	County Line Stone Co. Inc. County Line Road P.O. Box 150 Akron, N.Y. 14001 to 4/1/83
#1 - Fine Binder	$20.80 Ton	$22.50 Ton	Type 3 - $23.55 Ton	* $22.50 Ton
#2 Coarse Binder	$19.00 Ton	$21.75 Ton	Type 4 - $21.50 Ton	* $21.00 Ton
1AC Top Armour Coat	$24.55 Ton	$24.00 Ton	Type 7 - $26.00 Ton	* $26.00 Ton
1A Top	$24.15 Ton			
1B Top	No Bid	$23.50 Ton	$24.75 Ton	* $26.00 Ton
Stockpile (Winter Mix)	F.O.B. Cheektowaga $28.40	$27.50 Ton	$28.25 Ton	* $29.50 Ton
Extra Fine Top Fine 1AC	$24.10 Ton	$23.50 Ton		
Sand Sheet Asphalt		$25.00 Ton		* $26.00 Ton
Item 59W (Bituminous Stabilized Materials)	3 Binder $22.30 2 Base 19.20 1 Base 21.75	$19.00 Ton	Type 8 Top - $26.20 Type 6 Top - $25.00 Type 1 Base- $22.70 Type 2 Base- $20.25	* $19.00 Ton
		TYP EC ERIE TOP COAT $23.75		* Blacktop prices subject to excalator clause.

Page 2	Buffalo Slag Co.,Inc.	Lancaster Stone Pdr. Inc.	Buffalo Crushed Stone Inc.	County Line Stone Co.,Inc.	
Stone					
#0 Stone Screenings	$ 5.00 Ton	No Bid	No Bid	$ 5.85 Ton	
#1 Crushed Stone	$ 5.30 Ton	$ 5.40 Ton	$ 5.40 Ton	$4.70 Ton	
#1A Crushed Stone	$ 6.30 Ton	$ 5.90 Ton	$ 5.90	$ 5.75 Ton	
#2	$ 4.50 Ton	$ 4.60 Ton	$ 5.00 Ton	$ 4.50 Ton	
#2S	No Bid	$ 4.60 Ton	2A $ 4.75 Ton	$ 4.40 Ton	
# 1 & 2 Mixed	$ 4.90 Ton	$ 5.00 Ton	$ 5.00 Ton	$ 4.60 Ton	
#3	$ 4.75 Ton	$ 4.70 Ton	$ 4.75 Ton	$ 4.40 Ton	
#4	No Bid	$ 4.70 Ton	$ 4.75 Ton	$ 4.40 Ton	
#4A	No Bid	$ 4.70 Ton	$ 4.75 Ton	$ 4.40 Ton	
Bank Run Screenings	No Bid	$ 4.95 Ton	$ 5.15 Ton	$ 4.40 Ton	
Fine Quarry Run	Secondary Surge Pile $ 5.10 Ton	$ 4.00 Ton		$ 4.25 Ton	
Crusher # 1	$ 4.10	$ 4.25	$ 4.15		
# 2	$ 3.85	$ 3.70	$ 3.75	$ 4.00	
# 3	No Bid	$3.70	$ 3.75	$ 3.90	

Page 3	Bflo Slag Co., Inc.	Lancaster Stone Prod. Corp.	Custom Topsoil 320 Losson Rd. Cheek. 14227	Frey Concrete Inc. 561 Pavement Rd. Lancaster N.Y. to April 30, 1983	Bflo. Crushed Stone Inc.	Pine Hill Concrete Mix Corp. 2255 Bailey Ave. Buffalo 14211 to 4/5/83	County Line Stone Co., Inc.	Gernatt Asph.Prod. Collins N.Y.	Clarence Hackett Blasdell
Oiling Stone 1'As	$ 6.30 Ton	$ 4.95 Ton			2A Stone $4.60		$ 4.95		*to 6/30/
Crusher Run 6"	No Bid	$ 3.70 Ton			$3.75 Ton		$ 4.00		
5" Crusher Screenings (Surge Pile)	$ 5.10 Ton	No Bid			$3.75 Ton		$ 4.00		
Slag Bank Run	Woodlawn Plant 81 $ 2.50 Ton					Gravel Bank Run $2.00 yd. $3.00 F.O.B.Pits			Stell Slag $ 1.75
Rip Rap Unselected	$ 5.10 Ton	$ 4.40			No Bid		$ 4.25		
Crusher Screenings	No Bid	$ 3.60			No Bid		No Bid		
Sand	No Bid					$6.25 ton		Conc.Sand $3.05	
ea Gravel	No Bid					$3.50 ton		$4.20	
ashed Gravel (Various Sizes	No Bid					$4.50 ton		* $4.20	
op Soil egular		$3.00 pick-up* $7.00 ton/deliv.	$8.00 pick-up $13.75 deliv.	$2.70 ton pick-up $5.90 ton deliv.					
creened			$13.00 pick-up $16.75 deliv.						
hredded			$ 9.00 pick-up $14.75 deliv.						
		Top Soil Pick-up Ledge Rd. off 77 Alabama Plant/Ton						all gravel crushed prices fob plant prices net amt.	after this price increase expected

Concrete Blocks - per cube	Buffalo Block Co. 242 Hopkins St. Buffalo, N.Y. 14220	Frey Concrete	Pine Hill Concrete
6" stamdard, hollow 100/cube	115/Cube $.46 ea. Cube $52.90		
6" ½ block, hollow 200/cube	$.28 ea. Cube $56.00		
8" standard, hollow 90/cube	$.63 ea. Cube $56.70		
8" ½ block, hollow 140/cube	120/cube $.36 ea. Cube $43.20		
10" standard, hollow 65/cube	67/Cube $.77 ea. Cube $51.59		
10" ½ block, hollow 120/cube	134/cube $.43 ea. Cube $57.62		
Concrete brick standard 784/cube	720/Cube $139.50M Cube $100.44		
Fine Aggregate for Concrete			$5.00 ton F.O.B. Pavement Rd., Lanc.
Cement - Item 15 - Portland			$16.00 per BBL
Class A Concrete, Aggregate Only			$29.50 per BBL
Class B Concrete Aggregate w/Possolith			$29.50 per BBL plus 30¢ per bag treated
Concrete Mix 1 - 2 - 3 Mix		Heated 11/1 to 4/30 $6.00 $54.00 yard	Heated $6.00 $5.75 Bag $50.50 yd.
1 - 2 - 3 Mix w/Calcium		$54.00 plus following calc. price per yd.	$50.50 yd.
Calc[illegible]		½% $.55	½% $.08 per b[illegible] 1½% $.23

Cubic Yards (Short Load Charges	Frey Concrete	Pine Hill
1/4	$ 63.50	$ 60.13
1/2	77.00	70.25
3/4	90.50	80.37
1	94.00	90.50
1 1/4	107.50	100.63
1 1/2	121.00	110.76
1 3/4	134.50	120.89
2	138.00	131.02
2 1/4	151.50	141.14
2 1/2	165.00	151.26
2 3/4	178.50	161.39
3	182.00	171.52
3 1/4	195.50	181.65
3 1/2	209.00	191.77
3 3/4	222.50	201.90
4	226.00	212.02
4 1/4	239.50	222.14
4 1/2	253.00	232.27
4 3/4	266.50	242.50
5	270.00	252.62
	Town is allowed 5 min. per yd. unloading time	See schedule attached for 6# Bag M[illegible]

Cubic Yards (Short Load Charges)	Frey Concrete	Pine Hill
5 1/4	$283.50	$265.25
5 1/2	297.00	277.88
5 3/4	310.50	290.51
6	324.00	303.00
6 1/4	337.50	315.63
6 1/2	351.00	328.26
6 3/4	364.50	340.26
7	378.00	353.52
7 1/4	391.50	366.15
7 1/2	405.00	378.78
7 3/4	418.50	391.41
8	432.00	404.04
8 1/4	445.50	416.67
8 1/2	459.00	429.30
8 3/4	472.50	441.93
9	486.00	454.56
9 1/4	499.50	467.19
9 1/2	513.00	479.82
9 3/4	526.50	492.45
10	540.00	505.08

See Page Before

	Bflo Slag Co.	Lanc. Stone Prod. Corp.	Krantz Asphalt	Frey Concrete	Duch Bldrs.	Pine Hill	Western Bituminous Prod. 1655 Union Rd W.Seneca	Gernatt Asphalt P
Road Oil								
AC Item 6.P - Asphalt for Penetration Construction			$ .98 gal.				$ .98	
MC Item 67B MCO Heavy Duty Layer Cold Application			$1.25 gal.				$1.25	
RC Item 70B Surface Treatment Asphalt Emulsion			$ .7725 gal.				$ .7725	
RC Item 70B Grace C Surface Treatment Asphalt Emulsion			$ .7725 gal.				$ .7725	
MC-1 Penetrating Oil			$1.25 gal.				$1.25	
Road Tars			Asphalt Emulsion RS-1;RS-2;CRS-1; CRS-2 $.7725 (Med.Curing Asphalts) (Rapid Curing Asph.) $1.25 gal. Asphalt Binder $.98		Re-cycled Asph. Type 3 Binder 18.50 Type 1 Base 17.70 Type 6 Top 21.50 if avail.		$1.29	
ement				$4.40 Bag	* $4.44 Bag			
ortar				$3.75 Bag	* $3.61 Bag			
RAVEL 1 ½ "	No Bid			#1 Stone $4.05 T. 1A " 3.10 T. 2 " 3.95 T. 3 &4 " 3.50 T.		5/16 oiling $5.87 $3.50 P.U. 5/8 concr.$7.37 ** P.U$5.00		
cit NYS DOT Spec.	Deliv. $5.15 Pick-up NO BID			Alex. N.Y. pick-up $2.60 ton $5.80 Ton Deliv.				$2.40 Ton
				GRavel Schedule Attached	* If there should be a price increase of our cost -you will be advised and a price change made accordingly.	**1½ Conc.$6.87 P.U. $4.50 P.U.-Pick-up Pavement Rd. Lancaster		

SHORT LOAD CHARGES - Sidewalk Mix - (Pea Gravel or Aggregate)

Pine Hill (6 BAG MIX ONLY) $47.50 cyd

1/4 yd = 12.87

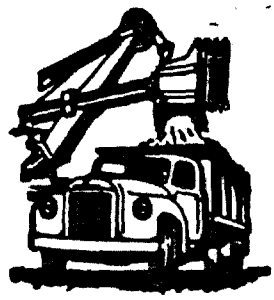
Short Load Charge:

CUBIC YARD	TOTAL COST TO US
1/4	12.87 + 47.50 = 60.37
1/2	70.75
3/4	81.12
1	91.50
1 1/4	101.87
1 1/2	112.25
1 3/4	122.62
2	133.00
2 1/4	143.37
2 1/2	153.75
2 3/4	164.12
3	174.50
3 1/4	184.87
3 1/2	195.25
3 3/4	205.62
4	216.37
4 1/4	226.75
4 1/2	237.12
4 3/4	247.50
5	257.50

CUBIC YARD	TOTAL COST TO US
5 1/4	270.37
5 1/2	283.24
5 3/4	296.11
6	308.98
6 1/4	321.85
6 1/2	334.75
6 3/4	347.59
7	360.50
7 1/4	373.36
7 1/2	386.25
7 3/4	399.12
8	411.99
8 1/4	424.87
8 1/2	437.75
8 3/4	450.63
9	463.50
9 1/4	476.37
9 1/2	489.25
9 3/4	502.12
10	515.00

FREY
SAND & GRAVEL CORP.

OFFICE: 561 PAVEMENT RD. LANCASTER, N.Y. 14086 PHONE 683-1432



MATERIALS PRICE LIST AS OF 4/1/82

FILTER SAND	$7.85/TON
MASON SAND	5.50
CONCRETE SAND (GRIT)	4.15
MIXED SAND & GRAVEL (SIDEWALK MIX)	4.65
CRUSHED GRAVEL STONE:	
#1 STONE 5/16" TO 5/8" (CONC. AGGR.)	4.05
#1A STONE	3.10
#2 STONE	3.95
#3 & 4 STONE 1-1/4" PLUS	3.50
ROAD SAND (ABRASIVES FOR ICE CONTROL)	2.70
FINE SAND	3.80
FILL DIRT (BASE FOR HORSE & FREE STALLS)	2.35
TOP SOIL	2.80
BANKRUN	2.50
BEDDING MATERIAL	2.50
PLANT RUN (MINUS 2" SMALLER STONE NOT CRUSHED).	3.25
COLD MIXES - AVAILABLE UPON REQUEST	
THE FOLLOWING MATERIALS AVAILABLE UPON RECEIPT OF ADVANCE NOTICE AND VOLUME NEEDED:	
CRUSHER RUN BANKRUN (MINUS 2")	3.40
CRUSHER RUN BANKRUN (MINUS 2") UNLOADED	3.00

THESE PRICES ARE FOB AT PLANT AND ARE SUBJECT TO A DISCOUNT OF .$10 PER TON PROVIDED PAYMENT IS RECEIVED WITHIN 10 DAYS OF INVOICE DATE. CUSTOMERS ARE BILLED THE 15TH AND 30TH OF EACH MONTH. A SERVICE CHARGE OF 1-1/2% PER MONTH WILL BE CHARGED ON ALL OVERDUE ACCOUNTS. THE STATE OF NEW YORK AND POLITICAL SUBDIVISIONS THEREOF WILL BE INVOICED AT PRICES $.10 LOWER THAN PRICES LISTED ABOVE - SUCH PRICES BEING NET. ALL PRICES ARE SUBJECT TO CHANGE ON 30 DAYS WRITTEN NOTICE. WE RESERVE THE RIGHT TO LIMIT SHIPMENT SIZES WHENEVER NECESSARY.

FREY SAND & GRAVEL CORPORATION

PLANT: DRY BRIDGE RD. ALEXANDER, N.Y. PHONE: 591-1515

Item No. 12 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilman J. V. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, Howard Neon Displays has requested permission to erect two 12 ft. by 25 ft. billboard signs, one facing East and one facing West, at 3325 Genesee Street, said sign to be on a single pole, be set back 35 ft. from the front lot line and be a maximum of 32 ft. above grade.

WHEREAS, said application was referred to the Building Inspector of the Town of Cheektowaga, and

WHEREAS, said Building Inspector has recommended approval of said sign application, NOW, THEREFORE, BE IT

RESOLVED, that Howard Neon Displays be and is hereby granted permission to erect two 12 ft. by 25 ft. billboard signs, one facing East and one facing West at 3325 Genesee Street, said signs to be on a single pole, be set back 35 ft. from the front lot line and be a maximum of 32 ft. above grade.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

RESOLVED that Thaddeus Klosko, of Cheektowaga, New York, is hereby reappointed as the residential member of the Cheektowaga Air Pollution Board; said appointment to be for a term of four (4) years, effective the date of this resolution.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

RESOLVED that Robert Winklhofer, of Cheektowaga, be and hereby is re-appointed to the Cheektowaga Board of Assessment Review; said appointment to be for a period of five (5) years; retroactive to April 12, 1982, AND, BE IT FURTHER

RESOLVED that Francis P. State, of Cheektowaga, New York, be and hereby is appointed to the Cheektowaga Board of Assessment Review, to fill the unexpired term of Sally Vastola, who vacated said position; said appointment to be for a period of four (4) years; retroactive to April 12, 1982.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, a permanent Clerk Typist position in the Assessor's Office has been posted in accordance with the terms of the bargaining agreement between the Town of Cheektowaga and the Cheektoeaga Employees Association, and

WHEREAS, bids for the above position have been received and reviewed, NOW, THEREFORE, BE IT

RESOLVED that Sherry L. Witt, of Cheektowaga, presently employed in the Assessor's Office as a temporary Clerk Typist, and whose name appears on the current Civil Service list of eligibles for the position of Clerk Typist-Permanent Appointment, be and hereby is permanently appointed to the position of Clerk Typist in the Assessor's Office, said appointment effective immediately.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, a permanent Clerk Typist position has been posted in the Cheektowaga Police Department in accordance with the terms of the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, AND

WHEREAS, bids have been received and reviewed for this position by the Chief of Police, NOW, THEREFORE, BE IT

RESOLVED, that Carol Bannister, presently serving in the temporary Clerk Typist position in the Police Department, be and hereby is appointed to the permanent position of Clerk Typist; said appointment retroactive to April 19, 1982.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 18 Appointment of Recreation Instructor.
This item was withdrawn.

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

WHEREAS, the position of "Supervising Accountant" has previously been created by Town Board resolution, AND

WHEREAS, William Wielinski, Bookkeeper to the Supervisor, appears second on the certified list of eligibles provided to the Town by the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED that William Wielinski, be and hereby is appointed to the position of "Supervising Accountant", at his present rate of pay; said appointment effective immediately, and BE IT FURTHER

RESOLVED that effective with this appointment, the position of Bookkeeper to the Supervisor be and hereby is abolished.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 20 Hiring in various departments.
This item was withdrawn.

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

WHEREAS, the Town Board adopted a resolution on the 19th day of April, 1982, authorizing the Cheektowaga Facilities Department to hire certain part-time recreational and seasonal maintenance employees on an annual basis, AND

WHEREAS, the Town of Cheektowaga Employees Association has objected to the hiring of part-time recreational and seasonal maintenance employees at a wage rate which is within the economic limitations of the Town budget, NOW, THEREFORE, BE IT

RESOLVED that the attached resolution adopted on April 19, 1982, authorizing the Cheektowaga Facilities Department to hire part-time and seasonal recreational and maintenance employees on an annual basis is hereby rescinded, AND BE IT

FURTHER RESOLVED that the services of these employees as part-time and seasonal employees is hereby terminated.

*SEE NEXT TWO (2) PAGES FOR COPY OF RESOLUTION OF APRIL 19, 1982.

No. 11

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the.....19th.....day of.....April....., 1982.... at.....7:00.....o'clock p.m. Eastern.....Standard.....Time there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz

ABSENT: 0

Motion by Councilman W. Rogowski Seconded by Supervisor Meyers

WHEREAS, the Cheektowaga Facilities Department requires Seasonal and Part-Time employees to service recreational and seasonal maintenance functions on an annual basis, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby appoints the following personnel as listed hereinafter:

BEACH & POOL 7181.149

Seasonal Employee at $5.00 per hour

Raymond Schieder Chktg., N.Y. 14225

PARKS DIVISION 7110.149

Seasonal Employee at $3.10 per hour

Alan Glogowski Chktg., N.Y. 14212

STREET LIGHT MAINTENANCE L5182.149

Seasonal Employee at $5.00 per hour - Effective 4/26/82

Gene Ruszkowski Chktg, N.Y.

STREET LIGHT MAINTENANCE L5182.149

Seasonal Employees at $3.10 per hour - Effective 4/26/82

Mark Banaszak
Joe Stallone
Wayne Cummings
Kevin Dzwigal
James Horst

VAN-DRIVERS (Part-Time)

Department of Senior Services at $3.75 per hour - Effective 4/20/82

Henry Karasiewicz
Henry Zdarsky
Casimer Dukat

RECREATION DEPARTMENT

Seasonal Laborer at $3.10 per hour - Retroactive to March 26, 1982

Jack Kirisits

SEWAGE TREATMENT PLANT

Seasonal Laborer - $3.10 per hour

Francis R. Norman

SEWER MAINTENANCE

Seasonal Employee at $3.10 per hour

John R. Kremblas

PARKS DIVISION 7110.149

Seasonal Employees at $3.10 per hour - Effective 4/20/82

Jerome Kapturowski
Gary A. Wazny
James D. Kucewicz
Anthony Siergiej
Michael Olejniczak
Jerome Czajka
Andrew J. Rutski
Larry Wojciechowski
Roy Scherrer

TRANSFER FROM PART-TIME SEASONAL to FULL TIME SEASONAL:

Town Attorney's Office - $5.00 per hour - Effective immediately
Kevin Schenk, Law Clerk

Upon roll call .....

Supervisor Meyers	Voting	AYE
Councilman Swiatek	Voting	AYE
Councilman Johnson	Voting	AYE
Councilman Dux	Voting	AYE
Councilman W.P. Rogowski	Voting	AYE
Councilman J.V. Rogowski	Voting	AYE
Councilman Jaworowicz	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

Item No. 21 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Erie County Department of Personnel has notified the Supervisor's Office that the position of Part-Time Van Driver in the Department of Senior Services, must be created through the submission of County PO-17 forms, and

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel creating seven (7) Part-Time Van Driver positions, to accommodate the seven employees who presently hold these positions, and

WHEREAS, the Erie County Deparrment of Personnel has approved the creation of seven (7) Part-Time Van Driver positions, NOW, THEREFORE, BE IT

RESOLVED that seven (7) Part-Time Van Driver positions in the Cheektowaga Department of Senior Services, be and hereby are created.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 23 Termination of employees from Cheektowaga Youth Bureau's Recycling Program.
This item was withdrawn.

Item No. 24 Motion by William P. Rogowski, seconded by Councilman Dux

BE IT RESOLVED that the following individuals have completed their employment period as Seasonal Employees in the Sanitation Department and are hereby terminated effective as follows:

Fenske, Ron J.	4/23/82
Domin, James P.	4/30/82
Mallwitz, Marc	4/30/82

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman W. P. Rogowski, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga is a first class Town as that term is defined under Articles 1 and 2 of the New York State Town Law, AND

WHEREAS, the Town of Cheektowaga Town Board is vested with certain powers as defined under Articles 12 and 14 of the New York State Town Law, AND

WHEREAS, the Town of Cheektowaga Town Board is desirous of providing certain summer services and recreational activities to its citizens during the upcoming summer months, AND

Item No. 25 Cont'd.

WHEREAS, the citizens of the Town of Cheektowaga have indicated a desire to have such services in that they are in furtherance of the public health and welfare, AND

WHEREAS, the Town Board and the Town of Cheektowaga require certain services to be performed in order to offer summer and recreational activities to the citizens of the Town, AND

WHEREAS, the services to be performed are such that they are outside the scope of the duties regularly performed by full-time Town employees and can most efficiently, economically and effectively be provided for by the hiring of summer trainees, AND

WHEREAS, the Town is desirous of hiring these trainees in order to allow them the opportunity to develop on-the-job training and to provide the additional services required by the Town, NOW, THEREFORE, BE IT

RESOLVED that the Town Board be and hereby establishes the job classifications of summer trainees and trainee supervisors to provide the performance of summer and recreational activities to the citizens of the Town of Cheektowaga, at the following wage rates, effective immediately:

Trainee Supervisor - $5.00

Summer Trainee - $3.10

AND BE IT

FURTHER RESOLVED that the Town Board hereby appoints the following personnel as listed hereinafter, effective immediately:

BEACH & POOL 7181.149

Trainee Supervisor at $5.00 per hour

Raymond Schieder Chktg., N.Y. 14225

PARKS DIVISION 7110.149

Summer Trainee at $3.10 per hour

Alan Glogowski Chktg., N.Y. 14212

STREET LIGHT MAINTENANCE L5182.149

Trainee Supervisor at $5.00 per hour

Gene Ruszkowski Chktg., N.Y.

STREET LIGHT MAINTENANCE L5182.149

Summer Trainee at $3.10 per hour

Mark Banaszak
Joe Stallone
Wayne Cummings
Kevin Dzwigal
James Horst

VAN-DRIVERS (Part-time)

Department of Senior Services at $3.75 per hour - Effective 4/20/82

Henry Karasiewicz
Henry Zdarsky
Casimer Dukat

Item No. 25 Cont'd.

RECREATION DEPARTMENT

Summer Trainee at $3.10 per hour - Retroactive to March 26, 1981

Jack Kirisits

SEWAGE TREATMENT PLANT

Summer Trainee at $3.10 per hour

Francis R. Norman

SEWER MAINTENANCE

Summer Trainee at $3.10 per hour

John R. Kremblas

PARKS DIVISION 7110.149

Summer Trainee at $3.10 per hour - Effective 4/20/82

Jerome Kapturowski
Gary A. Wazny
James D. Kucewicz
Anthony Siergiej
Michael Olejniczak
Jerome Czajka
Andrew J. Rutski
Larry Wojciechowski
Roy Scherrer

TOWN ATTORNEY'S OFFICE

Part-time Law Clerk at $5.00 per hour

Kevin Schenk

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

Item No. 26 Motion by Councilman Dux, seconded by Councilman W. P. Rogowski

WHEREAS, Richard Kozell and David Przepiora, Police Officers in the Cheektowaga Police Department, have received orders to report for military training for the periods of May 15 through May 29, 1982 and July 9 through July 25, 1982, respectively, 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 hereby approves said Military Service Leaves for Officer Kozell for the period May 15-29, 1982 and for Officer Przepiora for the period July 9-25, 1982.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

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

WHEREAS, the Association of Labor-Management Administrators and Consultants on Alcoholism (ALMACA), will hold its 4th Annual Eastern Regional Conference, June 13, 14, 15, and 16, 1982, at the Sheraton Regal Inn, in Hyannis Port, Massachusetts, and

WHEREAS, Ted Brayer, Director of Personal Services, has requested permission to attend said conference, NOW, THEREFORE, BE IT

RESOLVED that Ted Brayer, Director of Personal Services for the Town of Cheektowaga, be and hereby is authorized to attend said conference, June 13, 14, 15, and 16, 1982, in Hyannis Port, Massachusetts, and BE IT FURTHER

RESOLVED that Ted Brayer shall be reimbursed for all necessary registration fees and travel expenses in connection with said conference, at a cost not to exceed $350.00.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 28 Hiring of outside contractors.
This item was withdrawn.

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

WHEREAS, the Erie County Health Department, Chapter 14, requires a three compartment service sink within the Senior Citizens Center kitchen, AND

WHEREAS, Kirst Construction Inc., General Contractor has submitted a proposal to provide all material and service required to install a three compartment stainless steel sink, in lieu of a two compartment sink as required by Chapter 14 of the Erie County Health Department, AND

WHEREAS, Frederick D. Marzak Architects, PC has reviewed and approved said proposal submitted by Kirst Construction, Inc., General Contractor, as documented in Change Order GC-2, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorize Change Order GC-2 as submitted by Kirst Construction Inc., 7170 Boston State Road, North Boston, New York, 14110, in the amount of Two Hunderd Forty Dollars ($240.00).

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR COPY OF CHANGE ORDER GC-2.

CHANGE ORDER

AIA DOCUMENT G701

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☒
FIELD ☐
OTHER ☐

PROJECT:
(name, address) Senior Citizen Center
Cheektowaga, New York

CHANGE ORDER NUMBER: GC-2

TO (Contractor)

Kirst Construction Inc.
7170 Boston State Road
North Boston, New York
14110

ARCHITECT'S PROJECT NO:

CONTRACT FOR: General Construction

CONTRACT DATE: October 5, 1981

You are directed to make the following changes in this Contract:

Provide all Material and services required to install a three compartment stainless steel sink (in lieu of two compatment) in the Kitchen to comply with the Code of the Health Department, Chapter 14 and in accordance with the attached proposal dated April 6, 1982.

The original Contract Sum was	$ 741,194.00
Net change by previous Change Orders	$ 48,980.00
The Contract Sum prior to this Change Order was	$ 790,174.00
The Contract Sum will be (increased) (~~decreased~~) (~~unchanged~~) by this Change Order	$ 240.00
The new Contract Sum including this Change Order will be	$ 790,414.00
The Contract Time will be (~~increased~~) (~~decreased~~) (unchanged) by	(-0-) Days.
The Date of Completion as of the date of this Change Order therefore is	September 1, 1982

F.D.Marzak Architects PC	Kirst Constructio Inc.	Town of Cheektowaga
ARCHITECT	CONTRACTOR	OWNER
3374 Genesee Street	7170 Boston State Road	Broadway & Union Road
Address	Address	Address
Cheektowaga, New York	North Boston, New York	Cheektowaga, New York
BY Frederick W. Marzak	BY Daniel D. Kirst	BY Kenneth J. Meyer
DATE April 9, 1982	DATE 4-16-82	DATE May 5, 1982

AIA DOCUMENT G701 • CHANGE ORDER • APRIL 1970 EDITION • AIA® • © 1970 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., NW, WASHINGTON, D.C. 20006

Item No. 30 Motion by Supervisor Meyers, seconded by Councilman W. P. Rogowski

WHEREAS, the Erie County Health Department has requested the installation of a hand lavatory in the Cheektowaga Senior Citizen Center, kitchen, AND

WHEREAS, Matthew Kandefer Plumbing, has submitted a proposal to furnish and perform all servoce required to install a stainless steel hand lavatory in compliance with Chapter 14 of the Erie County Health Department Code, AND

WHEREAS, Frederick D. Marzak Architects, PC, has reviewed and approved Change Order P-3, as submitted by Matthew Kandefer Plumbing, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approve Change Order P-3 in the amount of Four Hundred, Forty-five Dollars ($445.00), as submitted by Matthew Kandefer Plumbing, 873 Mineral Springs Road, West Seneca, New York, 14224.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR COPY OF CHANGE ORDER P-3.

No. 11

CHANGE ORDER

AIA DOCUMENT G701

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☒
FIELD ☐
OTHER ☐

PROJECT: (name, address) Senior Citizens Center
Cheektowaga, New York

CHANGE ORDER NUMBER: P-3

TO (Contractor)

Matthew Kandefer Plumbing
873 Mineral Springs Road
West Seneca, New York
14224

ARCHITECT'S PROJECT NO:

CONTRACT FOR: Plumbing Work

CONTRACT DATE: October 5, 1981

You are directed to make the following changes in this Contract:

Provide all material and services required to install a stainless steel hand sink and a three compartment sink(furnished by the G.C.) in the Kitchen to comply with the Code of the Health Department, Chapter 14 and in accordance with the attached Proposal dated March 29, 1982.

The original Contract Sum was	$ 65,495.00
Net change by previous Change Orders	$ 16.067.00
The Contract Sum prior to this Change Order was	$ 81,562.00
The Contract Sum will be (increased) (~~decreased~~) (~~unchanged~~) by this Change Order	$ 445.00
The new Contract Sum including this Change Order will be	$ 82,007.00
The Contract Time will be (~~increased~~) (~~decreased~~) (unchanged) by	(0) Days.
The Date of Completion as of the date of this Change Order therefore is	Septmeber 1, 1982

F.D.Marzak Architects PC	Matthew Kandefer Plumb.	Town of Cheektowaga
ARCHITECT	CONTRACTOR	OWNER
3374 Genesee Street	873 Mineral Springs Rd.	Broadway & Union Road
Address	Address	Address
Cheektowaga, New York	West Seneca, New York	Cheektowaga, New York
BY Frederick D. Marzak	BY Matthew F. Kandefer	BY Kenneth J Meyer
DATE April 6, 1982	DATE 4/16/82	DATE May 5, 1982

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

WHEREAS, there is need to approve a Change Order for additions to the contract of the Sewer District #5 Sanitary Sewer Rehabilitation Work, as documented in the letter of the Town Engineer dated April 29, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 20 as an addition to the contract of M.C. Morgan Contractors Inc. for sanitary sewer rehabilitation work in the Town's Sanitary Sewer District #5 is approved, 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 No. 20 in the amount of $20,191.00 on behalf of Sanitary Sewer District #5.

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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

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, John Ogiony, the developer of the Coatsworth Part 10 Subdivision, has submitted the required Public Improvement Permit application, plans and specifications, permit fee and drainage easement descriptions as shown on Map Cover 2422 for Phase III of this subdivision, NOW, THEREFORE, BE IT

RESOLVED, that this Public Improvement Permit be approved for Coatsworth Part 10, Phase III, AND, BE IT FURTHER

RESOLVED, that the Town Attorney be directed to record said drainage easements in the Erie County Clerks Office.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

WHEREAS, on January 29, 1982, the Town of Cheektowaga acquired an easement at the corner of Maryvale Drive and Beach Road from Amalgamated Meat Cutters Local 34, Inc. for the Beach Road Drainage Project, Phase II; and

WHEREAS, Amalgamated Meat Cutters Local 34, Inc. is currently seeking compensation from the Town far in excess of what the Town had the property appraised at; and

WHEREAS, Mr. Robert C. LaPort, Appraiser, submitted to the Town an Appraisal Report, dated September 17, 1981, for the aforesaid easement; and

Item No. 33 Cont'd.

WHEREAS, this Town Board deems it desirable to have Mr. Laport review the Appraisal Report prepared for Amalgamated Meat Cutters Local 34, Inc. and give the Town his expert analysis of the same; NOW, THEREFORE, BE IT

RESOLVED, that Mr. LaPort be directed to prepare his analysis of the aforesaid Appraisal Report prepared for Meat Cutters Local 34, Inc. for a reasonable fee, to be determined by the Town Engineer and the Town Attorney.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, there is need for a telemetry system for pump station monitoring so as to provide signals to the Main Pump Station control room, which control room will be staffed continuously, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Nussbaumer & Clarke, Inc., as submitted in their letter of April 28, 1982 to the Town Engineer for the preparation of bid documents and a grant amendment application, be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is directed and authorized to sign said agreement with the consulting firm of Nussbaumer & Clarke, Inc., AND, BE IT FURTHER

RESOLVED, that the cost of said engineering services, in an amount not to exceed $6,500.00, is to be charged to the Sanitary Sewer District #5 Remedial Program budget, item S8125.493.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the New York State Thruway Authority has widened the on-off ramps from the Kensington Expressway to the eastbound Thruway, AND

WHEREAS, said rewidening has caused the street light standards on subject ramps to be a hazard to motor vehicles as a result of the close proximity of the standards to the pavement, NOW, THEREFORE, BE IT

RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to remove six (6) - 17200 lumen mercury vapor lamps at $126.91 each (annual chagre); 744 feet of underground conductors in municipally owned duct at .2137¢ per foot; and to install approximately 125 feet of direct burial underground conductor at .4028¢ per foot, for a total annual decrease of $870.10, AND BE IT

FURTHER RESOLVED that a one-time cost of $453.32 will be charged to the Town by New York State Electric & Gas Corporation for the return of five (5) damaged standards; the removal and return of one (1) undamaged standard to the Town; and for the unrecovered cost for one (1) - 17200 lumen mercury vapor fixture, in accordance with the attached proposal which is hereby made a part of this Resolution.

*SEE NEXT TWO (2) PAGES FOR PROPOSAL FROM NEW YORK STATE ELECTRIC & GAS

April 29, 1982

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

This proposal is to remove lights, standards, bases, and conductors on the Kensington Expressway on and off ramp to the Thruway as requested by Councilman Johnson (see the attached sketch).

At the present time, standard nos. 390-2(1/5/82, 390-4(12/26/79), 393-2(4/6/82), 393-3(2/18/80), 393-4(1/5/82), have been hit by motorists on the dates noted in parentheses. Standard #390-3 will be removed in the field and returned to the Town of Cheek.

Annual Charges:

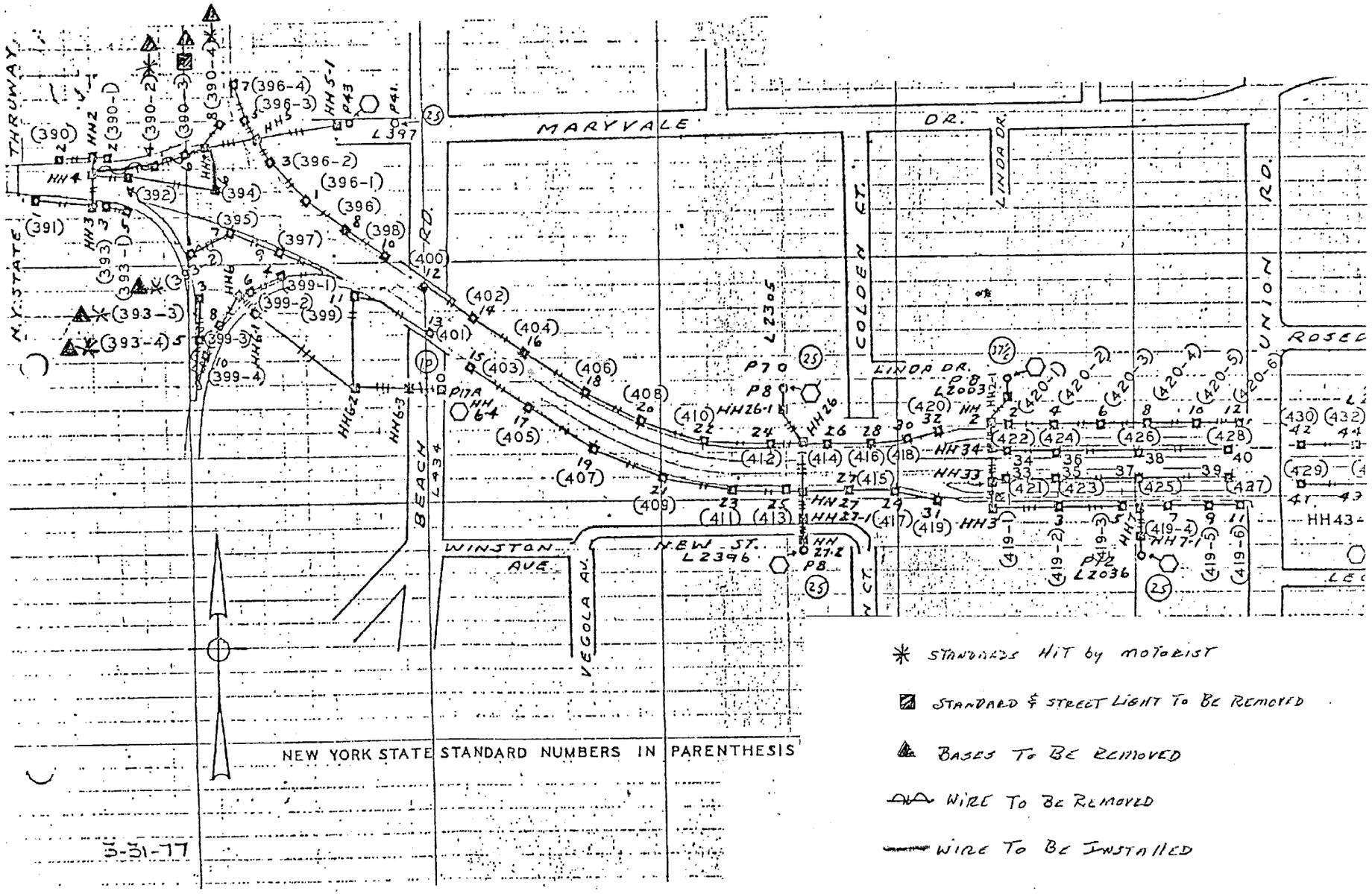
Remove 6 - 17200 lumen MV lamps @ $126.91 ea. ----------	$ 761.46
Remove 744' underground conductors in municipally owned duct at .2137 per foot ----------	$ 158.99
(total decrease)	$ 920.45
Install approx. 125' direct burial underground conductor @ .4028 per foot ----------	$ 50.35
TOTAL ANNUAL DECREASE	$ 870.10

In addition to the annual charges, a one-time charge for the following will be made:

Return five damaged and remove and return one undamaged standard to the Town of Cheektowaga Maintenance Building	$ 404.40
Unrecovered cost for 1 - 17200 lumen MV fixture --------	$ 48.92
TOTAL	$ 453.32

Total one-time charge of $453.32 to be included on the street lighting bill to the Town of Cheektowaga after work is field completed. On the same bill, a credit will be given to the Town of Cheektowaga for the period of time the five street lights were out of service (the day out of service to the day removed from billing) approximately $575.00.

NEW YORK STATE ELECTRIC & GAS CORP.


N.Y. STATE THRUWAY
MARYVALE DR.
COLDEN CT.
LINDA DR.
UNION RD.
BEACH RD.
WINSTON AVE.
NEW ST.
VEGOLA AV.
L 2305
L 2396
L 2003
L 2036
L 1434
L 397
P 70
P 8
P 43
P 41
P 42
P 8A
HH 1
HH 2
HH 3
HH 4
HH 5-1
HH 6-1
HH 6-2
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HH 6-4
HH 26
HH 26-1
HH 27
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HH 34
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NEW YORK STATE STANDARD NUMBERS IN PARENTHESIS
5-31-77
* STANDARDS HIT by MOTORIST
STANDARD & STREET LIGHT TO BE REMOVED
BASES TO BE REMOVED
WIRE TO BE REMOVED
WIRE TO BE INSTALLED
KENSINGTON EXPRESSWAY
TOWN OF CHEEKTOWAGA

Item No. 35 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, New York State Electric & Gas Corporation routinely replaces defective mercury vapor fixtures in the Town of Cheektowaga and has recommended that such defective mercury vapor tixtures be replaced with high pressure sodium lamps in the future, AND

WHEREAS, high pressure sodium lamps produce approxilately twice the light output (lumens) per watt as mercury vapor fixtures and are generally a more efficient unit, AND

WHEREAS, said replacement of devective mercury vapor fixtures by New York State Electric & Gas Corporation with high pressure sodium lamps would conserve energy and result in a decrease in the cost to the Town to operate such street lighting facilities, NOW, THEREFORE, BE IT

RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to replace defective mercury vapor fixtures with high pressure sodium lamps in the Town of Cheektowaga in accordance with the attached proposal which is hereby made a part of this Resolution.

*SEE NEXT PAGE FOR STREET LIGHTING PROPOSAL.

No. 11

STREET LIGHTING PROPOSAL

Re: Replacement of defective mercury vapor fixture;

STANDARD FIXTURES ON OVERHEAD WOOD POLES

Remove mercury vapor	Install HPS	Annual Cost Difference*
7000 lumen	5200 lumen	$ 12.47 decrease
9400 lumen	8500 lumen	$ 17.96 decrease
17200 lumen	14400 lumen	$ 46.50 decrease
48000 lumen	45000 lumen	$141.84 decrease

POST-TOP FIXTURES

Remove mercury vapor	Install HPS	Annual Cost Difference
7000 lumen	5200 lumen	$ 12.87 decrease

Filed tariff costs plus fuel adjustment @.005 per kwh.

This proposal is to allow NYSEG to replace defective lights as shown above as soon as they are reported out. This will eliminate an extended period of time when that light could be out of service while a proposal is submitted and approved.

NEW YORK STATE ELECTRIC & GAS CORPORATION

No. 11

Item No. 36 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to May 3rd, 1982 are hereby approved and the SUPERVISOR is ordered to pay same.

FUND	CHECK NO. FROM TO	AMOUNTS
GENERAL FUND	16461-16606 19172,19162	$ 102,768.76
SPECIAL DIST. FUND	11722-11752	59,236.69
HIGHWAY FUND	6321-6353	23,067.00
FEDERAL REVENUE SHARING FUND	10383-10386	-0-
CAPITAL FUND	675-679	137,755.80
H.U.D.-C.D.B.G. FUND	453	72,000.00
PART TOWN FUND	670-674	517.44
DEBT SERVICE FUND	164-165	3,653.10
	wire transfer	350,237.50
		$ 749,236.29

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 38 Building Permits.
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 39 New York State Department of Transportation: Designation of Restricted Highway: Walden Avenue from Thruway interchange to intersection with Union Road.
Copies of this correspondence were sent to Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Anthony Osswald, Traffic Safety Commission; Captain Kempski, Police Department; and Alfred Wnek, Highway Superintendent.
This item was received and filed.

Item No. 40 New York State Department of Transportation: Notice of Order: Removal of signal heads at former Penn Central Railroad crossing on Genesee St. at Sugg Road.
Copies of this correspondence were sent to Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Anthony Osswald, Traffic Safety Commission; and Captain Kempski, Police Department.
This item was received and filed.

Item No. 41 Erie County Department of Public Works: Division of Highways: Designation of Restricted Highways: Indian Road, Rowley Road and Pine Ridge Road.
Copies of this correspondence were sent to Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Anthony Osswald, Traffic Safety Commission; and Captain Kempski, Police Department.
This item was received and filed.

Item No. 42 Town of Wales: Copies of resolutions opposing rate increases by National Fuel and New York State Electric and Gas.
Copies of this correspondence were sent to Kenneth J. Meyers, Supervisor; and Karen McAuley, Council Secretary.
This item was received and filed.

Item No. 43 Request from residents of East & West Melcourt and Sharon Court to spesk regarding rodent problem.
Copies of this correspondence were sent to Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Alfred Wnek, Highway Superintendent; Dr. Louis Vendetti, Health Officer; and James Kirisits, Town Attorney.
This item was received and filed.

Item No. 44 Notice of Claim: New York Telephone vs. Town of Cheektowaga.
Copies of this Claim were sent to Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Joseph J. Naples, Town's Insurance Carrier; Thomas M. Johnson, Jr., Town Councilman; and James Burst, Sewer Maintenance Foreman.
This item was received and filed.

Item No. 45 Notice of Claim: Anthony Rocco vs. Town of Cheektowaga.
Copies of this Claim were sent to Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E. T. Clauss & Co., Town's Insurance Carrier; Thomas M. Johnson, Jr., Town Councilman; Kenneth Kopacz, Executive Director of Youth Bureau; and Ronald Zoeller, Sanitation Foreman.
This item was received and filed.

Item No. 46 Notice from State Comptroller establishing Water District #8.
Copies of this Notice were sent to Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; and Karen McAuley, Council Secretary.
This item was received and filed.

IV. SUSPENSION OF RULES

Motion by Councilman J. V. Rogowski, seconded by Councilman Swiatek to suspend the rules to include the following items.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

No. 11

Item No. 47 Clean-up of property located at 187 Rossler Avenue.

Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Building and Plumbing Inspector regarding the ponding of water on property located at 187 Rossler Avenue (Sublots 23 & 24, Map Cover 263), Cheektowaga, New York, said property having Tax Account Number 7-81 and, according to the Assessor's Office, is owned by Frances Voelker, 187 Rossler Avenue, Cheektowaga, New York, and

WHEREAS, the Building Inspector has issued a violation order to said property owner stating that there exists a public nuisance on her property and requesting said owner to remedy the aforesaid violation, and

WHEREAS, the property owner has failed to remove the violation, and

WHEREAS, the Cheektowaga Justice Court has issued a court order authorizing the Building Inspector to enter the aforesaid premises and remedy said violation, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to §2-207 of the Housing Code of the Town of Cheektowaga, any and all costs incurred by the Building Inspector in remedying the aforesaid violation at 187 Rossler Avenue be a lien thereon and so be entered on the tax rolls for the property hereinbefore described as being due and payable.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 48 Authorize Supervisor to execute agreement between Erie County Water Authority and the Town

Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, this Town Board has previously adopted a resolution authorizing the construction of a Senior Citizens' Center on land owned by the Town situate east of the Town Hall on Broadway, in the Town, and

WHEREAS, construction of the aforesaid Senior Citizens' Center is currently progressing on schedule, and

WHEREAS, there is a need to secure water at the Senior Citizens' Center, and

WHEREAS, permission of the Erie County Water Authority is needed in order to make a connection to the main extension constructed by the Erie County Water Authority, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute the three (3) attached copies of the "Agreement For Water Service To Main Previously Installed By The Authority" between the Erie County Water Authority and the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the Town hereby agrees to pay to the Erie County Water Authority the sum of $1,974.00 for the cost of said extension.

SEE NEXT PAGES FOR AGREEMENT.

No. 11

AGREEMENT FOR WATER SERVICE TO MAIN
PREVIOUSLY INSTALLED BY THE AUTHORITY

AGREEMENT between ERIE COUNTY WATER AUTHORITY, a public benefit corporation of the State of New York, having its principal office at 350 Ellicott Square Building, Buffalo, New York 14203, hereinafter referred to as the "Authority," and TOWN OF CHEEKTOWAGA, Town Hall, Broadway & Union Road, Cheektowaga, New York 14227, hereinafter referred to as the "Applicant"; and

WHEREAS, the Applicant is interested in securing water at their Senior Citizens' Center, Broadway east of Union Road, Cheektowaga, New York 14227; and

WHEREAS, Applicant's premises abuts for a distance of 329 feet upon a certain main in Broadway, Cheektowaga, New York 14227 constructed by the Erie County Water Authority; and

WHEREAS, Applicant's premises can be served by a connection to said main extension; and

WHEREAS, the Authority is willing to make a connection to such extension to serve this premises upon the following terms and conditions hereinafter set forth:

NOW, THEREFORE, in consideration of the premises and the mutual promises and undertakings herein contained and for other good and valuable consideration, the parties hereto agree as follows:

1. The Applicant hereby applies to the Authority for a connection to the said main extension, and the Authority agrees to make such connection.

2. The Applicant, simultaneously with the execution and delivery of this agreement, will pay to the Authority the sum of $1,974.00, which will be the total cost, being the sum of $6.00 per foot, being a proportionate share of the main installation cost for that portion of the eight (8) inch main upon which the Applicant's property abuts, pursuant to OCP 3102.

3. The Authority reserves the right at any time, without notice, to shut off the water in its mains for the purpose of making repairs or extensions, or for other purposes, and it is expressly agreed that the Authority shall not be liable for a deficiency or failure in the supply of water, or water pressure, or for any damage caused thereby, or by bursting or breaking of any main or service pipe or any attachment to the Authority's property. All Customers having boilers, hot water heaters, interior piping, etc. upon their premises depending upon the pressure in the Authority's pipes to keep them supplied are cautioned against danger of collapse or bursting and all such damage shall be borne exclusively by the customers.

4. The Authority agrees that no property or premises shall be connected (except public fire protection) to the said main extension unless and until the owner or occupant thereof shall have entered into a contract to connect to the said extension and shall have made the payment and deposit under the terms and conditions as are required of the Applicant by the terms of this contract.

5. The mains laid or to be laid pursuant to this agreement shall be and shall remain the property of the Authority, its successors and assigns, and the Authority retains title to and shall have the right to extend any main installed by it pursuant to the terms of this agreement in or to other lands, streets , or avenues, but the Applicant shall not by reason thereof be entitled to any repayments.

6. Submetering. Only a Town, Village, or legally constituted water district is permitted to resell water supplied by the Authority, except as follows:

a. The total amount collected from those who are submetered by the Applicant shall not exceed the amount of the Authority's bill.

b. Except in the case of legally constituted condominiums, the submetering is done by the Owner and those persons submetered are the tenants.

c. In legally constituted condominiums, the homeowners association shall be permitted to submeter to the condominium owners.

d. Meters used for submetering will not be supplied, maintained, paid for, or read by the Authority.

7. Any authorized representative of the Authority shall have free access to the premises of the Applicant at any reasonable time for the purpose of reading the meter or inspecting the said connection.

8. This connection shall be made in accordance with the provisions of the Authority's Rules for the Sale of Water and the Collection of Rents and Charges.

9. This Agreement for Water Service to Main Previously Installed by the Authority constitutes the entire Agreement between the parties and supercedes all prior or other agreements and representations, oral or in writing. Neither this Agreement nor any term, covenant, provision, or condition may be changed, waived, discharged, or terminated orally or in any manner other than an instrument in writing executed and acknowledged by the party against whom the enforcement of the change, waiver, discharge, or termination is sought.

10. All the terms, covenants, provisions, conditions, and agreements hereinabove set forth or provided for shall be binding upon and enure to the benefit of the parties hereto and their respective heirs, distributees, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the ERIE COUNTY WATER AUTHORITY has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officers, and the Applicant has hereunto set his hand and the seal this 3rd day of May, 1982.

ATTEST: TOWN OF CHEEKTOWAGA

AL)

Richard M. Moleski — By Kenneth J. Meyer

Town Clerk — Supervisor

ATTEST: ERIE COUNTY WATER AUTHORITY

AL)

Donald J. Kane — By Donald O. Fuller

Secretary to the Authority — Chairman

No. 11

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

On this 3rd day of May, 1982, before me personally came Kenneth J. Meyers, to me known, who, being by me duly sworn, did depose and say that he resides at 305 McNaughton Ave. in the Town of Cheektowaga, New York, that he is the Supervisor of the Town of Cheektowaga, the corporation named in the foregoing indenture; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by a duly adopted resolution of the said Town and that he signed his name thereto by like resolution.

James J. Kirisits
Notary Public, State of NY

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

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

On this 6th day of May, 1982, before me personally came Donald A. Miller, to me known, who, being by me duly sworn, did depose and say that he resides at in the Town of Tonawanda, New York, that he is the Chairman of the ERIE COUNTY WATER AUTHORITY, the corporation named in the foregoing indenture; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by a duly adopted resolution of the said Authority and that he signed his name thereto by like resolution.

Joan M. Battaglia
Notary Public, State of NY

JOAN M. BATTAGLIA
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires March 30, 1984

No. 11

Item No. 48 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 49 Award of Bid: Manhole frames and covers.

Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

WHEREAS, bids were duly received by this Town Board on April 5, 1982 as a result of advertisement for the furnishing of manhole frames and covers, AND

WHEREAS, Kans Supply Inc., 1971 Gunnville Road, Lancaster, New York 14086 was the low bidder, AND

WHEREAS, the above mentioned company is a responsible bidder meeting the requirements of the specifications, AND

WHEREAS, funds are available under the WWFR Remedial Program, Item S8125.493, NOW, THEREFORE, BE IT

RESOLVED, that the contract for furnishing manhole frames and covers be awarded to Kans Supply Inc. at the following bid prices:

Frame with 24" dia. self sealing cover(set) in quantities of:	1 - 24	$118.00	F. O. B.
	25 - 99	$108.00	Delivered
	100 & Over	$105.00	Delivered
Frame with 24" dia. grate type cover (set) in quantities of:	1 - 24	$108.00	F. O. B.
	25 - 99	$ 99.00	Delivered
	100 & Over	$ 98.00	Delivered
Frame with 24" dia. vented cover (set) in quantities of:	1 - 24	$118.00	F. O. B.
	25 - 99	$109.00	Delivered
	100 & Over	$107.00	Delivered
Replacement Gasket	1 - 25	$ 2.94	F. O. B.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 50 Motion by Councilman Swiatek, seconded by Councilman J. V. Rogowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 11

CHEEKTOWAGA, NEW YORK
May 17, 1982

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 May, 1982 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 William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Jim Kirisits, Town Attorney; Chester Bryan, Town Engineer; Julia Reinstein, Town Historian; James Matecki, Facilities Director; Alfred Wnek, Highway Superintendent; Ron Marten, Building and Plumbing Inspector; Sal LaGreca, Employment and Training Services Director II; Mike Miecznikowski, Recreation Director; Theodore DeFedericis, Chief of Police; Donald Wegner, Chairman of Zoning Board of Appeals; Ron Zoeller, Working Foreman in Sanitation Department.

I. BIDS

Item No. 2 Drainage Improvements Beach Road, Phase II
Referred to Chester Bryan, Town Engineer.

Item No. 3 Improvements to Town Park - Phase II
Referred to Fred Marzak, Architect

Item No. 4 Furnishing, installation & construction of sidewalks for Walden Avenue and other Town locations
Referred to Chester Bryan, Town Engineer.

Item No. 5 Furnishing all labor, materials, equipment, etc. for construction of Clearvale Drive and Fairvale Drive sanitary sewers
Referred to Chester Bryan, Town Engineer.

II. PUBLIC HEARING

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:

* *

1. RESOLVED that the Traffic Ordinance of the Town of Cheektowaga be amended by the enactment of a new Article XIX, entitled "Airport Parking," providing as follows:

ARTICLE XIX

Airport Parking

No. 11

Item No. 6 cont'd

Section 190. Parking or standing on airport property without consent prohibited.

No person shall park or stand a motor vehicle upon any airport, airport property or airfield, in other than duly constituted and maintained commercial or employee parking areas thereof, without the consent and permission of the owner or lessee of said airport or airfield.

Section 191. Sign to be posted.

To effectuate the prohibition on such property as above described a conspicuous sign or signs shall be posted at each entrance to such property, a sign as hereinafter described shall be deemed substantial compliance with this section.

NO PARKING OR STANDING
EXCEPT IN AUTHORIZED PARKING LOTS
POLICE ENFORCEMENT
UNDER PENALTY OF LAW
ORDINANCE OF THE TOWN
OF CHEEKTOWAGA

But any other words or phraseology prohibiting the parking or standing of motor vehicles shall suffice.

Section 192. Exceptions.

This Article shall not prevent the establishment or continuance of commercial or employee parking areas, provided said areas are plainly marked and designated and shall not limit or prevent the designation of an area for the standing and parking of taxicabs, provided said area shall be plainly marked "Taxis only may stand or park in this area."

Section 193. Taxicab areas.

No person shall stop, stand or park a motor vehicle, other than a taxicab, in any area designated for the parking of taxicabs.

Section 194. Parking at parking meters.

Whenever any motor vehicle shall be found, by a police or peace officer, to be parked in violation of the meter regulations in the metered parking areas of airport property, said officer may affix a parking violations ticket or simplified traffic information to said motor vehicle, which parking violations ticket or simplified traffic information shall be acted upon and disposed of in conformance with the provisions of the Traffic Violations Bureau Ordinance of the Town of Cheektowaga.

Section 195. Presumptive evidence of violation.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this Article that the owner parked or caused his vehicle to be parked on such property.

2. RESOLVED that Ordinance 23, entitled "Parking Ordinance - Parking in Airports and Airfields"; Ordinance 23A, entitled "Parking on Airports and Airfields", and Ordinance 23B, entitled "Parking on Airports and Airfields", shall be repealed.

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

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

Item No. 7 Final Order - Water District #8.

SEE NEXT NINETEEN (19) PAGES FOR RESOLUTION AND AFFIDAVIT.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga

in the County of Erie, New York.

May 17, 1982

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on May 17, 1982, at 7:00 o'clock P.M. (D.S.T.).

There were present: Honorable Kenneth J. Meyers, Supervisor
and
Frank E. Swiatek, Councilman
Thomas M. Johnson, Jr., Councilman
Frank J. Dux, Councilman
William P. Rogowski, Councilman
John V. Rogowski, Councilman
Patricia A. Jaworowicz, Councilman

There were absent:

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

* * *

Councilman Johnson offered the following resolution and moved its adoption:

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York held at the Town Hall, in said Town, on the 17th day of May, 1982.

PRESENT:

RECEIVED
Richard M. Moleski, Town Clerk
JUN 2 1982
A.M. 6|7|8|9|10|11|12|1|2|3|4|5|6 P.M.
A

Hon. Kenneth J. Meyers, Supervisor
Frank E. Swiatek, Councilman
Thomas M. Johnson, Jr. Councilman
Frank J. Dux, Councilman
William P. Rogowski, Councilman
John V. Rogowski, Councilman
Patricia A. Jaworowicz, Councilman

- -X

In the Matter : ORDER

of the : ESTABLISHING

Establishment of Water District No. 8 in the Town of Cheektowaga, in the County of Erie, New York. : DISTRICT

: May 17, 1982

- -X

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has heretofore duly caused Nussbaumer & Clarke, Inc., duly licensed engineers of the State of New York (the "Engineers") to prepare a general map, plan and report, relating to the establishment of proposed Water District No. 8 in the Town (herein called "District"), as hereinafter described and the construction of a water system therein, consisting of eight, twelve or sixteen inch water mains, and also including buildings, acquisition of land or rights in land, original furnishings, equipment, machinery and apparatus, which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection;

WHEREAS, an Order was duly adopted by the Town Board on March 2, 1981, reciting the filing of said map, plan and report, the description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed to be constructed therein, the maximum amount proposed to be expended for said improvements, the proposed method of financing, and specifying March 16, 1981 at 7:00 o'clock P.M. (E.S.T.) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider said establishment of a water district and construction of improvements therein and to hear all persons interested in the subject thereof concerning the same;

WHEREAS, following publication and posting of certified copies of said Order pursuant to Article 12-A of the Town Law and after a public hearing duly held by the Town Board at the time and place herein referred to, the Town Board, by resolution duly adopted April 6 , 1981, subject to permissive referendum, determined that the notice of public hearing was published as posted as required by law and is otherwise sufficient, that all property and property owners within the proposed District are benefited thereby, that all property and property owners benefited are within the proposed District and that it is in the public interest to establish the District and construct said improvements therein and approved the establishment of the District and the construction of said improvements therein at a cost note to exceed $578,000;

WHEREAS, copies of said resolution were posted and published as required by law and no petition requesting that the matter be submitted to a referendum, was filed with the Town Clerk of the Town within thirty (30) days after adoption of the resolution; and

WHEREAS, after submission of an application by the Town Board, the State Comptroller granted permission to establish the District, by Order dated April 26, 1982, which Order was duly filed with the Town Clerk of the Town and presented to the Town Board by said Town Clerk at the next meeting held after said Order was filed with said Town Clerk;

now, therefore, be it

ORDERED, that a water district is hereby established in the Town of Cheektowaga to be known as Water District No. 8, in the Town of Cheektowaga, and bounded and described as follows:

b. Legal Description

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

Beginning at the point of intersection of the centerline of Ellicott Creek and the southeasterly property line of the Greater Buffalo International Airport;

Thence northeasterly along the southeasterly property line of lands of said Airport for a distance of 2,960 feet, more or less, to the southerly right-of-way line of the Governor Thomas E. Dewey Thruway;

Thence southerly at right angles to said southerly line of Thruway for a distance of 870 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,125 feet, more or less, to the easterly line of lands of Niagara Mohawk Power Corporation;

Thence southerly along said easterly line of lands of Niagara Mohawk Power Corporation for a distance of 600 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,380 feet, more or less, to a point in the westerly line of Lot 79, Township 11, Range 7;

Thence northerly along said westerly line of Lot 79 to the southerly right-of-way line of the New York State Governor Thomas E. Dewey Thruway;

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

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

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

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

and be it further

ORDERED, that the water system hereinabove referred to shall be constructed in the District at a cost not to exceed $578,000 and the plan of financing of the District is the issuance of serial bonds and the levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said improvement so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the cost of constructing said improvements and the principal of and interest on said bonds; and be it further

ORDERED, that within ten (10) days after adoption of this Order, the Town Clerk shall record with the Clerk of the County of Erie and file with the Department of Audit and Control in Albany, New York, copies of the Order, certified by said Town Clerk.

DATED: May 17, 1982

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Kenneth J. Meyer

Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

Councilman

Members of the Town Board of the

Town of Cheektowaga, New York

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

RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Establishing District with the original thereof filed in my office on the 17th day of May 1982, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 17th day of May, 1982.

SEAL

Richard M. Moleski
Town Clerk

In the Matter
of
the Order Establishing Water
District No. 8 in the Town of
Cheektowaga, County of Erie,
State of New York

115

Dated: May 17, 1982

FILED
ERIE COUNTY
CLERK'S OFFICE
1982 MAY 18 PM 2:24

LIBER 9123 PAGE 543

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber 9123 Page 536
of Deeds
on the 18 day of May
A. D., 1982, at 2:24 o'clock P M
and examined.
Lawrence M. Kramer
County Clerk

Chgf 7/1984
1250-23

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

RICHARD M. MOLESKI, being duly sworn, deposes and says:

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

That on the 18TH day of May , 1982, on behalf of the Town Board of said Town he caused a certified copy of an Order Establishing District, dated May 17, 1982, a certified copy of which is annexed hereto and made a part hereof, for the establishment of Water District No. 8, in the Town of Cheektowaga, in a proceeding entitled:

> "In the Matter of the Establishment of Water District No. 8, in the Town of Cheektowaga in the County of Erie, New York,"

to be filed in the office of the State Department of Audit and Control in Albany, New York, which Order Establishing District has been adopted by said Town Board at a meeting held May 17, 1982, that said filing was done either personally or by mail in accordance with the provisions of Article 12-A of the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 18TH day of May, 1982.

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MAY 17, 1982, APPROPRIATING $578,000 FOR THE CONSTRUCTION OF A WATER SYSTEM IN WATER DISTRICT NO. 8, IN SAID TOWN AND AUTHORIZING THE ISSUANCE OF $578,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION; AND AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR TO BE BUDGETED AS AN OFFSET TO THE TAXES AND/OR ASSESSMENTS FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

Recital

WHEREAS, following preparation of a general map, plan and report relating to Water District No. 8 (herein called "District"), proposed to be established in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, and the construction of a water system therein, consisting of eight, twelve and sixteen inch water mains, and also including buildingsand acquisition of land or rights in land, original furnishings, equipment, machinery and apparatus, and after a public hearing duly called and held, the Town Board of the Town determined, pursuant to the resolution duly adopted on April 6, 1981, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient, but all property and property owners within the District are benefited thereby, that all property and property owners benefited are within the proposed District, and approved the establishment of the District, and the construction of the water system therein; and

WHEREAS, no petition protesting against said resolution has been filed with the Town Clerk within thirty (30) days after the adoption thereof, or at any time since said adoption; and

WHEREAS, following submission of an application by said Town Board, the State Comptroller granted permission to establish the District by Order dated April 26, 1982, which Order was duly filed with and presented to said Town Board at its first meeting held after said Order was so received; and

WHEREAS, said Town Board duly adopted an Order on May 17, 1982, establishing the District, therein designated Water District No. 8, in the Town of Cheektowaga and ordered construction of said water system therein, at a cost not to exceed $578,000;

now, therefore, be it

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

Section 1. The Town hereby appropriates the amount of $578,000 for the construction of a water system, including buildings, acquisition of land or rights in land, original furnishings, equipment, machinery and apparatus, in the District, in the Town, all as hereinabove referred to in the Recital of this resolution,

and in accordance with the map, plan and report prepared by Nussbaumer & Clark, Inc., on file in the office of the Town Clerk and heretofore approved by the Town Board of the Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $578,000 and the plan of financing includes the issuance of serial bonds of the Town in the principal amount of $578,000 and the levy and collection of special assessments upon the several lots and parcels of land in the District which said Town Board shall deem especially benefited by said improvement so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the cost of constructing said improvements and the principal of and interest on said bonds; and amounts received from the United States of America and/or the State of New York shall be expended towards the cost thereof or redemption of the bonds issued therefor or shall be budgeted as an offset to the taxes and/or assessments to pay the principal of and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of $578,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

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

(a) The period of probable usefulness of said specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 3. (a) of the Law.

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

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

the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

Section 7. This resolution shall take effect immediately.

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

AYES: 7

NOES: 0

The resolution was declared adopted.

* * *

Councilman Johnson offered the following resolution and moved its adoption:

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

Section 1. The Town Clerk of the Town of Cheektowaga, in the County of Erie, New York, is hereby directed to publish the foregoing bond resolution, in full, in the "CHEEKTOWAGA BEE", a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in substantially the form

as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * *

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

AYES: 7 NOES: 0

The resolution was declared adopted.

* * *

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on May 17, 1982, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete, correct copy thereof and of the whole or said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 17th day of May, 1982.

Richard M. Moleski
Town Clerk

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK
COUNTY OF ERIE } ss.

Jean Mugler

being duly sworn, deposes and says that he is the

Ass't to the Publisher of the

Cheektowaga Bee a

public newspaper published at

Williamsville, N.Y., New York, that the

notice of which the annexed printed slip taken from

said newspaper, is a copy, was inserted and published

therein once a week for 1 weeks, the first

insertion being on the 20th day of May,

19 82, and the last insertion being on the same

day of ....., 19.....

Jean Mugler

Subscribed and sworn to before me this 20th day

of May, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

NOTICE

The resolution published herewith has been adopted on the 17th day of May, 1982, and the validity of the obligations authorized by such resolution may be herefter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga in the County of Erie New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty days after the publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

RICHARD M. MOLESKI
Town Clerk
May 17th, 1982.

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MAY 17, 1982, APPROPRIATING $578,000 FOR THE CONSTRUCTION OF A WATER SYSTEM IN WATER DISTRICT NO. 8, IN SAID TOWN AND AUTHORIZING THE ISSUANCE OF $578,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION; AND AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR TO BE BUDGETED AS AN OFFSET TO THE TAXES AND/OR ASSESSMENTS FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

Recital

WHEREAS, following preparation of a general map, plan and report relating to Water District No. 8 (herein called "District"), proposed to be established in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, and the construction of a water system therein, consisting of eight, twelve and sixteen inch water mains, and also including buildings and acquisition of land or rights in land, original furnishings, equipment, machinery and apparatus, and after a public hearing duly called and held, the Town Board of the Town determined, pursuant to the resolution duly adopted on April 6, 1981, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient, but all property and property owners within the District are benefited thereby, that all property and property owners benefited are within the proposed District, and approved the establishment of the District, and the construction of the water system therein; and

WHEREAS, no petition protesting against said resolution has been filed with the Town Clerk within thirty (30) days after the adoption thereof, or at any time since said adoption; and

WHEREAS, following submission of an application by said Town Board, the State Comptroller granted permission to establish the District by Order dated April 28, 1982, which Order was duly filed with and presented to said Town Board at its first meeting held after said Order was so received; and

WHEREAS, said Town Board duly adopted an Order on May 17, 1982, establishing the District, therein designated Water District No. 8, in the Town of Cheektowaga and ordered construction of said water system therein, at a cost not to exceed $578,000;

now, therefore, be it

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

Section 1. The Town hereby appropriates the amount of $578,000 for the construction of a water system, including buildings, acquisition of land or rights in land, original furnishings, equipment, machinery and apparatus, in the District, in the Town, all as hereinabove referred to in the Recital of this resolution, and in accordance with the map, plan and report prepared by Nussbaumer & Clark, Inc., on file in the office of the Town Clerk and heretofare approved by the Town Board of the Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $578,000 and the plan of financing includes the issuance of serial bonds of the Town in the principal amount of $578,000 and the levy and collection of special assessments upon the several lots and parcels of land in the District which said Town Board shall deem especially benefited by said improvement so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the cost of constructing said improvements and the principal of and interest on said bonds; and amounts received from the United States of America and/or the State of New York shall be expended towards the cost thereof or redemption of the bonds issued therefor or shall be budgeted as an offset to the taxes and/or assessments to pay the principal of and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of $578,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

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

(a) The period of probable usefulness of said specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 3. (a) of the Law.

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

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

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

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

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

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 7. This resolution shall take effect immediately.

May 20

Item No. 8 Motion by Councilman W. P. Rogowski, seconded by Councilman Dux

WHEREAS, this Town Board duly held a public hearing on the 17th day of May, 1982 at 7:00 o'clock 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 XIX

Airport Parking

Section 190. Parking or standing on airport property without consent prohibited.

No person shall park or stand a motor vehicle upon any airport, airport property or airfield, in other than duly constituted and maintained commercial or employee parking areas thereof, without the consent and permission of the owner or lessee of said airport or airfield.

Section 191. Sign to be posted.

To effectuate the prohibition on such property as above described, a conspicuous sign or signs shall be posted at each entrance to each property. A sign as hereinafter described shall be deemed substantial compliance with this section.

NO PARKING OR STANDING
EXCEPT IN AUTHORIZED PARKING LOTS
POLICE ENFORCEMENT
UNDER PENALTY OF LAW
ORDINANCE OF THE TOWN
OF CHEEKTOWAGA

But any other words or phraseology prohibiting the parking or standing of motor vehicles shall suffice.

Section 192. Exceptions.

This Article shall not prevent the establishment or continuance of commercial or employee parking areas, provided said areas are plainly marked and designated, and shall not limit or prevent the designation of an area for the standing and parking of taxicabs, provided said area shall be plainly marked "Taxis only may stand or park in this area."

Section 193. Taxicab areas.

No person shall stop, stand or park a motor vehicle, other than a taxicab, in any area designated for the parking of taxicabs.

Section 194. Parking at parking meters.

Whenever any motor vehicle shall be found, by a police or peace officer, to be parked in violation of the meter regulations in the metered parking areas of airport property, said officer may affix a parking violations ticket or simplified traffic information to said motor vehicle, which parking violations ticket or simplified traffic information shall be acted upon and disposed of in conformance with the provisions of the Traffic Violations Bureau Ordinance of the Town of Cheektowaga.

195. Towing.

When any vehicle is parked or found unattended in any area referred to

Item No. 8 Cont'd.

in Sections 190, 193 or 194 of ARTICLE XIX, said vehicle may be removed by an authorized town tower as designated by the Chief of Police. All fees, charges or other expenses incurred as a result of towing of a vehicle under this Section shall be paid by the owner of such vehicle pursuant to ARTICLE XII of the Traffic Ordinance of the Town of Cheektowaga.

196. Presumptive evidence of violation

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this Article that the owner parked or caused his vehicle to be parked on such property.

2. RESOLVED that Ordinance 23, entitled "Parking Ordinance - Parking in Airports and Airfields"; Ordinance 23A, entitled "Parking on Airports and Airfields"; and Ordinance 23B entitled "Parking on Airports and Airfields", shall be repealed.

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. Publications.

That this amendment to the traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the Cheektowaga Bee, the official newspaper of the 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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK
COUNTY OF ERIE } ss.

Jean Mugler

being duly sworn, deposes and says that he is the Ass't to the Publisher of the Cheektowaga Bee , a public newspaper published at Williamsville, N.Y. , New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of May , 19 82, and the last insertion being on the same day of , 19 .

Subscribed and sworn to before me this 20th day of May, 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 17th day of May, 1982 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
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
ABSENT: 0

Motion by Councilman W. Rogoski Seconded by Councilman Dux

WHEREAS, this Town Board duly held a public hearing on the 17th day of May, 1982 at 7:00 o'clock 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 XIX
Airport Parking

Section 190. Parking or standing on airport property without consent prohibited.

No person shall park or stand a motor vehicle upon any airport, airport property or airfield, in other than duly constituted and maintained commercial or employee parking areas thereof, without the consent and permission of the owner or lessee of said airport or airfield.

Section 191. Sign to be posted.

To effectuate the prohibition on such property as above described, a conspicuous sign or signs shall be posted at each entrance to each property. A sign as hereinafter described shall be deemed substantial compliance with this section.

NO PARKING OR STANDING EXCEPT IN AUTHORIZED PARKING LOTS
POLICE ENFORCEMENT UNDER PENALTY OF LAW
ORDINANCE OF THE TOWN OF CHEEKTOWAGA

But any other words or phraseology prohibiting the parking or standing of motor vehicles shall suffice.

Section 192. Exceptions.

This Article shall not prevent the establishment or continuance of commercial or employee parking areas, provided said areas are plainly marked and designated marked "Taxis only may stand or park in this area."

Section 193. Taxicab areas.

No persons shall stop, stand or park a motor vehicle, other than a taxicab, in any area designated for the parking of taxicabs.

Section 194. Parking at parking meters.

Whenever any motor vehicle shall be found, by a police or peace officer, to be parked in violation of the meter regulations in the metered parking areas of airport property, said officer may affix a parking violations ticket or simplified traffic information to said motor vehicle, which parking violations ticket or simplified traffic information shall be acted upon and disposed of in conformance with the provisions of the Traffic Violations Bureau Ordinance of the Town of Cheektowaga.

195. Towing.

When any vehicle is parked or found unattended in any area referred to in Sections 190, 193 of ARTICLE XIX, said vehicle may be removed by an authorized town tower as designated by the Chief of Police. All fees, charges or other expenses incurred as a result of towing of a vehicle under this Section shall be paid by the owner of such vehicle pursuant to ARTICLE XII of the Traffic Ordinance of the Town of Cheektowaga.

196. Presumptive evidence of violation.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this Article that the owner parked or caused his vehicle to be parked on such property.

2. RESOLVED that Ordinance 23, entitled "Parking Ordinance — Parking in Airports and Airfields"; Ordinance 23 A, entitled "Parking on Airports and Airfields"; and Ordinance 23 B entitled "Parking on Airports and Airfields," shall be repealed.

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. Publications.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the Cheektowaga Bee, the official newspaper of the 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; Councilman Swiatek Voting AYE, Councilman Johnson Voting AYE; Councilman Dux Voting AYE; Councilman W.P. Rogowski Voting AYE; Councilman J.V. Rogowski Voting AYE; Councilman Jaworowicz Voting AYE. AYES. 7; NAYES. 0; ABSENT: 0.

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 17, 1982, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 8, inclusive, of said book.

2. I have compared the attached extract with said minutes, so

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 17th day of May, 1982.

Richard M. Moleski
Town Clerk

may 20

Item No. 9 Motion by Councilman Johnson, seconded by Councilman W. Rogowski

BE IT RESOLVED that a Public Hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967 be held on the 7th day of June, 1982 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 BEE, on the 20th day of May, 1982; 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 7th day of June, 1982 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	Direction	Entrance Street	Traffic Stops	Sign Location
MARKUS DRIVE	East-west	VICTORIA BOULEVARD	Northbound	S.E. Corner
VICTORIA BLVD.	North-south	PARKVIEW TERRACE	Eastbound	S.W. Corner
VICTORIA BLVD.	North-south	PINEWOOD TERRACE	Eastbound	S.W. Corner
CEDARGROVE CIRCLE	North-south	SPRINGFIELD DRIVE	Westbound	N.E. Corner

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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

Notice of Public 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 7th day of June, 1982 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: MARKUS DRIVE; Direction: East-west; Entrance Street: VICTORIA BOULEVARD; Traffic Stops: Northbound; Sign Location: S.E. Corner.

Street: VICTORIA BLVD.; Direction: North-south; Entrance Street: PARKVIEW TERRACE; Traffic Stops: Eastbound; Sign Location: S.W. Corner.

Street: VICTORIA BLVD.; Direction: North-south; Entrance Street: PINEWOOD TERRACE; Traffic Stops: Eastbound; Sign Location: S.W. Corner.

Street: CEDARGROVE CIRCLE; Direction: North-south; Entrance Street: SPRINGFIELD DRIVE; Traffic Stops: Westbound; Sign Location: N.E. Corner.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
RICHARD M. MOLESKI
Town Clerk

may 20

STATE OF NEW YORK
COUNTY OF ERIE

Jean Mugler

being duly sworn, deposes and says that he is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, N.Y., New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of May, 19 82, and the last insertion being on the same day of ....., 19.....

Jean Mugler

Subscribed and sworn to before me this 20th day of May, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

Item No. 10 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga has previously adopted a Park Ordinance (Ordinance No. 38) with amendments thereto and Rules and Regulations governing Cheektowaga Town Parks which apply to all public parks and public parks approaches owned by the Town of Cheektowaga, and

WHEREAS, said Park Ordinance and Rules and Regulations give ample authority and control by the Town for the use of said parks and their facilities and to control the movement and activities of persons using the same, and

WHEREAS, the Town Board of the Town of Cheektowaga has authorized installation of electrical lighting equipment for various baseball and softball diamonds within the said Town parks making it necessary that such areas be open to the public after sunset to allow that games can be played on such lighted baseball and softball diamonds, and

WHEREAS, said Park Ordinance specifies that all parks shall be closed between the hours of sunset and sunrise the following morning,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Section 130 of the Town Law of the State of New York, a public hearing be held on the 7th day of June, 1982 at 7:00 o'clock Eastern Daylight Saving Time, at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Park Ordinance" of the Town of Cheektowaga, New York shall be amended as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA BEE, the official newspaper of the Town of Cheektowaga not less than ten (10) days prior to the date of the hearing.

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

NOTICE OF HEARING

ON PROPOSAL TO AMEND PARK 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 17th day of May, 1982, and in accordance with the provisions of Section 130 of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of June, 1982 at 7:00 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Park Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows:

ORDINANCE No. 38

PARKS

Section 12. Park Closing Hours, which reads:

> 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 when so closed.

shall be amended to read:

> All parks shall be closed between the hours of sunset and sunrise the following morning and no person shall remain inside any park during the hours when so closed, except that any park which has a lighted baseball or softball diamond shall remain open after sunset when baseball or softball games are being played on such lighted diamond. Such park shall be open only to players, officials and spectators involved in such baseball or softball games. Such play-

Item No. 10 Cont'd.

ers, officials and spectators must remain in the immediate vicinity of the lighted diamond. The park shall be closed to the public fifteen minutes after the conclusion of any such game.

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

DATED: May 17, 1982

RICHARD M. MOLESKI
Town Clerk

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

PROOF OF PUBLICATION

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Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19..

Form No. 1

NOTICE OF HEARING
ON PROPOSAL TO AMEND
PARK 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 17th day of May, 1982, and in accordance with the provisions of Section 130 of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of June, 1982 at 7:00 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Park Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows:

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PARKS

Section 12. Park Closing Hours, which reads:

All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no persons shall lounge about or remain in any of the parks during the hours when so closed.

shall be amended to read:

All parks shall be closed between the hours of sunset and sunrise the following morning and no person shall remain inside any park during the hours when so closed, except that any park which has a lighted baseball or softball diamond shall remain open after sunset when baseball or softball games are being played on such lighted diamond. Such park shall be open only to players, officials and spectators involved in such baseball or softball games. Such players, officials and spectators must remain in the immediate vicinity of the lighted diamond. The park shall be closed to the public fifteen minutes after the conclusion of any such game.

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

Richard M. Moleski
Town Clerk

DATED: May 17, 1982

may 20

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

WHEREAS, by Resolution dated May 3, 1982, this Town Board called for a public hearing regarding a proposed Town Board resolution barring any sewer hook-ups, etc, in the Cheektowaga Sewer District No. 3 service area, as per United States Encironmental Protection Agency "Special Grant Conditions" and New York State Department of Environmental Conservation requirements, and

WHEREAS, due to a typographical error, the time for said public hearing was erroneously stated as being 7:00 P.M. on Thursday, June 17, 1982 at the Cheektowaga Town Hall, and

WHEREAS, it was the intent of this Town Board to hold said hearing at 6:30 P.M. on Monday, June 21, 1982 at the Cheektowaga Town Hall,

NOW, THEREFORE, BE IT RESOLVED, that the May 3, 1982 Resolution calling for the public hearing be and hereby is amended by changing the time of the Public hearing to state 6:30 P.M., Monday, June 21, 1982, and

BE IT FURTHER RESOLVED that this resolution be effective, nunc pro tunc, as of May 3, 1982.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman J. V. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, sealed bid proposals for Furnishings and Equipment at the Senior Citizens Center were duly received at the Town Board meeting of April 5, 1982, as a result of advertisement therefor, and

WHEREAS, it is deemed to be in the best interests of the Town of Cheektowaga to reject all bid proposals for said Furnishings and Equipment, NOW, THEREFORE, BE IT

RESOLVED, that by virtue of the authority vested in it, the Cheektowaga Town Board hereby rejects all bid proposals for the Furnishings and Equipment submitted for the April 5, 1982 Town Board meeting.

Upon roll call.....

AYES: Councilmen J. V. Rogowski and Jaworowicz
NAYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, and W. P. Rogowski
ABSENT: 0

THIS RESOLUTION WAS DENIED!

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

Motion by Supervisor Meyers, seconded by Councilman Johnson to act upon Item No. 36, from the table, regarding Award of Bid for Furnishings and Equipment for the Senior Citizens Center at this time.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski
NAYES: Councilmen J. V. Rogowski and Jaworowicz
ABSENT: 0

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

WHEREAS, sealed bid proposals for Furnishings and Equipment at the Senior Citizens Center were duly received at the Town Board Meeting of April 5, 1982, AND

Item No. 36 Cont'd.

WHEREAS, bid proposals were reviewed for compliance with the terms of the specifications by the Facilities Department, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Baord hereby award the following Categories for Furnishings and Equipment for the Senior Citizens Center to the following Corporation as being in full compliance with the terms of the specifications advertised:

Meyer SFS Niagara, Inc.
2505 Main Street
Buffalo, New York 14214

Category	I:	Tables and Table Trucks	$ 6,920.00
"	II:	Stacking Chairs and Stack Chair Dolly	$14,810.00
"	III:	Industrial Steel Shelving	$ 7,181.00
"	IV:	Kitchen Equipment	$ 4,438.00
"	V:	Miscellaneous Equipment & Furnishings	$11,627.00

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, and W. P. Rogowski.
NAYES: Councilmen J. V. Rogowski and Jaworowicz
ABSENT: 0

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

Item No. 13 Notice to Bidders for Furnishings and Equipment for Senior Citizens Center.
This item was withdrawn.

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman W. P. Rogowski

WHEREAS, the Town of Cheektowaga Sewer Maintenance Department desires to purchase one (1) high velocity sewer cleaner to clean sanitary sewers with high pressure water, AND

WHEREAS, funds have been budgeted for this purpose in Sewer District No. 2, Account #8123.225 and Sewer District No. 5, Account #8125.225, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said purchase of a high velocity sewer cleaner, notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that the Town Board will meet on the 7th day of June, 1982, at 7:00 P.M., 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 June 7, 1982 at 7:00 P.M., Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) high velocity sewer cleaner to clean sanitary sewers with high pressure water for 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.

Item No. 14 Cont'd.

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

Richard M. Moleski
Town Clerk

DATED: May 17, 1982

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

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COUNTY OF ERIE } ss.

Jean Mugler

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NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 7, 1982 at 7:00 P.M., Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) high velocity sewer cleaner to clean sanitary sewers with high pressure water for 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.

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

Richard M. Moleski
Town Clerk
DATED: May 17, 1982

May 20

Subscribed and sworn to before me this 20th day of May, 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

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

WHEREAS, this Town Board, by resolution dated April 5, 1982, expressed its interest in establishing a Town Historical Museum on town property located at 3329 Broadway, Cheektowaga, New York, for the purpose of preserving and protecting artifacts of historical significance, and

WHEREAS, it was determined that the building located on premises at 3329 Broadway was in need of renovation and restoration to its design when originally constructed, and

WHEREAS, the Cheektowaga Historical Society and other private sources have agreed to pay any and all costs involved in the renovation and restoration of the aforementioned museum, and

WHEREAS, it is now necessary to seek bids for the exterior alterations to the aforesaid museum, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes the Town Clerk to publish an Invitation to Bidders for Exterior Alterations to the Cheektowaga Historical Museum located at 3329 Broadway in the Town, and BE IT FURTHER

RESOLVED, that the Contract Documents and Specifications may be viewed and obtained at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York on or after May 26, 1982, and BE IT FURTHER

RESOLVED, that the Cheektowaga Town Board will meet at 7:00 P.M., on Monday, June 7, 1982, at which time said sealed bid proposals will be publicly opened and read.

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

INVITATION TO BIDDERS

CHEEKTOWAGA HISTORICAL MUSEUM
3329 Broadway
Cheektowaga, New York

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga invites sealed bids on the following contract for the Cheektowaga Historical Museum, located at 3329 Broadway, Cheektowaga, New York:

Exterior Alterations (including, among other items, roofing and siding)

The Town shall receive sealed proposals from qualified bidders for the Contract named above until:

7:00 o'clock P.M. Eastern Daylight Saving Time
Monday, June 7, 1982

at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York on or after Wednesday, May 26, 1982 during regular business hours.

Bona fide contract bidders may secure copies of the specifications, etc. from the Town Clerk on the following basis:

1. One set of specifications, including the drawings, upon payment of $5.00, completely refundable if returned to the Town Clerk within fifteen days after bid opening.

2. Specifications, etc. which are damaged, marked or in any way mutilated, shall not be accepted and the bid deposit shall be forfeited.

3. Non-bidders' deposits shall be forfeited.

Item No. 15 Cont'd.

Bid security in the amount of ten (10%) percent of the Base Bid shall be required to accompany bids. The Town reserves the right to reject any or all bids and to waive any irregularity in bidding.

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

Dated: May 17, 1982
Cheektowaga, New York

RICHARD M. MOLESKI
Town Clerk

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

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Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

Advertisement for Bids

INVITATION TO BIDDERS
CHEEKTOWAGA HISTORICAL MUSEUM
3329 Broadway
Cheektowaga, New York

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga invites sealed bids on the following contract for the Cheektowaga Historical Museum, located at 3329 Broadway, Cheektowaga, New York:

Exterior Alterations (including, among other items, roofing and siding)

The Town shall receive sealed proposals from qualified bidders for the Contract named above until:

7:00 o'clock P.M. Eastern Daylight Saving Time, Monday, June 7, 1982

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

The proposed Contract Documents, Specifications, etc. may be examined at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York on or after Wednesday, May 26, 1982 during regular business hours.

Bona fide contract bidders may secure copies of the specifications, etc. from the Town Clerk on the following basis:

1. One set of specifications, including the drawings, upon payment of $5.00, completely refundable if returned to the Town Clerk within fifteen days after bid opening.

2. Specifications, etc. which are damaged, marked or in any way mutilated, shall not be accepted and the bid deposit shall be forfeited.

3. Non-bidder's deposits shall be forfeited.

Bid security in the amount of ten (10%) percent of the Base Bid shall be required to accompany bids. The Town reserved the right to reject any or all bids and to waive any irregularity in bidding.

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

Dated: May 17, 1982, Cheektowaga, New York.

RICHARD M. MOLESKI
Town Clerk

may 20

Item No. 16 Motion by Councilman Johnson, secondec by Councilman W. P. Rogowski

WHEREAS, the Town of Cheektowaga Community Development Block Grant Program has provided funds for improvements at Cedargrove Heights, AND

WHEREAS, the Cedargrove Recreation Corridor has been a priority recreation improvement area as recommended by the Cedargrove Heights Citizen Advisory Committee, AND

WHEREAS, plans and specifications for improvements of the Cedargrove Heights Recreation Corridor have been prepared,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to publish an Invitation to Bidders for improvements in the Cedargrove Recreation Corridor, AND

BE IT FURTHER RESOLVED, that plans and specifications are available at Stuart Alexander & Associates, 1152 Main Street, Buffalo, New York, 14209, AND

BE IT FURTHER RESOLVED, that bids will be opened on June 21, 1982 at 7:00 P.M. in Town Hall.

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

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 21st day of June, 1982 until 7:00 P.M. local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of Cedargrove Heights Recreation Corridor, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specificationa, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York, 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00. Non bidders will not receive a deposit refund.

The minimum wage rated to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for Cedargrove Heights Recreation Corridor."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Baord and in the amount of not less than 100% of the Contract price, will be required of the successful bidder.

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

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

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

DATED: May 17, 1982

Item No. 16 Cont'd.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

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Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga Erie County, New York sealed proposals will be received and considered by said Town Board on the 21st Day of June, 1982 until 7:00 P.M. local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of Cedargrove Heights Recreation Corridor, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00. Non bidders will not receive a deposit refund.

The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for Cedargrove Heights Recreation Corridor."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board and in the amount of not less than 100% of the Contract price, will be required of the succeseful bidder.

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

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

Town of Cheektowaga
New York
Richard M. Moleski
Town Clerk

DATED: May 17, 1982

May 20

STATE OF NEW YORK

Erie County, City of Buffalo ss.

Notice to Bidders

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 21st day of June, 1982 until 7:00 P.M. local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of Cedargrove Heights Recreation Corridor, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York, 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00. Non-bidders will not receive a deposit refund.

The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for Cedargrove Heights Recreation Corridor."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent [10%] of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board and in the amount of not less than 100% of the Contract price, will be required of the successful bidder.

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

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

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

DATED: May 17, 1982

The BUFFALO CRITERION

623-25 WILLIAM ST. BUFFALO 6, N. Y.

Frank E. Merriweather

of the City of Buffalo, being duly sworn deposes and says, that ...he is Editor-Publisher... of The Buffalo Criterion, a weekly newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ...one... weeks, the first insertion being on the ....26th day of May, 19.82 and the last insertion being on the ..... day of ..... 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this .....19th. day of June....., 19.82..

Frank E. Merriweather

~~Notary Public.~~

Commissioner of Deeds

Item No. 17 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, a Bond resolution was authorized to provide funds for the rehabilitation of miscellaneous parks and playgrounds, AND

WHEREAS, through previous resolution the firm of Stuart Alexander & Associates was authorized to prepare plans and specifications for improvements at the following parks and playgrounds: Raymond, St. Aloysius, Theodore Roosevelt, Nokomis, Dartwood, Dingens, Kelly and North Creek, South Creek Parks, AND

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk is hereby directed to publish an Invitation to Bidders on the availability of plans and specifications, AND

BE IT FURTHER RESOLVED, that said bid documents for various park improvements will be available at Stuart Alexander & Associates, 1152 Main Street, Buffalo, New York, 14209, AND

BE IT FURTHER RESOLVED, that said bids for various park improvements will be opened on June 21, 1982 at 7:00 P.M. in Town Hall.

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

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 21st day of June, 1982 until 7:00 P.M. local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for recreation improvements at Raymond, St. Aloysius, Theodore Roosevelt, Nokomis, Dartwood, Dingens, North Creek/South Creek, and Kelly Parks. Each of the above existing Town recreation facilities will be constructed with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00. Non bidders will not receive a deposit refund.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for various park improvements."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board and in the amount of not less than 100% of the Contract price, will be required of the successful bidder.

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

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

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

DATED: May 17, 1982

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski J. V. Rogowski and Jaworowicz

NAYES: 0

ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

Jean Mugler

being duly sworn, deposes and says that he is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, N.Y., New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 20th day of May, 19 82, and the last insertion being on the same day of ....., 19.....

Jean Mugler

Subscribed and sworn to before me this 20th day of May, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 21st Day of June, 1982 until 7:00 P.M. local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for recreation improvements at Raymond, St. Aloysius, Theodore Roosevelt, Nakomis, Dartwood, Dingens, North Creek/South Creek, and Kelly Parks. Each of the above existing Town recreation facilities will be constructed with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00. Non bidders will not receive a deposit refund.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for various park improvements."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board and in the amount of not less than 100% of the Contract price, will be required of the successful bidder.

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

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

Town of Cheektowaga
New York
Richard M. Moleski
Town Clerk

DATED: May 17, 1982

May 20

Item No. 18 Motion by Councilman Dux, seconded by Councilman W. P. Rogowski

WHEREAS, through previous resolution, the firm of Stuart Alexander & Associates was authorized to prepare plans and specifications for improvements at Nob Hill Park,

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk is hereby directed to publish an Invitation to Bidders on the availability of plans and specifications, AND

BE IT FURTHER RESOLVED, that said bid documents for improvements at Nob Hill Park will be available at Stuart Alexander & Associates, 1152 Main Street, Buffalo, New York, 14209, AND

BE IT FURTHER RESOLVED, that said bids for improvements at Nob Hill Park will be opened on June 21, 1982 at 7:00 P.M. in Town Hall.

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

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 21st day of June, 1982 until 7:00 P.M. local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of Nob Hill Park, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00. Non bidders will not receive a deposit refund.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for Nob Hill Park."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board and in the amount of not less than 100% of the Contract price, will be required of the successful bidder.

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

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

Town of Cheektowaga, New York
DATED: May 17, 1982 Richard M. Moleski, Town Clerk

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 21st Day of June, 1982 until 7:00 P.M. local time, in the Council Room of the Town Hall, Broadway and Union Road, Cheektowaga, New York at which time and place they will be publicly opened and read aloud for the furnishing of all tools, equipment, materials and labor for the construction of Nob Hill Park, with all appurtenances complete, in place, tested and ready for use in accordance with contract documents including plans and specifications, instructions to bidders, etc.

Contract documents may be examined at Stuart Alexander and Associates, 1152 Main Street, Buffalo, New York 14209. Copies may be obtained upon payment of $20.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded said sum of $20.00. Non bidders will not receive a deposit refund.

All bids shall be submitted in sealed envelopes addressed to the Town Clerk, Town of Cheektowaga, New York and shall be plainly marked on the outside with the contractor's name and the title of his bid. Bids for contracts shall be designated as "Bid for Nob Hill Park."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10%) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board and in the amount of not less than 100% of the Contract price, will be required of the successful bidder.

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

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

Town of Cheektowaga
New York
Richard M. Moleski
Town Clerk

DATED: May 17, 1982

May 20

Item No. 19 Retain Law Firm of Weston, Kane & Moen, P.C. to represent Town in Labor Negotiations.

Councilman J. V. Rogowski made the motion on the above resolution, but it failed due to the lack of a second.

Item No. 20 Motion by Councilman Dux, seconded by Councilman J. V. Rogowski to table this item regarding the retention of the firm of Collins, Collins & DiNardo to represent the Town in Labor Management Negotiations.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Supervisor Meyers, seconded by Councilman W. P. Rogowski

WHEREAS, at a regular scheduled Town Board meeting held on May 3, 1982, this Town Board passed a resolution authorizing the hiring of Trainee Supervisors and Summer Trainees, to provide additional services required by the Town, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are hired as listed:

TRAINEE SUPERVISOR: - $5.00 per hour

Michael Marszalkowski

SUMMER TRAINEES: - $3.10 per hour

Lawrence Giambelluca
Sean Lizak
Kenneth Lorka
William Bannister
James G. Gabryszak
David Allen
Lawrence W. Zygmunt
Paul Kwiatkowski
Stacy Stawicki
Kenneth A. Piatek
Joseph J. Ruhlmann
Daniel Mahoney
Michael Bochynski
Christopher Kist
Tim Szarpa
Todd Setter
Michael DiGati
Joe Poturalski
Michael Albarno
John Slisz
Gary Catanzaro
Martin Leszczynski
Leslie Wojciechowski
Karen Rasmus
Karen M. Kazukiewicz
Maria A. Sisti
Patricia Wnek
Robert Karalus
William R. Johnson
Richard C. Slisz
Timothy M. Glowny
Robert Latshaw
Ronald Dux
Frank J. Gioia
Christopher Giambelluca

Item No. 21 Cont'd.

David Wyzykowski
Richard Coffta
Dan Russell
Richard Pagano
John P. Dolan
Kenneth Jeffords
Joseph Danzel
John Kowalski
David Pietrowski
David Myszka
James W. Szalwinski
Gary J. Klosko
James Bessing
Bruce Blackowski
Keith Baran
Thaddeus Brudz
Paul Krupinski
Paul Janicki
Joseph Fredericks
Thomas J. Kolbert
John Ferdinand
Mike Neri
Kathleen Mulcahy
Joyce M. Jarnot
Shirley Thurnherr

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Swiatek, seconded by Councilman W. P. Rogowski

BE IT RESOLVED that the below listed individual be hired in the Cheektowaga Youth Bureau at the prescribed classification and rate of pay:

--Michael Bernal
Trainee Supervisor - $5.00 per hour

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town Engineer, in his letter of May 13, 1982, requested the upgrading of a position in the Engineering Department so as to improve the effectiveness of work performance, AND

WHEREAS, this Town Board agrees that such upgrading will be in the best interest of the Town, NOW, THEREFORE, BE IT

RESOLVED, that authorization is granted for the submission of the necessary PO-17 forms to the Erie County Department of Personnel for the creation of one (1) Junior Engineer position in the Town Engineering Department.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the vacant position of "Recreation Instructor", in the Recreation Department, has been posted in accordance with the terms of the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, bids for this position have been received and reviewed by the Director of Recreation, NOW, THEREFORE, BE IT

RESOLVED that Bonnie Platt, Employment Counselor, being the most senior applicant and who meets the necessary qualifications for the position, be and hereby is appointed to the permanent position of "Recreation Instructor" in the Department of Recreation effective May 18, 1982, at a salary in accordance with the terms of the above mentioned bargaining agreement, and BE IT FURTHER

RESOLVED that Bonnie Platt is granted a leave of absence from her position as Employment Counselor in the Cheektowaga Youth Bureau, for a period of three (3) months, effective May 18, 1982.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman W. P. Rogowski, seconded by Supervisor Meyers

WHEREAS, Robert Kapron, Clerk to Town Justice, has been absent from work due to illness, and it is uncertain when he will return, and

WHEREAS, there exists the need to fill this position on a temporary basis, until his return, NOW, THEREFORE, BE IT

RESOLVED that Iris Kolbert, 17 McParlin Avenue, presently a part-time clerk in the Justice Court, be and hereby is appointed to the position of Clerk to Town Justice, on a temporary basis; said appointment retroactive to May 12, 1982, and at a salary equal to that previously set by the Town Board for this position.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

RESOLVED that the following position in the Town of Cheektowaga be and hereby is abolished:

Superintendent of Buildings and Grounds

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Swiatek, seconded by Councilman W. P. Rogowski

BE IT RESOLVED that the below listed individuals be terminated from the Cheektowaga Youth Bureau's staff:

Item No. 27 Cont'd.

--Anthony Belcer
4089.002

--Joseph Kirsch
4089.002

--Elizabeth D'Amico (Resignation)
8310.182

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, at the April 5, 1982 Town Board meeting, a resolution was passed terminating the services of Nancy Sztukowski, Recreation Instructor in the Department of Recreation, NOW, THEREFORE, BE IT

RESOLVED that the above resolution be and hereby is rescinded, AND BE IT FURTHER

RESOLVED that this Town Board hereby accepts the resignation of Nancy Sztukowski, from her position as Recreation Instructor in the Department of Recreation, effective April 1, 1982, as per the attached letter of resignation.

*SEE NEXT PAGE FOR COPY OF LETTER OF RESIGNATION.

April 1, 1982

Mr. Miecznikowski
Director of Recreation
Town of Cheektowaga
2600 Harlem Road
Cheektowaga, New York 14225

Mr. Miecznikowski:

As of this date, Thursday April 1, 1982, I am resigning as Recreational Instructor, from the Recreation Department for the Town of Cheektowaga.

Sincerely,

Nancy A. Sztukowski

Item No. 28 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the annual spring meeting of the New York Water Pollution Control Association will be held in Ellenville, New York, on June 20th thru 23rd, 1982, AND

WHEREAS, technical developments and updates in the wastewater field are included in the seminars, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer, a member of the New York Water Pollution Control Association is authorized to attend said meeting, with all legal expenses to be reimbursed by the Town and chargeable to the Sanitary Sewer District No. 5, budget item S8125.412, with said expenses not to exceed $460.00.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the New York State Traffic Safety Board is sponsoring a conference, to be held in Albany, New York on June 8th and 9th, 1982, and

WHEREAS, the Cheektowaga Traffic Safety Commission has requested authorization to send a representative to attend this conference, NOW, THEREFORE, BE IT

RESOLVED, that Carl Perlino, a member of the Cheektowaga Traffic Safety Commission, be and hereby is authorized to attend said conference in Albany, New York on June 8th and 9th, 1982, AND, BE IT FURTHER

RESOLVED that Mr. Perlino shall be reimbursed for all necessary expenses in connection with said conference at a sum not to exceed $200.00.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the Northeastern Regional Association of Assessing Officers, is holding its annual conference at the Harrah Hotel, in Atlantic City, May 24th thru May 27, 1982, and

WHEREAS, Andrew Schwenk, Sole Assessor for the Town of Cheektowaga, has requested the necessary time off from his duties to attend said conference; NOW, THEREFORE, BE IT

RESOLVED that Andrew Schwenk, is hereby granted the necessary time off his duties, with pay, to attend the above conference in Atlantic City, May 24th, thru May 27, 1982, at no cost to the Town.

Item No. 31 Cont'd.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

Item No. 32 Motion by Supervisor Meyers, seconded by Councilman W. P. Rogowski

WHEREAS, the Genesee County Sheriff's Department, in conjunction with the University of Delaware, is presenting a two-day seminar for Police Dispatchers, June 5th and 6, 1982 at the Genesee County Sheriff's Training Center, Batavia, New York, and

WHEREAS, this seminar is designed to provide Police Dispatchers with a greater understanding of their role within the system and to provide a comprehensive understanding of basic skill, and to generate professionalism in communications functions, and

WHEREAS, Chief Theodore DeFedericis, has respectfully requested that Police Dispatchers, Jeffrey G. Vanghel and Robert A. Skroupa, be given the necessary authorization to attend this two-day seminar, NOW, THEREFORE, BE IT

RESOLVED that Police Dispatchers Jeffrey G. Vanghel, and Robert A. Skroupa, be and hereby are authorized to attend the training seminar for Police Dispatchers, in Batavia, New York, June 5th and 6, 1982, at a cost not to exceed $101.00 for each; and BE IT FURTHER

RESOLVED that the use of a Town vehicle shall be made available for transportation to and from the seminar.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

Item No. 33a Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, there is need to approve a Change Order for additions to the contract of the Sewer District #5 Sanitary Sewer Rehabilitation Work, as documented in the letter of the Town Engineer dated May 12, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 21 as an addition to the contract of M.C. Morgan Contractors Inc. for sanitary sewer rehabilitation work in the Town's Sanitary Sewer District #5 is approved, 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 No. 21 in the amount of $35,054.00 on behalf of Sanitary Sewer District #5.

*SEE NEXT SEVEN (7) PAGES FOR LETTER FROM TOWN ENGINEER AND CHANGE ORDER AGREEMENT.

Town of Cheektowaga

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

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

May 12, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 21
Sanitary Sewer Rehabilitation
Sanitary Sewer District No. 5

Gentlemen:

Attached for your review and approval is a Change Order relative to additional work needed in root control, sewer cleaning, chemical foam, sealing of leaking sewer joints and use of joint grouting material. The number of pipe joints needing to be sealed was much greater than originally anticipated. An additional 1532 leaking joints had to be sealed and 225.4 more gallons of grouting material was used. In addition, 4,883 feet of pipe were cleaned and 25 more gallons of root chemical was used.

All of this work was performed under Bid Section B of the Sewer System Rehabilitation Contract. This entire section was subcontracted to the Miniority Business Enterprise firm of Scan-N-Seal. Continuous inspection was provided by our Engineering Consultants, Nussbaumer & Clarke, Inc.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

NUSSBAUMER & CLARKE, INC.
CONSULTING ENGINEERS
310 DELAWARE AVENUE
BUFFALO, NEW YORK 14202

CHANGE ORDER NO. 21
CONTRACT NO. 1 - PHASE NO. 1
FEDERAL-STATE C-36-323-04

DATE May 5, 1982
SHEET NO. 1 OF 2
NCI JOB NO. 80-103

PROJECT CHEEKTOWAGA SANITARY SEWER DISTRICT NO. 5
SEWER SYSTEM REHABILITATION

OWNER'S NAME TOWN OF CHEEKTOWAGA

OWNER'S ADDRESS Town Hall, Broadway and Union Road, Cheektowaga, New York 14227

CONTRACTOR'S NAME M. C. Morgan Contractors, Inc.

CONTRACTOR'S ADDRESS 3690 Sheriden Drive, Amherst, New York 14226

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK

Extra footage was necessary for cleaning 8", 10" and 12" dia. Extra root foaming and joint sealing of all diameters was necessary along with extra grouting material to seal leaking joints.

REASON FOR MODIFICATION OR NEED FOR EXTRA WORK

Original footage for pipe cleaning was greater than the estimated amounts. Extra joint sealing and chemical grout was needed because on the smaller pipe the percentage of joint failure was higher than originally anticipated.

REVISED CONTRACT COST

	ELIGIBLE		INELIGIBLE	
	EPA SHARE	LOCAL SHARE	LOCAL	TOTAL COST
Original Contract	$1,060,091.00	$353,364.50	$ 0.00	$1,413,455.50
Previous Change Orders	101,572.00	38,772.00	56,178.10	196,522.10
This Change Order	23,369.00	11,685.00	0.00	35,054.00
Revised Total Contract	$1,185,032.00	$403,821.50	$56,178.10	$1,645,031.60
Total Local Cost		$459,999.60		

APPROVALS

OWNER Kenneth J Mergen DATE 5/21/82
Town of Cheektowaga, New York

CONTRACTOR William C Morgan DATE 5/5/82
M. C. Morgan Contractors, Inc.

ENGINEER R C Vandenbark DATE 5/6/82
Nussbaumer & Clarke, Inc.

FIELD OFFICE [signature] DATE 5/6/82

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TOWN OF CHEEKTOWAGA, NEW YORK
SANITARY SEWER DISTRICT NO. 5
SEWER SYSTEM REHABILITATION

CHANGE ORDER NO. 21
CONTRACT NO. 1 - PHASE NO. 1
NCI FILE NO. 80-103
FEDERAL-STATE C-36-323-04

DESCRIPTION	PAGE
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Cheektowaga No. 5 Sanitary Sewer Rehabilitation Change Order Table of Contents	2
Contract 1 Change Order Status	3
Change Order Document Breakdown	4
Document Section: Field Directive 243	5
Engineer's Estimate	6

CHANGE ORDER STATUS

TOWN OF CHEEKTOWAGA
SANITARY SEWER DISTRICT NO. 5
SEWER SYSTEM REHABILITATION

CHANGE ORDER NO. 21
CONTRACT NO. 1 - PHASE NO. 1
NCI JOB NO. 80-103
FEDERAL-STATE C-36-323-04

ORIGINAL CONTRACT AMOUNT		$1,371,225.00	
INCREASE IN CONTRACT AMOUNT		42,230.50	
REVISED CONTRACT AMOUNT TO DATE		$1,413,455.50	
CHANGE ORDER NO. 1	+	4,990.00	0.00
CHANGE ORDER NO. 2	+	4,555.00	0.00
CHANGE ORDER NO. 3	+	4,617.00	0.00
CHANGE ORDER NO. 4	+	4,957.00	0.00
CHANGE ORDER NO. 5	+	4,052.00	$+ 1,517.00
CHANGE ORDER NO. 6	+	3,030.00	+ 766.00
CHANGE ORDER NO. 7	+	6,098.00	0.00
CHANGE ORDER NO. 8	+	3,066.00	0.00
CHANGE ORDER NO. 9	+	6,964.00	0.00
CHANGE ORDER NO. 10	+	6,536.00	0.00
CHANGE ORDER NO. 11	+	6,389.00	0.00
CHANGE ORDER NO. 12	+	5,933.00	0.00
CHANGE ORDER NO. 13	+	5,312.00	0.00
CHANGE ORDER NO. 14	+	4,732.00	0.00
CHANGE ORDER NO. 15		0.00	0.00
* CHANGE ORDER NO. 16 (ADDITION TO ORIGINAL CONTRACT)	+	42,230.50	0.00
CHANGE ORDER NO. 17		0.00	+53,895.10
CHANGE ORDER NO. 18	+	24,853.00	
CHANGE ORDER NO. 19	+	24,069.00	
CHANGE ORDER NO. 20	+	20,191.00	
CHANGE ORDER NO. 21	+	35,054.00	

* Bid amount as stated in letter dated 9/10/81 from M. C. Morgan Contractors, Inc.

ELIGIBILITY	CONTRACT AMOUNT TO DATE	REVISED CONTRACT AMOUNT	NET CHANGE IN CONTRACT AMOUNT
Eligible	$1,553,799.50	$1,588,853.50	$35,054.00
Ineligible	$ 56,178.10	$ 56,178.10	$ 0.00
	GRAND TOTAL OF THIS CHANGE ORDER		$35,054.00

DOCUMENT BREAKDOWN

TOWN OF CHEEKTOWAGA, NEW YORK
SANITARY SEWER DISTRICT NO. 5
SEWER SYSTEM REHABILITATION

ESTIMATE FOR CHANGE ORDER NO. 21
CONTRACT NO. 1 - PHASE NO. 1
NCI FILE NO. 80-103
FEDERAL-STATE C-36-323-04

Document Summary	Description	Additional Cost
Field Directive No. 243	Extra footage was necessary for cleaning the smaller diameter. Extra root foam, joint sealing of all diameters was necessary along with extra grouting material to seal leaking joints.	$35,054.00
	Overhead @ 10%	0.00
	Profit @ 10%	0.00
	Total	$35,054.00

The attached costs are fair and equitable and we recommend this Change Order be accepted for an amount of $35,054.00.

No additional contract time is currently anticipated.

No additional engineering, services during construction and inspection costs are currently anticipated.

No indirect costs are currently anticipated.

The Contractor's labor quotation was verified by using the current prevailing Federal, State and Union wage rates.

NUSSBAUMER & CLARKE, INC.
310 Delaware Avenue
Buffalo, New York 14202
(716) 853-7582

FIELD DIRECTIVE

Date May 4, 1982

TO: M. C. MORGAN CONTRACTORS, INC.
3690 Sheridan Drive
Amherst, New York 14226

Field Directive No. 243

Contract No. 1, Phase No. 1
C-36-323-04
NCI Job No. 80-103

You are hereby directed to proceed with the following changes subject to an equitable adjustment in the contract amount and/or performance time.

DESCRIPTION OF CHANGE:

Quantity overruns were necessary on the following quantities:

B-2 Application of Chemical Foam

12" dia. 255 L.F.
15" dia. 322 L.F.

B-3 Chemical Foam Material

25 gallons

B-4 Sewer Cleaning

8" dia. 2315 L.F.
10" dia. 1643 L.F.
12" dia. 920 L.F.
24" dia. 5 L.F.

B-7 Joint Sealing

8" dia. 456 joints
10" dia. 774 joints
12" dia. 291 joints
15" dia. 10 joints
18" dia. 1 joint

B-8 Grouting Material
(Elastomeric Gel)

225.40 gallons

REASON FOR CHANGE:

Original footage for pipe cleaning was greater than the estimated amounts. Extra joint sealing and Chemkal grout was needed because on the smaller pipe the percentage of joint failure was higher than originally anticipated.

The Contractor shall submit records of all extra work performed, material and equipment used, to the Engineer for approval. Upon completion of work indicated above, the Contractor shall submit a change order proposal. After review and acceptance of the proposal, a change order will be issued covering the above work.

If drawing changes are required for the execution of the above work, this Field Directive will be followed up with a Bulletin.

DISTRIBUTION:

Tn. of Cheektowaga
Contractor
NCI Main Office

Issued by: _____
Observer / Resident Engineer

Approved by: _____
Town of Cheektowaga (Date)

Contractor: _____
(Date)

ENGINEER'S ESTIMATE

TOWN OF CHEEKTOWAGA, NEW YORK
SANITARY SEWER REHABILITATION DISTRICT 5
C-36-323-04

FOR SANITARY SEWER FOAMING, CLEANING, JOINT SEALING AND GROUTING

PREPARED BY: R. A. NIEDERPRUEM, JR.
MAY 4, 1982

NCI NO. 80-103

Application of Chemical Foam:

12" dia.	255 L. F. @ $0.50/L.F.	$ 127.00
15" dia.	322 L. F. @ $0.50/L.F.	$ 161.00

Chemical Foam Material:

25 gallons	@ $50.00/gal.	$ 1,250.00

Sewer Cleaning:

8" dia.	2315 L. F. @ $0.90/L.F.	$ 2,083.50
10" dia.	1643 L. F. @ $1.00/L.F.	$ 1,643.00
12" dia.	920 L. F. @ $1.00/L.F.	$ 920.00
24" dia.	5 L. F. @ $1.75/L.F.	$ 8.75

Joint Sealing:

8" dia.	456 @ $12.00	$ 5,472.00
10" dia.	774 @ $13.00	$10,062.00
12" dia.	291 @ $12.00	$ 3,492.00
15" dia.	10 @ $12.50	$ 125.00
18" dia.	1 @ $12.50	$ 12.50

Grouting Material:

	225.40 gals. @ $43.02/gal.	$ 9,696.40

Note that prices are from 2/2/81 bid prices.

Item No. 33a Cont'd

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

Item No. 33b Motion by Councilman W. P. Rogowski, seconded by Supervisor Meyers

WHEREAS, there is need to approve Change Order #HV-1 for additions to the work in the Police and Court Building Renovation Project as documented in the letter of the Town Engineer dated May 12, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #HV-1 as an addition to the Heating and Air Conditioning Work Contract of Mollenberg & Betz is approved, AND, BE IT FURTHER

RESOLVED, that this Town Board directs and authorizes the Supervisor to sign said Change Order #HV-1 in the amount of $925.00.

*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

May 12, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Orders
Police & Court
Building Renovation

Gentlemen:

We are enclosing for your review and approval Change Orders for three (3) of the contracts on the Police and Court Building Renovation Project. The additions to the contracts are as follows:

Change Order #G-6 - Transcon Associates Inc. - $2,299.00

The additional work included the following:

1) Painting Rooms 141 and 153
2) Carpeting two (2) basement rooms
3) Rekeying 65 lock sets in the police sector of the building
4) Reworking judges platform as requested
5) Recutting shelving in basement storage room

Change Order #E-2 - Zablotny Electric Inc. - $2,788.22

This covered additional work in accordance with general construction Change Orders and requests from the Maintenance Department and room occupants. The additional number of hours required and cost of each additional item used are itemized in detail as part of the Change Order.

Change Order #HV-1 - Mollenberg & Betz - $925.00

This additional cost was for more piping, insulation and duct work found to be required after demolition and removal of existing walls and finishes.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

Item No. 33b Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 33c Motion by Councilman Swiatek, seconded by Councilman Jaworowicz

WHEREAS, there is need to approve Change Order #E-2 for additions to the work in the Police and Court Building Renovation Project as documented in the letter of the Town Engineer dated May 12, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #E-2 as an addition to the Electrical Construction Contract of Zablotny Electric Inc. is approved, AND, BE IT FURTHER

RESOLVED, that this Town Board directs and authorizes the Supervisor to sign said Change Order #E-2 in the amount of $2,788.22.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE PREVIOUS PAGE FOR LETTER FROM TOWN ENGINEER.

Item No. 33d Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, there is need to approve Change Order #G-6 for additions to the work in the Police and Court Building Renovation Project as documented in the letter of the Town Engineer dated May 12, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #G-6 as an addition to the General Construction Contract of Transcon Associates Inc. is approved, AND, BE IT FURTHER

RESOLVED, that this Town Board directs and authorizes the Supervisor to sign said Change Order #G-6 in the amount of $2,299.00

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE PREVIOUS PAGE FOR LETTER FROM TOWN ENGINEER.

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

WHEREAS, New York State Electric and Gas Corporation has directed the firm of Frederick D. Marzak Architects PC, to relocate the power meters from the Basement of the Senior Citizens Center, to the Exterior of the building, AND

WHEREAS, C.I.R. Electrical Construction has submitted Change Order, No. E-2 in the amount of $859.95 to perform the necessary relocation of meters as directed by New York State Electric and Gas Corporation, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Change Order No. E-2 in the amount of Eight Hundred Fifty-Nine Dollars and Ninety-Five Cents ($859.95) as submitted by C.I.R. Electrical Construction, 3150 Seneca Street, West Seneca, New York, 14224.

*SEE NEXT TWO (2) PAGES FOR COPY OF CHANGE ORDER.

CHANGE ORDER

AIA DOCUMENT G701

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☒
FIELD ☐
OTHER ☐

PROJECT:
(name, address) Senior Citizens Center
Broadway & Union Road
Cheektowaga, New York

TO (Contractor)
CIR Electrical Construction
3150 Seneca Street
West Seneca, New York
14224

CHANGE ORDER NUMBER: E-2

ARCHITECT'S PROJECT NO:

CONTRACT FOR: Electrical Work

CONTRACT DATE: October 5, 1981

You are directed to make the following changes in this Contract:

Provide all material and services required to relocate the power meters from the Basement to the exterior of the building, in accordance with the demand of New York State Electric and Gas and with the attached proposal dated April 30, 1982, as submitted by CIR Electrical Construction.

The original Contract Sum was	$116,600.00
Net change by previous Change Orders	$ 4,890.00
The Contract Sum prior to this Change Order was	$121,490.00
The Contract Sum will be (increased) (~~decreased~~) (~~unchanged~~) by this Change Order	$ 859.95
The new Contract Sum including this Change Order will be	$122,349.95
The Contract Time will be (~~increased~~) (~~decreased~~) (unchanged) by	(-0-) Days.
The Date of Completion as of the date of this Change Order therefore is	September 1, 1982

ARCHITECT	CONTRACTOR	OWNER
E.D.Marzak Architects PC	CIR Electrical Const'n	Town of Cheektowaga
3374 Genesee Street	3150 Seneca Street	Broadway & Union Road
Address	Address	Address
Cheektowaga, New York	West Seneca, New York	Cheektowaga, New York
BY Edward J Marzak	BY John D Cimma	BY Kenneth J Meyer
DATE May 3, 1982	DATE 5-11-82	DATE 5/19/82

AIA DOCUMENT G701 • CHANGE ORDER • APRIL 1970 EDITION • AIA® • © 1970 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., NW, WASHINGTON, D.C. 20006

CIR ELECTRICAL CONSTRUCTION CORP.
3150 Seneca Street
WEST SENECA, NEW YORK 14224

CHANGE ORDER

Number E-2

PHONE	DATE
	April 30, 1982
JOB NAME/LOCATION	
Senior Citizens Center	
JOB NUMBER	JOB PHONE
C584	
EXISTING CONTRACT NO.	DATE OF EXISTING CONTRACT

TO

Town of Cheektowaga
Broadway & Union Rd.
Cheektowaga, New York 14225

e hereby agree to make the change(s) specified below:

Relocate power company metering to exterior of building near near kitchen entrance. Plans show meter being installed in basement, but power company has stated it (the meter) shall be located outdoors.

Labor	$637.50
Material	222.45
	$859.95

NOTE: This Change Order becomes part of and in conformance with the existing contract.

E AGREE hereby to make the change(s) specified above at this price ⇨		$	859 95
April 30, 1982	PREVIOUS CONTRACT AMOUNT	$	
ORIZED SIGNATURE (CONTRACTOR)	REVISED CONTRACT TOTAL	$	

CCEPTED — The above prices and specifications of is Change Order are satisfactory and are hereby ac- pted. All work to be performed under same terms and nditions as specified in original contract unless other- se stipulated.

Date of acceptance _____

Signature _____
(OWNER)

Item No. 33e Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

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

COMMUNITY DEVELOPMENT FUND

From:	Housing Rehabilitation (436115) 1980-81	$12,900.00
To:	Cedargrove Heights (436111) 1980-81	12,900.00
From:	Cedargrove Heights 1981-82	12,900.00
To:	Code Enforcement 1981-82	12,900.00

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to May 17th, 1982 are hereby approved and the SUPERVISOR is ordered to pay same.

FUND	CHECK NO. FROM TO	AMOUNT
GENERAL FUND	16077,16607-16756 19154M, 19183M-19188M	$ 577,692.27
SPECIAL DISTRICT FUND	11622, 11753-11806 8407M-8423M	1,023,620.79
HIGHWAY FUND	10387-10390 6277M-6348M	151,432.63
FEDERAL REVENUE SHARING	10387-10396	416.94
CAPITAL FUND	501M-519M, 668M	634,883.70
TRUST & AGENCY FUND	1152M-1162M	268,765.02
PART TOWN FUND	655M-669M, 687M	6,517.64
H.U.D.-C.D.B.G. FUND	501M-506M	64,636.01
		$2,727,965.00

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

IV. FROM THE TABLE

Item No. 36 This item was taken out of order after Item Number 12 and voted upon at that time. Please see pages 9 - 10 for this resolution which involved the award of bid for furnishings and equipment for the Senior Citizens Center.

V. DEPARTMENTAL COMMUNCATIONS

Item No. 37 Supervisor's Statement of Funds for the month of March, 1982.
This item was received and filed.

Item No. 38 Health Report for April.
This item was received and filed.

VI. GENERAL COMMUNICATIONS

Item No. 39 Resolution from Town of Hamburg regarding distribution of interest earnings derived from both County of Erie and New York State short term investment of sales tax to municipalities & school districts in Erie County.
This item was received and filed.

Item No. 40 D & F Transit, Inc. - requests extension of certificate of public convenience.
Copies of this notice were sent to: Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; James J. Kirisits, Town Attorney; Anthony Osswald, Traffic Safety Commission; and Salvatore LaGreca, Town Planning Commission.
This item was received and filed.

Item No. 41 Notice of Claim: Joseph Wroblewski vs. Town of Cheektowaga.
Copies of this claim were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Joseph Naples, Town's Insurance Carrier; and Alfred Wnek, Highway Superintendent.
This item was received and filed.

Item No. 42 Notice of Claim: Beatrice Donovan for Christopher, infant, vs. Town of Cheektowaga.
Copies of this claim were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Theodore DeFedericis, Chief of Police; and John Slisz, Dog Control Officer.
This item was received and filed.

Item No. 43 Letter regarding drilling for gas on County Property.
Copies of this letter were sent to: Kenneth J. Meyers, Supervisor; and Karen McAuley, Council Secretary.
This item was received and filed.

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

Motion by Councilman Swiatek, seconded by Councilman W. P. Rogowski to suspend the rules to include the following items:

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz

NAYES: 0

ABSENT: 0

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

Item No. 44 Authorize Town Attorney to petition Public Service Commission to allow Town to install overhead lighting on Losson Road.

Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

WHEREAS, the County of Erie is in the process of reconstructing Losson Road in the Town of Cheektowaga, and

WHEREAS, said reconstruction has caused a relocation of a portion of Losson Road, and

WHEREAS, the portion of Losson Road which has been relocated is in need of street lights, and

WHEREAS, a Public Service Commission rule mandates underground electric service through the aforesaid portion of Losson Road, and

WHEREAS, the cost of installing underground electric service along the relocated portion of Losson Road has been estimated as substantial, and would be an undue financial burden on the Town, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is directed to petition the Public Service Commission to allow the Town to install overhead lighting facilities along the aforesaid new portion of Losson Road, and BE IT FURTHER

RESOLVED that the Town Attorney's Office take whatever steps are necessary for the Town to receive authority to install overhead lighting facilities along the aforesaid portion of Losson Road.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

Item No. 45 Authorize Special Counsel to the Town to sign agreement regarding Assessment proceedings with American Optical Corporation.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, American Optical Corporation has commenced proceedings against the Assessor and the Board of Assessment Review of the Town of Cheektowaga, pursuant to Article 7 of the Real Property Tax Law of the State of New York, for the tax years 1980-81 and 1981-82, and

WHEREAS, special counsel to the Town and the Assessor have conducted a complete and thorough study of the matter, and have engaged in considerable negotiations with the legal representatives of the said Petitioner, and

WHEREAS, special counsel to the Town and the Assessor have advised this Town Board that a tentative agreement has been reached for a fair and reasonable resolution of the aforementioned Article 7 proceedings; and

WHEREAS, special counsel to the Town and the Assessor have recommended the following settlement agreement for approval by this Town Board:

1. The proceeding for the 1980-81 tax year be discontinued on the merits without any reduction in assessed valuation for such tax year, and

2. The assessed valuation on the property of American Optical Corporation, being tax parcel numbers 2-227 and 2-228 as described in the assessment roll of the Town of Cheektowaga, be reduced for tax year 1981-82 by the sum of $120,000.

NOW, THEREFORE, BE IT

RESOLVED that the aforementioned settlement be and hereby is approved, and BE IT FURTHER

Item No. 45 Cont'd.

RESOLVED that special counsel to the Town be and he hereby is authorized to sign any and all legal documents necessary to effectuate such settlement.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

Item No. 46 Motion by Councilman J. V. Rogowski, seconded by Councilman Patricia Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

* * * * *

B I D S

* * * * *

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PUBLIC HEARINGS

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

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R E S O L U T I O N S

* * * * * * * * * * *

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MEETING NO. 12

CHEEKTOWAGA, NEW YORK
JUNE 7, 1982

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 7th day of June, 1982 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 William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; James Kirisits, Town Attorney; Salvatore LaGreca, Employment and Training Services Director II; Ronald Marten, Building Inspector; Michael Miecznikowski, Director of Recreation; Julia Reinstein, Town Historian; Joseph Schoelkoph, Deputy Town Attorney; Patricia Staniaszek, Program Coordinator; Al Thrun, Representative of Cheektowaga Traffic Safety Commission; Louis A. Vendetti, Town's Health Officer; Donald Wegner, Chairman of Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; Bernard Wojtkowiak, Mayor of Sloan.

I. BIDS

Item No. 2 Cheektowaga Historical Museum.
Bids referred to Kenneth Selden, Architect.

Item No. 3 One (1) high velocity sewer cleaner.
Bids referred to Engineering Department.

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 Parks Ordinance of the Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment being as follows:

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

ORDINANCE NO. 38

PARKS

Section 12. Park Closing Hours, which reads:

> 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 when so closed.

shall be amended to read:

> All parks shall be closed between the hours of sunset and sunrise the following morning and no person shall remain inside any park during the hours when so closed, except that any park which has a lighted baseball or softball diamond shall remain open after sunset

Item No. 4 Cont'd.

when baseball or softball games are being played on such lighted diamond. Such park shall be open only to players, officials and spectators involved in such baseball or softball games. Such players, officials and spectators must remain in the immediate vicinity of the lighted diamond. The park shall be closed to the public fifteen minutes after the conclusion of any such game.

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

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 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 VIII

Stop and Yield Intersections

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

Street	Direction	Entrance Street	Traffic Stops	Sign Location
MARKUS DRIVE	East-west	VICTORIA BOULEVARD	Northbound	S. E. Corner
VICTORIA BLVD.	North-south	PARKVIEW TERRACE	Eastbound	S. W. Corner
VICTORIA BLVD.	North-south	PINEWOOD TERRACE	Eastbound	S. W. Corner
CEDARGROVE CIRCLE	North-south	SPRINGFIELD DRIVE	Westbound	N. E. Corner

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

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

III. RESOLUTIONS

Item No. 6 Motion by Councilman W. P. Rogowski, seconded by Supervisor Meyers

WHEREAS, the Broadway Sports Center has applied for a Special Use Permit for a temporary, portable miniature golf course on property located at 3500 Broadway, Cheektowaga, New York pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the copy of the legal description attached hereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 17th day of May, 1982, at 6:30 o'clock P.M. at the Cheektowaga Town Hall for the purpose of considering said application for a Special Use Permit, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Use Permit, and

No. 13

No. 14

No. 15

Item No. 6 Cont'd.

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application of the aforesaid Special Use Permit for 3500 Broadway, and has rendered a determination that the Special Use Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Use permit be and hereby is granted subject to the following conditions:

(1) Lighting and fencing be installed in a manner acceptable to the Building and Plumbing Inspector of the Town of Cheektowaga.

(2) The area be posted prohibiting alcoholic beverages outside of the bowling establishment;

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

Description of property located at 3500 Broadway

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

BEGINNING at a point in the northerly line of a road leading from Buffalo, to Lancaster (known as Broadway) sixty (60) feet easterly from the intersection of the easterly line extended of land conveyed by Israel Ely and Eunice Ely, his wife, to Anthony Crique by deed dated May 26, 1841, and recorded in the Erie County Clerk's Office in Liber 64 of Deeds at page 136, as measured along said northerly line of Broadway; thence easterly along the northerly line of Broadway Four hundred (400) feet to a point; thence northerly parallel with the east line of said Crique's land Three hundred twenty-six and eighty-seven one hundredths (326.87) feet to the southerly line of Ellicott or Batavia Road; thence westerly along the southerly line of Ellicott or Batavia Road Four hundred three and seventy one hundredths (403.70) feet to a point where a line drawn through the point of beginning parallel with the east line of said Crique's land would intersect the southerly line of the Ellicott or Batavia Road; thence southerly parallel with the east line of said Crique's land Two hundred seventy and sixty-nine one hundredths (270.69) feet to the point of beginning.

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, N.Y., New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10th day of June, 19 82, and the last insertion being on the same day of ....., 19....

Jean Mugler

Subscribed and sworn to before me this 10th day of June, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

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 7th day of June, 1982 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
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz

ABSENT: 0

Motion by Councilman W.P. Rogowski Seconded by Supervisor Meyers

WHEREAS, the Broadway Sports Center has applied for a Special Use Permit for a temporary, portable miniature golf course on property located at 3500 Broadway, Cheektowaga, New York pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, said property being further described in the copy of the legal description attached hereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 17th day of May, 1982, at 6:30 o'clock P.M. at the Cheektowaga Town Hall for the purpose of considering said application for a Special Use Permit, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Use Permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application of the aforesaid Special Use Permit for 3500 Broadway, and has rendered a determination that the Special Use Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Use permit be and hereby is granted subject to the following conditions:

(1) Lighting and fencing be installed in a manner acceptable to the Building and Plumbing Inspector of the Town of Cheektowaga;

(2) The area be posted prohibiting alcoholic beverages outside of the bowling establishment;

Upon roll call — Supervisor Meyers Voting AYE; Councilman Swiatek Voting AYE; Councilman Johnson Voting AYE; Councilman Dux Voting AYE; Councilman W.P. Rogowski Voting AYE; Councilman J.V. Rogowski Voting AYE; Councilman Jaworowicz Voting AYE.

AYES: 7
NAYES: 0
ABSENT: 0

Description of property located at 3500 Broadway

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

BEGINNING at a point in the northerly line of a road leading from Buffalo, to Lancaster (known as Broadway) sixty (60) feet easterly from the intersection of the easterly line extended of land conveyed by Israel Ely and Eunice Ely, his wife, to Anthony Crique by deed dated May 26, 1841, and recorded in the Erie County Clerk's Office in Liber 64 of Deeds at page 136, as measured along said northerly line of Broadway; thence easterly along the northerly line of Broadway Four hundred (400) feet to a point; thence northerly parallel with the east line of said Crique's land Three hundred twenty-six and eighty-seven one hundredths (326.87) feet to the southerly line of Ellicott or Batavia Road; thence westerly along the southerly line of Ellicott or Batavia Road Four hundred three and seventy one hundredths (403.70) feet to a point where a line drawn through the point of beginning parallel with the east line of said Crique's land would intersect the southerly line of the Ellicott or Batavia Road; thence southerly parallel with the east line of said Crique's land Two hundred seventy and sixty-nine one hundredths (270.69) feet to the point of beginning.

june 10

Item No. 7 Motion by Councilman W. P. Rogowski, seconded by Councilman Dux

WHEREAS, this Town Board held a public hearing on the 16th day of November, 1981 to consider the advisability of adopting a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing all parties in interest and citizens had an opportunity to be heard, and

WHEREAS, it is in the public interest to adopt the following amendment 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:

Section 1.

RESOLVED that Article X of the Traffic Ordinance of the Town of Cheektowaga, entitled "Parking, Standing and Stopping," be amended by the enactment of a new Section 106 providing as follows:

Section 106. Handicapped Parking

A. No person shall stop, stand or park a vehicle in any of the following areas designated as places for handicapped parking unless the vehicle bears a special municipal parking permit issued under Section 1203-a of the Vehicle and Traffic Law or a registration and disabled person license plates issued under Section 404-a of the Vehicle and Traffic Law of the State of New York and such vehicle is being used for the transportation of a severly disabled of handicapped person:

CHEEKTOWAGA TOWN HALL:	South parking lot - 4 spaces
CHEEKTOWAGA TOWN PARK:	North parking lot of Cheektowaga Recreational Center - 2 spaces
	South parking lot of Cheektowaga Recreational Center - 2 spaces
	South parking lot of Cheektowaga Cultural Center - 4 spaces

B. The Town Clerk shall issue such special municipal parking permits upon application by any handicapped person who is a resident of the Town, in accordance with the Guidelines For Determining Eligibility For Handicapped Parking Permits promulgated by the State of New York Office of Advocate for the Disabled.

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 BEE, the official

Item No. 7 Cont'd.

newspaper of the 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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

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Jean Mugler

Subscribed and sworn to before me this 10th day of June, 19 82

Donna M. Yambor

Notary Public in and for Erie County

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QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 83

Form No. 1

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PRESENT:
Supervisor
Kenneth J. Meyers
Councilman
Frank E. Swiatek
Councilman
Thomas M. Johnson, Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
ABSENT: 0

Motion by Councilman W.P. Rogowski Seconded by Councilman Dux

WHEREAS, this Town Board held a public hearing on the 16th day of November, 1981 to consider the advisability of adopting a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing all parties in interest and citizens had an opportunity to be heard, and

WHEREAS, it is in the public interst to adopt the following amendment 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:

Section 1.

RESOLVED that Article X of the Traffic Ordinance of the Town of Cheektowaga, entitled "Parking, Standing and Stopping," be amended by the enactment of a new Section 106 providing as follows:

Section 106. Handicapped Parking

A. No person shall stop, stand or park a vehicle in any of the following areas designated as places for handicapped parking unless the vehicle bears a special municipal parking permit issued under Section 1203-a of the Vehicle and Traffic Law or a registration and disabled person license plates issued under Section 404-a of the Vehicle and Traffic Law of the State of New York and such vehicle is being used for the transportation of a severely disabled or handicapped person:

CHEEKTOWAGA TOWN HALL: South parking lot — 4 spaces

CHEEKTOWAGA TOWN PARK: North parking lot of Cheektowaga Recreation Center — 2 spaces; South parking lot of Cheektowaga Recrational Center — 2 spaces; South parking lot of Cheektowaga Cultural Center — 4 spaces.

B. The Town Clerk shall issue such special municipal parking permits upon application by any handicapped person who is a resident of the Town, in accordance with the Guidelines For Determining Eligibility For Handicapped Parking Permits promulgated by the State of New York Office of Advocate for the Disabled.

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 BEE, the official newspaper of the 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; Councilman Swiatek Voting AYE; Councilman Johnson Voting AYE; Councilman Dux Voting AYE; Councilman W.P. Rogowski Voting AYE; Councilman J.V. Rogowski Voting AYE; Councilman Jaworowicz Voting AYE.

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clark of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 7, 1982, 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 7, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole 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 7th day of June, 1982.

Richard M. Moleski
Town Clerk

june 10

No. 13

No. 14

No. 15

Item No. 8 Motion by Councilman Swiatek, seconded by Councilman Dux

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 June, 1982 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 CHEEKTWOAGA BEE, on the 10th day of June, 1982; 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 June, 1982 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	Direction	Entrance Street	Traffic Stops	Sign Location
MANLON TERRACE	East-west	CRESTHAVEN DRIVE	Southbound	N.W. Corner
MANLON TERRACE	East-west	LYNNCREST TERRACE	Southbound	N.W. Corner
MANLON TERRACE	East-west	VERNON DRIVE	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

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.

(14) One-hour parking.

PINE RIDGE TERRACE - east side: from south curb of Genesee Street to No. 23.

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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE }

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 June, 1982 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: MANLON TERRACE; Direction: East-west; Entrance Street: CRESTHAVEN DRIVE; Traffic Stops: Southbound; Sign Location: N.W. Corner.

Street: MANLON TERRACE; Direction: East-west; Entrance Street: LYNNCREST TERRACE; Traffic Stops: Southbound; Sign Location: N.W. Corner.

Street: MANLON TERRACE; Direction: East-west; Entrance Street: VERNON DRIVE; Traffic Stops: Southbound; Sign Location: N.W. Corner.

ARTICLE X
Parking, Standing and Stopping

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.

(14) One-hour parking

PINE RIDGE TERRRACE — east side: from south curb of Genesee Street to No. 23.

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

RICHARD M. MOLESKI
Town Clerk june 10

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, N.Y., New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10th day of June, 19 82, and the last insertion being on the same day of ....., 19...

Jean Mugler

Subscribed and sworn to before me this 10th day of June, 19 82

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

Item No. 9 Motion by Councilman W. P. Rogowski, seconded by Councilman Dux

WHEREAS, the Town Board of the Town of Cheektowaga, based upon the recommendation of the Town Highway Superintendent, has determined that certain town-owned vehicles, as more particularly described in the Notice of Sale attached hereto, are no longer required for Town use and are surplus to the needs of the Town, and

WHEREAS, the County Superintendent of Highways has approved the sale of the aforesaid vehicles by the Town,

NOW, THEREFORE, BE IT RESOLVED that the Town of Cheektowaga shall place for sale the aforesaid surplus items by means of sealed bids to be submitted to the Town Clerk at the Town Hall, Broadway and Union Road, Cheektowaga, New York by Monday, June 21, 1982 at 7:00 P.M., with the terms of sale to be as follows:

1. Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.

2. Items sold shall be removed from the place of sale no later than 72 hours after sale.

3. Said items to be sold shall be available for inspection at the Town Highway Garage at 3145 Union Road from June 8th to June 21st on regular business days from 8:00 A.M. to 3:30 P.M.

4. THE TOWN MAKES NO GUARANTEE, WARRANTY, OR REPRESENTATION, EXPRESS OR IMPLIED, AS TO THE KIND, SIZE, WEIGHT, QUALITY, CHARACTER, DESCRIPTION OR CONDITION OF ANY OF THE VEHICLES, OR THEIR FITNESS FOR ANY USE OR PURPOSE.

5. THE TOWN RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVE ANY IRREGULARITY IN BIDDING.

and, BE IT FURTHER

RESOLVED that said bids shall be opened by the Town Clerk at 7:00 P.M., on June 21, 1982 at the regularly scheduled Town Board meeting, Town Hall, Broadway and Union Road, Cheektowaga, New York and that a record be kept thereof, and BE IT FURTHER

RESOLVED that the Town Board shall award the sale to the highest responsible bidder who has submitted a timely valid bid, and BE IT FURTHER

RESOLVED that the proceeds of the aforementioned sale shall be accounted for as provided by subdivision 5 of section 142 of the Highway Law of the State of New York, and BE IT FURTHER

RESOLVED that the Town Clerk shall give Notice of such sale by publishing a Notice in the CHEEKTOWAGA BEE and the BUFFALO EVENING NEWS and by posting such Notice on the bulletin board maintained by the Town Clerk.

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

TOWN OF CHEEKTOWAGA

PUBLIC SALE

PLEASE TAKE NOTICE, that a public sale shall be held under the supervision of the Town Clerk for the Town of Cheektowaga, to sell town-owned vehicles, by the opening of sealed bids at the regularly scheduled Town Board meeting in Town Hall, Broadway and Union Road, Cheektowaga, New York at 7:00 o'clock P.M., Eastern Daylight Saving Time, on Monday, June 21, 1982.

The following items shall be offered for sale:

No. 13 No. 14 No. 15

Item No. 9 Cont'd.

QUANTITY	DESCRIPTION
1	1968 International Dump Truck (in running condition)
1	1961 Oshkosh Dump Truck (in running condition)
1	10-foot Highway sander, gas driven (in running condition)
2	1968 FWD Dump Trucks (in running condition)
2	1969 FWD Dump Trucks (in running condition)
1	1970 FWD Dump Truck (in running condition)

Terms of sale shall be subject to the following conditions:

1. Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.

2. Items sold shall be removed from the place of sale no later than 72 hours after sale.

3. Said items to be sold shall be available for inspection at the Town Highway Garage at 3145 Union Road from June 8th to June 21st on regular business days from 8:00 A.M. to 3:30 P:M.

4. THE TOWN MAKES NO GUARANTEE, WARRANTY, OR REPRESENTATION, EXPRESS OF IMPLIED, AS TO THE KIND, SIZE, WEIGHT, QUALITY, CHARACTER, DESCRIPTION OR CONDITION OF ANY OF THE VEHICLES, OR THEIR FITNESS FOR ANY USE OR PURPOSE.

5. THE TOWN RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVE ANY IRREGULARITY IN BIDDING.

Bid sheets for these items may be picked up at 3145 Union Road, Cheektowaga New York at the Office of the Cheektowaga Highway Superintendent.

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

Dated: June 7, 1982

RICHARD M. MOLESKI
Town Clerk

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVITS ON NEXT TWO (2) PAGES.

PROOF OF PUBLICATION

Bee Publications Inc.

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

Jean Mugler

being duly sworn, deposes and says that she is the

Ass't to the Publisher of the

Cheektowaga Bee , a

public newspaper published at

Williamsville, N.Y. , New York, that the

notice of which the annexed printed slip taken from

said newspaper, is a copy, was inserted and published

therein once a week for 1 weeks, the first

insertion being on the 10th day of June ,

19 82 , and the last insertion being on the same

day of ....., 19..... .

Subscribed and sworn to before me this 10th day

of June , 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

TOWN OF CHEEKTOWAGA

PUBLIC SALE

PLEASE TAKE NOTICE, that a public sale shall be held under the supervision of the Town Clerk, for the Town of Cheektowaga, to sell town-owned vehicles, by the opening of sealed bids at the regularly scheduled Town Board meeting in Town Hall, Broadway and Union Road, Cheektowaga, New York at 7:00 o'clock P.M., Eastern Daylight Saving Time, on Monday, June 21, 1982.

The following items shall be offered for sale:

Quantity: 1; Description: 1968 International Dump Truck (in running condition).

Quantity: 1; Description: 1961 Oshkosh Dump Truck (in running condition).

Quantity: 1; Description: 10-foot Highway sander, gas driven (in running condition).

Quantity: 2; Description: 1968 FWD Dump Trucks (in running condition).

Quantity: 2; Description: 1969 FWD Dump Trucks (in running condition).

Quantity: 1; Description: 1970 FWD Dump Truck (in running condition).

Terms of sale shall be subject to the following conditions:

1. Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.

2. Items sold shall be removed from the place of sale no later than 72 hours after sale.

3. Said items to be sold shall be available for inspection at the Town Highway Garage at 3145 Union Road from June 8th to June 21st on regular business days from 8:00 A.M. to 3:30 P.M.

4. THE TOWN MAKES NO GUARANTY, WARRANTY, OR REPRESENTATION, EXPRESS OR IMPLIED, AS TO THE KIND, SIZE, WEIGHT, QUALITY, CHARACTER, DESCRIPTION OR CONDITION OF ANY OF THE VEHICLES, OR THEIR FITNESS FOR ANY USE OR PURPOSE.

5. THE TOWN RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVE ANY IRREGULARITY IN BIDDING.

Bid sheets for these items may be picked up at 3145 Union Road, Cheektowaga, New York at the Office of the Cheektowaga Highway Superintendent.

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

Dated: June 7, 1982

RICHARD M. MOLESKI
Town Clerk

june 10

F OF PUBLICATION

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STATE OF NEW YORK
COUNTY OF ERIE

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, N.Y., New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10th day of June, 19 82, and the last insertion being on the same day of ....., 19....

Subscribed and sworn to before me this 10th day of June, 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

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

TOWN OF CHEEKTOWAGA
PUBLIC SALE

PLEASE TAKE NOTICE, that a public sale shall be held under the supervision of the Town Clerk for the Town of Cheektowaga, to sell town-owned vehicles by the opening of sealed bids at the regularly scheduled Town Board meeting in Town Hall, Broadway and Union Road, Cheektowaga, New York at 7:00 o'clock P.M. Eastern Daylight Saving Time, on Monday, June 21, 1982.

The following items shall be offered for sale:

Quantity — Description

1 1968 International Dump Truck (in running condition)
1 1961 Oshkosh Dump Truck (in running condition)
1 10-foot Highway sander, gas drive (in running condition)
2 1968 FWD Dump Trucks (in running condition)
2 1969 FWD Dump Trucks (in running condition)
1 1970 FWD Dump Truck (in running condition)

Terms of sale shall be subject to the following conditions:

1. Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.
2. Items sold shall be removed from the place of sale no later than 72 hours after sale.
3. Said items to be sold shall be available for inspection at the Town Highway Garage at 3145 Union Road from June 8th to June 21st on regular business days from 8:00 A.M. to 3:30 P.M.
4. THE TOWN MAKES NO GUARANTY, WARRANTY, OR REPRESENTATION, EXPRESS OR IMPLIED, AS TO THE KIND, SIZE, WEIGHT, QUALITY, CHARACTER, DESCRIPTION OR CONDITION OF ANY OF THE VEHICLES, OR THEIR FITNESS FOR ANY USE OR PURPOSE.
5. THE TOWN RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVE ANY IRREGULARITY IN BIDDING.

Bid sheets for these items may be picked up at 3145 Union Road, Cheektowaga, New York at the Office of the Cheektowaga Highway Superintendent.

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

Dated: June 7, 1982

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 ~~a week for xxxxxxxxx xxxxxxxxx~~ ~~weeks, the first~~ insertion being on the 10th day of June 19 82 ~~and the last insertion being on the xxxxxxxxx day of xxxxxxxxx 19xxx~~

D. Eileen Perry

Sworn to before me this 11th day of June 19 82

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

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

Item No. 10 Motion by Councilman Johnson, seconded by Supervisor Meyers

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 III Program, which is to include improvement of the section of Cedargrove Circle from Ellwood to Springfield Drive with similar work on 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 III 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 III construction, notice to be published in the BUFFALO EVENING NEWS, COURIER EXPRESS, BUFFALO CRITERION and the CHEEKTOWAGA BEE, 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 21st day fo June, 1982, 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 21st day of June 1982, 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 III 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 Doucments, 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 III."

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.

No. 13 No. 14 No. 15

Item No. 10 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: June 7, 1982

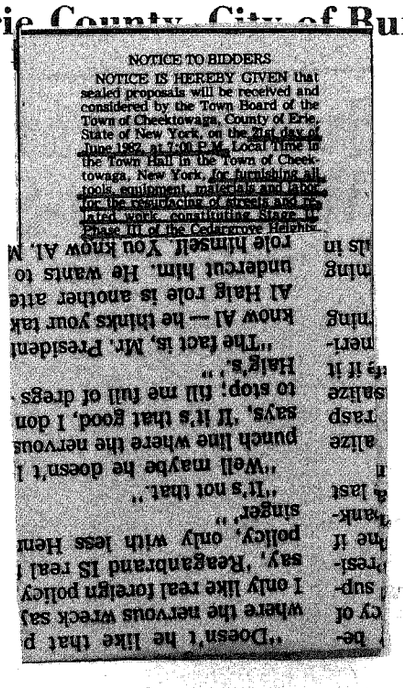
* * * * * * * * * * * * * *

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVITS ON NEXT FOUR (4) PAGES.

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 21st day of June 1982, 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 III Phase III of the Cedargrove Heights

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 June 19 82 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 10 day of June 19 82

MARY LOU TROY
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 19 84

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 21st day of June 1982, 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 III 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 III."

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to 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 bidder may withdraw his bid within 45 days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled time for the opening of bids.

The successful 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: June 7, 1982

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 June 19 82 and the last insertion being on the .... day of ....., 19 , and not more than .... days intervened between any two publications thereof.

Yvonne Mentro

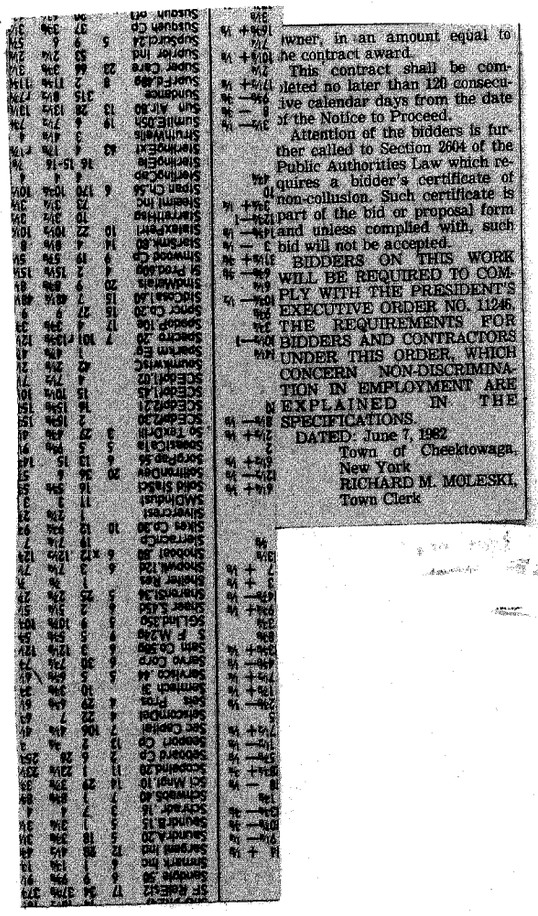
Swor

of . .

MARY LOU TROY
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 19 84

N.Y.

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



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: June 7, 1982
Town of Cheektowaga, New York
RICHARD M. MOLESKI,
Town Clerk

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that ~~s~~he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~a week for~~ ~~xxxxxxxxxxxx~~ ~~xxxxxxxxx~~ ~~weeks~~, the first insertion being on the 10th day of June 19 82 ~~and the last insertion being on the xxxxxxxxxx day of xxxxxxxxxx~~

D. Eileen Perry

Sworn to before me this 11th day of June 19 82

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

State of New York }
ERIE COUNTY } ss.
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 21st day of June 1982 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 III 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 officeof 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 III."

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: June 7, 1982
Town of Cheektowaga,
New York
RICHARD M. MOLESKI,
Town Clerk

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that ~~he~~ she is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~a week for xxxxxxxxxx weeks, the first~~ insertion being on the 10th day of June 19 82 ~~and the last insertion being on the xxxxxx day xxxxxxxx~~

D. Eileen Perry

11th day

June 19 82

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
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5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, N.Y., New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10th day of June, 19 82, and the last insertion being on the same day of ....., 19....

Subscribed and sworn to before me this 10th day of June, 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

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 21st day of June 1982, 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 III 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 III."

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.

TOWN OF CHEEKTOWAGA,
NEW YORK
RICHARD M. MOLESKI,
TOWN CLERK
DATED: June 7, 1982

june 10

STATE OF NEW YORK

Erie County, City of Buffalo ss.

The BUFFALO CRITERION

623-25 WILLIAM ST. BUFFALO 6, N. Y.

Frank E. Merriweather

of the City of Buffalo, being duly sworn deposes and says, that ...he is Editor-Publisher... of The Buffalo Criterion, a weekly newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for one weeks, the first insertion being on the 9th day of June, 19 82 and the last insertion being on the ..... day of ..... 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 19th day of June, 1982

Frank E. Merrill

~~Notary Public~~

Commissioner of Deeds

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 21st day of June 1982, 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 III 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 III."

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.

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BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

TOWN OF CHEEKTOWAGA, NEW YORK
RICHARD M. MOLESKI, TOWN CLERK

DATED: June 7, 1982

No. 13

No. 14

No. 15

Item No. 11 Motion by Councilman Johnson, seconded by Councilman W. P. Rogowski

WHEREAS, it is in order that bids be advertised to cover the purchase of traffic control signs, street name signs, sign posts and brackets for the year of July 1, 1982 to June 30, 1983, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of traffic control signs, street name signs, sign posts and brackets for the year of July 1, 1982 to June 30, 1983, notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that the Town Board meet on the 21st day of June, 1982 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a 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 June 21, 1982 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of traffic control signs, street name signs, sign posts and brackets for the year of July 1, 1982 to June 30, 1983.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 8, 1982

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 21, 1982 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of traffic control signs, street name signs, sign posts and brackets for the year of July 1, 1982 to June 30, 1983.

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

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

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

Richard M. Moleski
Town Clerk
DATED: June 8, 1982

june 10

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, N.Y., New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10th day of June, 19 82, and the last insertion being on the same day of ....., 19....

Subscribed and sworn to before me this 10th day of June, 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

Item No. 12 Motion by Councilman W. P. Rogowski, seconded by Councilman Johnson

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

RESOLVED that the Town Board will meet at 7:00 P.M., June 21, 1982 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 kerosene oil, hydraulic oil, motor oil, lubriplate, permanent anti-freeze, diesel fuel oil, 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 Road, Town of Cheektowaga, NY 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening on June 21, 1982, 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 the bidder.

RICHARD M. MOLESKI
Town Clerk

DATED: June 7, 1982

PUBLISHED: June 10, 1982

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR AFFIDAVIT.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

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5564 MAIN STREET,
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PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE

NOTICE TO BIDDERS
CHEEKTOWAGA HIGHWAY DEPARTMENT

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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

june 10

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, N.Y., New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10th day of June, 19 82, and the last insertion being on the same day of ....., 19....

Subscribed and sworn to before me this 10th day of June, 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

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

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for furnishing of Football Equipment to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk, said notice to be published in the CHEEKTOWAGA BEE, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M. Daylight Savings Time, on June 21, 1982 for the purpose of properly opening and reading the sealed bids.

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

NOTICE TO BIDDERS

SEALED PROPOSALS will be received and considered by the Town Board of the Town of Cheektowaga on June 21, 1982 at 7:00 P.M. Daylight Savings Time at the Town Hall, corner of Broadway and Union Roads for football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in sixty (60) days or less from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the items originally designated.

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

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 7, 1982

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

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK
COUNTY OF ERIE

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 21, 1982 at 7:00 p.m. Daylight Savings Time at the Town Hall, corner of Broadway and Union Roads for football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in sixty (60) days or less from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

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

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

Richard Moleski,
Town Clerk

june 10

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, N.Y., New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10th day of June, 19 82, and the last insertion being on the same day of ....., 19....

Subscribed and sworn to before me this 10th day of June, 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Form No. 1

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of Beach Road Phase II Drainage Improvements, which bids were duly received and opened at the regular Town Board Meeting of May 17, 1982, AND

WHEREAS, said bids were referred to the consulting firm of McFarland-Johnson Engineers, Inc. and 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 June 3, 1982, AND

WHEREAS, said report recommends that the bid be awarded to Knab Brothers, Inc. for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the construction of the Beach Road Phase II Drainage Improvements be and hereby is awarded to Knab Brothers, Inc., 1800 Military Road, Kenmore, New York 14217 for the bid price of $339,048.00 for Parts A & B, said bid being the lowest meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that award of Part C as an addition to the contract of Knab Brothers, Inc. at the bid price of $32,204.00 will be made should funds be availabie for such additional work, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, sign the agreement with said Knab Brothers, Inc. for the construction of the Beach Road Phase II Drainage Improvements, AND, BE IT FURTHER

RESOLVED, that funding for this construction project is thru the Community Development Block Grant Budget.

*SEE NEXT TWO (2) PAGES 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

June 3, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Beach Road, Phase II
Drainage Improvements

Gentlemen:

At the regular Town Board Meeting of May 17, 1982 bids were received and opened for Beach Road Phase II Drainage Improvements. Twenty-two (22) bids were submitted for this project. Bid prices ranged from $371,252.00 to $589,086.00. There were three (3) parts to the bid.

Part A was for the construction of a storm sewer from Maryvale Drive north to Fairvale Drive. Also included was the construction of a storm sewer system at the lower end of Fairvale, Pinevale and Clearvale. Two (2) other storm sewer extensions were added. The purpose was to take advantage of possible low prices that would come within the project allocation for the Beach Road drainage system improvement.

Part B was for the construction of a storm sewer from Fairvale Drive to Peinkofer Drive.

Part C was for storm sewer construction from Peinkofer Drive to Balbach Drive.

The engineering estimate for all three (3) parts was $437,000.00. Following is a listing of the lowest seven (7) bidders for a contract consisting of Parts A, B and C:

	PARTS A & B	PARTS A, B & C
Knab Brothers, Inc.	$339,048.00	$371,252.00
NAI Construction Co., Inc.	354,523.95	384,486.50
Beeline Contracting, Inc.	350,138.00	384,641.00
Northern States Cont. Co., Inc.	357,875.00	387,199.00
M.C. Morgan Contractors, Inc.	359,106.50	389,743.15
Custom Topsoil, Inc.	364,700.34	394,546.26
Janik Paving & Constr. Inc.	372,502.00	410,102.00

The bids were reviewed and checked by McFarland-Johnson Engineers, Inc. It is the recommendation of those consultants and ourselves that the bid be awarded for the entire project consisting of Parts A, B and C. The bid should be awarded to Knab Brothers, Inc., 1800 Military Road, Kenmore, New York 14217, for their submission of the lowest total bid price of $371,252.00 meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

No. 13

No. 14

No. 15

Item No. 14 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, bids were duly received and opened by the Town Board at a meeting held on May 17, 1982 for the construction of sidewalks including incidental piping for the year of 1982 as the result of advertisement, AND

WHEREAS, said bids were referred to Stuart Alexander & Associates and 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 June 3, 1982, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the construction of sidewalks including incidental piping be and hereby is awarded to Mar-Wal Construction Co., Inc., 440 Gould Avenue, Depew, New York 14043, for their submission of the lowest bid meeting the requirements of the specifications with bid award to be made at the following unit prices:

ITEM 1	4" thick concrete	$ 1.80/sq. ft.
ITEM 2	6" thick concrete	2.15/sq. ft.
ITEM 3	Fill	0.01/cu. yd.
ITEM 4	Piping	1.00/lin. ft.
ITEM 5	6" thick reinforced concrete	2.40/sq. ft.
ITEM 6	Landscaping	1.00/sq. yd.
ITEM 7	Fine Asphalt mix	10.00/sq. yd.
ITEM 8	6" concrete apron	2.45/sq. ft.
ITEM 9	6" thick reinforced concrete driveway aprons	2.70/sq. ft.
ITEM 10	Removal & replacement of US Postal Mail & Storage Boxes	100.00/each
ITEM 11	Manhole grade adjustment	100.00/each
ITEM 12	Traffic control & pedestrian safety	2,500.00
ITEM 13	Furnishing & installation of trees	250.00/each
ITEM 14	Furnishing & installation of brick pavers for walkways	30.00/sq. yd.
ITEM 15	Furnishing & installation of brick pavers for tree pit areas	40.00/sq. yd.
ITEM 16	Removal & reinstallation of benches	200.00/each

AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, sign the agreement with said contractor for the construction of sidewalks including incidental piping for the year of 1982.

*SEE NEXT TWO (2) PAGES 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—686-3447

June 3, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Construction of Town Sidewalk

Gentlemen:

At the regular Town Board Meeting of May 17, 1982 bids were received and opened for the construction of sidewalks including incidental piping, brick pavers, trees, miscellaneous grading and seeding for the area of Walden Avenue from the Buffalo City Line to Harlem Road. The bid specifications required that unit prices be posted so that the bid could also be awarded on the unit price basis for sidewalk construction during 1982 for any other areas in the Town of Cheektowaga where it is determined that sidewalks should be installed. Such additional sidewalk work is planned in the Cedargrove Heights area in addition to various other locations. Thirteen (13) bids were received. The lowest six (6) bidders are as follows:

Mar-Wal Construction Co., Inc.	$ 68,735.00
C. Castricone Contractors, Inc.	71,070.00
Grandpa Construction Company	73,240.00
LCP Construction Corporation	74,168.00
Christopher Construction Company	76,182.80
Buffalo Downtown Dump Truck Service & Supplies, Inc.	76,951.00

Bids were reviewed and checked by Stuart Alexander & Associates. It is the recommendation of said consultant and ourselves that the bid be awarded to Mar-Wal Construction Co., Inc., 440 Gould Avenue, Depew, New York 14043, for their submission of the lowest bid price meeting all the requirements of the specifications. The bid was awarded on the basis of unit prices times estimated quantities for each item.

TOWN BOARD MEMBERS June 3, 1982

Two (2) resolutions of bid award are being submitted for Town Board review and approval. One bid award recommendation is for the low bid of $68,735.00 for the construction of sidewalks together with brick paving, trees and miscellaneous grading and seeding along Walden Avenue. The other bid award would be for the submitted unit prices for those items of the specifications relating to sidewalk construction in any areas of the Town.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

Item No. 15 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, bids were duly received by this Town Board at a meeting held on May 17, 1982 for the construction of sidewalks including incidental piping, brick paving and trees and miscellaneous grading and seeding along Walden Avenue from the Buffalo City Line to Harlem Road, AND

WHEREAS, said bids were referred to Stuart Alexander & Associates and 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 June 3, 1982, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the construction of sidewalks including incidental piping, brick paving and trees and miscellaneous grading and seeding be and hereby is awarded to Mar-Wal Construction Co., Inc., 440 Gould Avenue, Depew, New York 14043, for their submission of the bid of $68,735.00 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 contractor for the construction of said Walden Avenue sidewalks and related work, AND, BE IT FURTHER

RESOLVED, that funding for this work is to be made under the Community Development Program.

*SEE NEXT TWO (2) PAGES 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—686-3447

June 3, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Construction of Town Sidewalk

Gentlemen:

At the regular Town Board Meeting of May 17, 1982 bids were received and opened for the construction of sidewalks including incidental piping, brick pavers, trees, miscellaneous grading and seeding for the area of Walden Avenue from the Buffalo City Line to Harlem Road. The bid specifications required that unit prices be posted so that the bid could also be awarded on the unit price basis for sidewalk construction during 1982 for any other areas in the Town of Cheektowaga where it is determined that sidewalks should be installed. Such additional sidewalk work is planned in the Cedargrove Heights area in addition to various other locations. Thirteen (13) bids were received. The lowest six (6) bidders are as follows:

Mar-Wal Construction Co., Inc.	$ 68,735.00
C. Castricone Contractors, Inc.	71,070.00
Grandpa Construction Company	73,240.00
LCP Construction Corporation	74,168.00
Christopher Construction Company	76,182.80
Buffalo Downtown Dump Truck Service & Supplies, Inc.	76,951.00

Bids were reviewed and checked by Stuart Alexander & Associates. It is the recommendation of said consultant and ourselves that the bid be awarded to Mar-Wal Construction Co., Inc., 440 Gould Avenue, Depew, New York 14043, for their submission of the lowest bid price meeting all the requirements of the specifications. The bid was awarded on the basis of unit prices times estimated quantities for each item.

TOWN BOARD MEMBERS June 3, 1982

Two (2) resolutions of bid award are being submitted for Town Board review and approval. One bid award recommendation is for the low bid of $68,735.00 for the construction of sidewalks together with brick paving, trees and miscellaneous grading and seeding along Walden Avenue. The other bid award would be for the submitted unit prices for those items of the specifications relating to sidewalk construction in any areas of the Town.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

Item No. 16 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Swiatek, seconded by Councilman W. P. Rogowski

WHEREAS, bid proposals for "Improvements to Cheektowaga Town Park Phase II", were received on May 18, 1982 at a Town Board meeting held for said purpose, AND

WHEREAS, funds for said action are available through the Heritage Conservation and Recreation Service Contract #36-00849, Niagara Frontier State Parks and Recreation Commission, Project #80-5090 and Town of Cheektowaga Bond Issue, AND

WHEREAS, Frederick D. Marzak, Architect, has reviewed said proposals for compliance with the terms of the specifications therein, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards the following Contracts as listed herein for "Improvements to Cheektowaga Town Park, Phase II":

Contract #1:

Paved Parking Areas & Basketball Courts

Tom Greenauer Development, Inc.
700 Northrup Road
Elma, New York 14059

Total @ $37,765.00

Contract #2

Reconstruction of Softball Diamonds
Subsurface Drainage
Concrete Work
New Access Door at Cultural Center
Plaque

NAI Construction Co., Inc.
P.O. Box 32, Station B
Buffalo, New York 14207

Base Bid	$54,794.00
Alternate # 1	$14,751.00
Alternate # 2	$ 4,154.00
Total	@ $73,699.00

Contract #3

Tree Planting

Big Tree Farm Nurseries, Inc.
5847 Powers Road
Orchard Park, New York 14127

Base Bid	$13,940.00
Unit Price	$13,940.00
Total	@ $27,940.00

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of sanitary sewers along Clearvale and Fairvale Drives which bids were duly received and opened at the regular Town Board Meeting of May 17, 1982, AND

Item No. 18 Cont'd.

WHEREAS, said bids were referred to the consulting firm of Nussbaumer & Clarke, Inc. and 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 June 3, 1982, AND

WHEREAS, said report recommended that the bid be awarded to Marin Excavating, Inc. 3198 Union Road, Cheektowaga, New York 14227, for the bid price of $54,888.75, said bid being the lowest meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the construction of the Clearvale/Fairvale sanitary sewers be and hereby is awarded to Marin Excavating, Inc. for their submission of the bid of $54,888.75, said bid being the lowest bid 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 contractor for the construction of said sanitary sewer system, AND, BE IT FURTHER

RESOLVED, that the cost of said sewer construction be chargeable to the Sanitary Sewer District No. 5 Sewer Remedial Budget.

*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—686-3447

June 3, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Clearvale/Fairvale Drives
Sanitary Sewer Project

Gentlemen:

At the May 17, 1982 regular Town Board Meeting bids were received and opened for a sewer remedial project. This is identified as the Clearvale/Fairvale Drive Sanitary Sewer Project. Ten (10) bids were received as follows:

Marin Excavating, Inc.	$ 54,888.75
Knab Brothers, Inc.	55,980.00
Yarussi Construction Corporation	74,345.00
Amadori Construction Company, Inc.	77,412.00
Dominic Federico Concrete Construction Corp.	77,763.00
Seacoast Construction Corporation	89,140.00
M.C. Morgan Contracting, Inc.	92,387.00
Beeline Contracting, Inc.	93,536.50
Cimato Brothers, Inc.	96,020.00
Wagner Excavating, Inc.	98,442.50

The bids were reviewed by Nussbaumer & Clarke, Engineers, Inc. It is the recommendation of both the consulting engineers and ourselves that the bid be awarded to Marin Excavating, Inc. for the submission of the lowest bid meeting the requirements of the specifications. The bid is in the amount of $54,888.75 and is well under the engineers' estimated price of $73,000.00.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

Item No. 18 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

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

THORNWOOD DRIVE

(Beginning at a point
in Woodgate Drive thence
proceeding northerly to
a point in LeHarve Drive
Fronting sublots 11-23 and
62-75)

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 TWO (2) PAGES FOR LETTER FROM TOWN ENGINEER.

No. 13

No. 14

No. 15

ALFRED F. WNEK
SUPERINTENDENT
OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

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

RECEIVED
Richard M. Moleski, Town Clerk
JUN 4 1982
A.M. 6|7|8|9|10|11|12|1|2|3|4|5|6 P.M.

June 4, 1982

Honorable Kenneth J. Meyers, Supervisor
Honorable Members of Town Council
Town of Cheektowaga, NY 14227

RE: Acceptance of Thornwood Drive (here-in described)

Gentlemen:

Please be advised that proper and routine inspections have been made by my Engineer, Ted Skowron, and Myself; we find that Thornwood Drive as herein described, does conform to specifications as set forth by the Town of Cheektowaga and is recommended for acceptance into our system of highways.

Thornwood Drive - A 60' wide right -of-way as shown on M.C. 2422, beginning at a point in Woodgate Drive (existing) thence proceeding northerly for a distance of 1012.83 ± to a point in LeHarve Drive (existing).length of pavement - 984.83 ± . Fronting sublots 11-23 and 62-75.

The deed is being forwarded to the town attorney for approval and filing. The maintenance bond is for an amount commensurate with the provisions of our P.I.P. ordinance. This bond too, will be sent to the town attorney's office for approval. A performance bond for street highway lighting is also being provided.

After approval by the town attorney, and proper filing and recording of the deed, these documents become part of the acceptance.

I request that no C. O. be issued by the Building Inspector, until the builder of each house guarantees the planting of a tree in front of every house he builds. The type of tree will be specified by the highway superintendent.

I trust this to meet your Honorable approval.

I remain,

Respectfully yours,

Alfred F, Wnek
Superintendent of Highways
Town of Cheektowaga

TS/tj

cc: Town Clerk
Town Attorney
Town Engineer
Building Inspector
T. Skowron
file

Item No. 19 Cont'd.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

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

WHEREAS, the Board of Fire Commissioners of Forks Fire District No. 3 on Broadway near Union Road and Forks Fire Substation on Nagel and South Creek Drive have requested the Town Board to authorize the Town Highway Superintendent to permit the use of town highway machinery, tools and equipment within the town by such Fire District, AND

WHEREAS, Section 142-b of the Highway Law of the State of New York authorizes the use of town highway machinery, tools and equipment within the town by a fire district, upon such terms as may be agreed upon by the town board and the governning board of such fire district, AND

WHEREAS, it appears that the Town may rent its equipment and operators for such equipment for such purposes provided the Town is reimbursed for their use, AND

WHEREAS, the Town shall not, however, provide material and other labor connected therewith, therefore, BE IT

RESOLVED that the Town of Cheektowaga hereby consents to the arrangement whereby the Town Highway Superintendent is authorized to provide the essential equipment and operators thereof for the purpose of resurfacing parking lots adjacent to the Forks Fire District No. 3 on Broadway near Union Road and Forks Fire Substation on Nagel and South Creek Drive, on the terms and conditions specified in the communications of the Town Superintendent of Highways dated June 3, 1982, which are appended hereto and made a part hereof.

*SEE NEXT TWO (2) PAGES FOR LETTERS FROM TOWN SUPERINTENDENT OF HIGHWAYS.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

June 3, 1982

Honorable Kenneth J. Meyers, Supervisor
Honorable Town Board Members
Cheektowaga Town Hall
Cheektowaga, NY 14225

Gentlemen:

I am requesting your Honorable Members to give me authorization to resurface parking lots adjacent to Forks Fire District #3 on Broadway near Union Road and Forks Fire Substation on Nagel and South Creek Drive. The approximate work estimates for these are $8,570. for parking lot on Broadway and $3,154. for parking lot on Nagel Drive and South Creek Drive.

It has been agreed with the Forks Fire District #3 that they will assume the cost of labor and material and reimburse the Town of Cheektowaga as per agreement attached and that they will provide a Certificate of Insurance for any liability incurred during construction of same, which is hereto attached.

I trust this will meet with your kind approval.

Very truly yours,

TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/cms

Encs. - 2

cc: Town Atty.
Town Clerk
Town Councilmen

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

No. 13

No. 14

No. 15

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

June 3, 1982

Board of Fire Commissioners
Forks Fire District #3
Broadway and Union Road
Cheektowaga, NY 14225

Gentlemen:

Enclosed is an estimate to resurface parking lots adjacent to your fire halls on Broadway near Union Road and Nagel and South Creek Drive, with the stipulation that the Forks Fire District #3 will pay the Town of Cheektowaga the cost of material and wages. The approximate estimate for this work which includes labor and material is $8570, for parking lot on Broadway and Union Road and $3154 for parking lot on Nagel and South Creek Drive.

As agreed upon with Highway Superintendent, the Fire Company will provide a Certificate of Insurance for any liability incurred during construction of same.

If the Board of Fire Commissioners decides that above is agreeable, I would appreciate the agreement to be signed below so that this project can be started as soon as possible.

Very truly yours,

TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/cms

CHAIRMAN BOARD OF COMMISSIONERS
Forks Fire District #3

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

Item No. 20 Cont'd.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

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

WHEREAS, there is need to approve Change Orders as additions to the contract of the Sewer District #5 Sanitary Sewer Rehabilitation Project as documented in the letter of the Town Engineer dated June 3, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #22 for the extension of the contract for an additional 123 calendar days at no additional cost and as an addition to the contract of M.C. Morgan Contractors, Inc. is approved, AND, BE IT FURTHER

RESOLVED, that this Town Board, acting as Board of Managers for Sanitary Sewer District #5 directs the Supervisor to sign said Change Order #22 at no additional cost.

*SEE NEXT PAGE FOR LETTER FROM TOWN ENGINEER.

No. 13 No. 14 No. 15

Town of Cheektowaga

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

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

June 3, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Sewer District #5
Sanitary Sewer Rehabilitation

Gentlemen:

We are submitting for Town Board review and approval two (2) change orders associated with the federally funded sanitary sewer system rehabilitation project in Sewer District #5.

Change Order #22 is for the extension of the contract for an additional 123 calendar days to allow for the completion of all restoration work associated with the original contract plus completion of authorized additional work. There is no additional cost in this change order.

Change Order #23 was for the excavation and replacement of broken sanitary sewer and storm sewer pipes located at Patrick and Claudette. These broken pipes were responsible for direct infiltration of storm waters into the sanitary sewer system. The sanitary manhole was found to be constructed without a base and was set directly on top of the thirty inch (30") storm sewer pipe. This work is not eligible for aid, however, the necessary repairs were allowed to be made at bid unit prices. Cost of the work was $8,876.00.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

Item No. 21a Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 21b Motion by Councilman Johnson, seconded by Councilman Swiatek

WHEREAS, there is need to approve Change Orders as additions to the contract of the Sewer District #5 Sanitary Sewer Rehabilitation Project as documented in the letter of the Town Engineer dated June 3, 1982 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #23 as an addition to the contract of M.C. Morgan Contractors, Inc. for sanitary sewer rehabilitation work in the Town's Sanitary Sewer District #7 is approved, AND, BE IT FURTHER

RESOLVED, that this Town Board, acting as Board of Managers for Sanitary Sewer District #7, directs and authorizes the Supervisor to sign Change Order #23 in the amount of $8,876.00 on behalf of Sanitary Sewer District #7.

*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—686-3447

June 3, 1982

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Sewer District #5
Sanitary Sewer Rehabilitation

Gentlemen:

We are submitting for Town Board review and approval two (2) change orders associated with the federally funded sanitary sewer system rehabilitation project in Sewer District #5.

Change Order #22 is for the extension of the contract for an additional 123 calendar days to allow for the completion of all restoration work associated with the original contract plus completion of authorized additional work. There is no additional cost in this change order.

Change Order #23 was for the excavation and replacement of broken sanitary sewer and storm sewer pipes located at Patrick and Claudette. These broken pipes were responsible for direct infiltration of storm waters into the sanitary sewer system. The sanitary manhole was found to be constructed without a base and was set directly on top of the thirty inch (30") storm sewer pipe. This work is not eligible for aid, however, the necessary repairs were allowed to be made at bid unit prices. Cost of the work was $8,876.00.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

Item No. 21b Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman J. Rogowski, seconded by Councilman Jaworowicz

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 the Public Improvement Permit, AND

WHEREAS, the developer of Postal Drive, Dr. Victor Reinstein, has submitted the required Public Improvement Permit application, plans and specifications and permit fee for the installation of storm sewers and curbing for said Postal Drive, NOW, THEREFORE, BE IT

RESOLVED, that this Public Improvement Permit be approved for installation of storm sewers and curbing on Postal Drive.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 24 This item was taken out of order and voted upon before Item No. 23.

Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Cheektowaga Town Board approved a Resolution on April 19, 1982, authorizing the Supervisor to enter into agreement with M & T Bank relative to the Town's Community Development Housing Rehabilitation Loan Program, AND

WHEREAS, M & T Bank and the Department of Housing & Urban Development approved said Agreement document subject to several revisions which have been incorporated into the final Agreement document, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign final Agreement with M & T Bank relative to the Town's Community Development Housing Rehabilitation Loan Program.

*SEE NEXT THIRTEEN (13) PAGES FOR COPY OF AGREEMENT.

AGREEMENT

THIS AGREEMENT, made as of this 3rd day of June, 1982, by and between MANUFACTURERS AND TRADERS TRUST COMPANY, a corporation existing under the laws of the State of New York, having principal offices at One M & T Plaza, Buffalo, New York, (hereinafter referred to as the "Bank") and the TOWN OF CHEEKTOWAGA, a municipal corporation of the State of New York, having principal offices located at Broadway and Union Road, Cheektowaga, New York (hereinafter referred to as the "Town").

WITNESSETH

WHEREAS, the Town is a grantee of Federal funds made available to the Town and the County of Erie Community Development Program under the Housing and Community Development Act of 1974, as amended (hereinafter referred to as the "Act"); and

WHEREAS, an eligible activity for the use of these funds is the establishment of a Housing Rehabilitation Revolving Loan Program in conjunction with financial institutions; and

WHEREAS, the Town and the Bank are desirous of establishing such a revolving loan program to provide housing improvement loans at lowered interest rates to qualified applicants in seven "target areas" (Cedargrove Heights, Walden

Avenue, Chapel, Beach, Sloan, Depew-Arlington and Depew-Terrace) designated by the Town and the Villages of Sloan and Depew under the Cheektowaga Community Development Program.

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, the parties agree to establish a Housing Rehabilitation Revolving Loan Program and in connection therewith agree as follows:

1. The Town warrants and represents to the Bank that the information contained in the first, second and third "whereas" clauses above is in all respects true and accurate.

2. The Town shall, upon execution of this Agreement retain on deposit with the Bank the amount of funds currently on deposit with the Bank in a non-interest bearing account for the Town's Housing Rehabilitation Program established as per the Agreement between the Town and the Bank dated April 24, 1980. In addition to those funds currently on deposit, the Town will place on deposit with the Bank, in the same non-interest bearing, account, an amount not to exceed $223,100, in installments as follows:

(i) a deposit of not less than $134,100, upon and subject to the Town's receipt of such amount from the Erie County Community Development

Program and the U.S. Department of Housing and Urban Development ("HUD"); and

(ii) a deposit of not less than $94,000 upon the Town's receipt of such amount, which shall be subject to approval by HUD of the Town's 1982-83 Community Development Block Grant application.

Said funds will be used for housing rehabilitation loans subject to the terms of this Agreement. The Bank shall have the authority to draw down on these funds for the duration of this Agreement and the Town hereby grants and shall execute any documents necessary to give such authority to the Bank. Loan repayment proceeds, exclusive of interest, paid on these funds during the term of this Agreement shall constitute "program income" (as provided for under the Act), shall be deposited in the abovesaid account and shall be used for making loans as provided for in this Agreement.

3. The Bank will offer residential housing improvement loans, as provided herein, to all credit qualified applicants eligible for participation in the program. Eligibility of applicants for participation in the Housing Rehabilitation Revolving Loan Program will be determined by the Town Community Development Director. A Revolving Loan Fund shall be the vehicle for making such loans to applicants at either a 6.25% or 9.375% rate of interest. When a loan at a 6.25% rate of interest is

made, the Bank and the Town will each provide fifty percent (50%) of the necessary loan amount. When a loan at a 9.375% rate of interest is made, the Bank will provide seventy-five percent (75%) of the necessary loan amount and the Town will provide twenty-five percent (25%) of the necessary loan amount. The Town's contribution to the loan amount in either instance will be drawn from the Community Development Block Grant funds to be placed on deposit with the Bank for such purposes. That portion of each loan funded by the Bank shall be made at an annual interest rate not to exceed 12.5% (which when spread over the entire loan amount will result in the lower overall effective interest rates described above) and such interest shall be retained in its entirety by the Bank and neither that portion of each loan funded by the Bank nor repayments thereof (including principal and interest) shall constitute "program income" as defined under the Act. The Town shall not be entitled to any interest on its portion of any such loans and repayment of the Town's portion of each loan will be included in the total monthly payment made to the Bank by the borrower. The Town's portion of the monthly repayment will be redeposited in the Town's Housing Rehabilitation Revolving Loan account.

4. The Bank will continue to make housing improvement loans for the duration of this Agreement as long as the Town is able to fund its portions of the loans.

5. Approval of all loan requests will be based on the Bank's standard credit policy. The minimum loan amount and term will be $1,000 and twelve (12) months, with the maximum allowable loan amount and term of $6,000 and seven (7) years. The Bank may, at its option and in its sole discretion, require that any loan in which it participates pursuant to this Agreement be secured by a mortgage or otherwise.

6. Certain other elements and criteria for the Housing Rehabilitation Revolving Loan Program are set forth in Exhibit "A" to this Agreement, attached hereto and incorporated herein.

7. The Town will retain the right to make withdrawals from its Housing Rehabilitation Revolving Loan account as necessary to make direct, no-interest deferred payment loans or direct, no-interest non-deferred payment loans to individuals who otherwise are deemed eligible for participation in the Housing Rehabilitation Revolving Loan Program.

8. In addition to the requirements set forth in Exhibit "A", the Bank will provide the following services at its sole cost and expense, with respect to those loans described in paragraph 3 hereof:

a) investigating prospective borrowers' credit histories;

b) establishing repayment schedules;

c) providing borrowers with repayment coupon books or other similar devices;

d) maintaining separate account journals for the Town loan funds and the Bank's funds;

e) providing monthly reports to the Town on loan activity, including loans closed, repayments made to the Town's account and fund balance;

f) providing convenient locations for applicants to apply for and repay loans;

g) assigning an employee to serve as a program liaison who will be available to meet, as necessary, with the Town Community Development Director to review loan applications which represent deviations from the established loan approval process; and,

h) generally, providing the necessary and appropriate administrative services to process loans, receive and issue receipts for their repayment and collect delinquent accounts.

9. Certain costs associated with the loan program, such as recording fees, mortgage taxes and other "out-of-pocket" expenses incurred by the Bank for the borrowers shall be chargeable as administrative costs to the Town and deductible from

the abovesaid account with notice to the Town, to the extent that such costs cannot be legally charged to the borrowers.

10. Upon expiration of this Agreement, or extension thereof, the Town may withdraw all unobligated funds provided for herein and on deposit with the Bank and the Bank shall pay the Town's portion of future loan repayments directly to the Town or such bank account as the Town may designate.

11. The Bank shall use its best efforts to punctually process all applications for loans and to make the funds available to the borrower with all reasonable dispatch.

12. The term of this Agreement shall be for a one-year period, commencing on June 3, 1982 and expiring on June 2, 1983. This Agreement may be terminated prior to said expiration date if the Bank and the Town should mutually agree in writing to such termination. The parties to this Agreement shall enter into negotiations for possible extension at least sixty (60) days prior to the expiration date of this Agreement.

13. The Bank shall comply with all applicable requirements imposed by Title VI of the Civil Rights Act of 1964, Section 109 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794), Section 402 of the Vietnam Era Veterans Readjustment Assistance Act (38 U.S.C. Chapter 42) and all regulations

No. 13

No. 14

No. 15

promulgated with respect thereto including the regulation under 24 C.F.R. Part 1. No person in the United States shall on the ground of race, color, creed, religion, national origin, sex, disability or because he or she is a disabled veteran of the Vietnam era be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, activity, or service provided pursuant to this Agreement.

14. The Bank shall remain fully obligated under the provisions of the Agreement notwithstanding its designation of any third party or parties for the undertaking of all or any part of this Agreement.

The Bank shall, by contractual requirement, covenant, or other binding commitment, assure the compliance on the part of any of the Bank's contractors, subcontractors, transferees, or successors in interest in the activities pursuant to this Agreement, with the lawful requirements of the Town and the County of Erie necessary to insure that activities pursuant to this Agreement are carried out in accordance with the Town's and the County of Erie's assurance and certifications pursuant to the Community Development Block Grant Program. Persons who make loan applications to or to whom loans are granted by the Bank in connection with the Housing Rehabilitation Revolving Loan Program established pursuant to this Agreement shall not be classified as

"contractors, subcontractors, transferees, or successors in interest" of the Bank, as such terms are used in the previous sentence.

15. The Bank shall comply with all applicable requirements imposed by Title VIII of the Civil Rights Act of 1968, and the HUD regulations with respect thereto, and Executive Order 11063. Title VIII prohibits discrimination in the sale or rental of dwellings (as defined), discrimination in the financing of housing, blockbusting, and discriminatory advertising and makes it unlawful to deny any person access to, or membership and participation in, any multiple-listing service or real estate brokers' organization for discriminatory purposes.

16. The obligation of the Bank to comply with the provisions of Paragraphs 13, 14 and 15 of this Agreement shall inure to the benefit of the United States, HUD, the County of Erie and the Town, any of which shall be entitled to invoke any remedies available by law to redress any breach thereof or to compel compliance therewith by the Bank.

17. The Town warrants and represents to the Bank that the Town shall be responsible for determining that applicable provisions of Title VI of the Civil Rights Act of 1964, Section 109 of the Rehabilitation Act of 1973, Section 402 of the Vietnam Era Veterans Readjustment Act, Section 3 of the Housing and Urban

Development Act of 1968, as amended, Sections 104(h) and 110 of the Housing and Community Development Act of 1974, as amended, Title VIII of the Civil Rights Act of 1968, 24 C.F.R. Part 570 Subpart K and 24 C.F.R. Part 35 (Lead-based paint), and the regulations (including HUD regulations) promulgated with respect thereto, are complied within the selection of loan applicants and the use of loan proceeds.

18. The Town and the Bank agree that this Agreement constitutes the Agreement between the parties in its entirety. This Agreement may not be modified, amended, transferred or assigned except by mutual written agreement by and between the parties hereto.

19. The Bank shall make available for inspection and audit by the Town, the County of Erie or HUD all books, records, accounts, transactions and other documents relating to the performance by the Bank of the terms and conditions of this Agreement.

20. This Agreement, and the terms and conditions hereof, are subject to the provisions governing lump sum drawdowns for property rehabilitation as set forth in 24 C.F.R. § 570.513.

21. The first loan made under the terms of this Agreement must be made, subsidized or guaranteed within forty-five

(45) days of the deposit of funds by the Town so provided for herein.

22. The Town expressly reserves the right to withdraw unobligated funds on deposit as provided for herein, as required by HUD in its exercise of corrective or remedial actions.

23. This Agreement is subject to approval by HUD and the County of Erie of the lump sum drawdown requested for the funding of this Agreement after their review of the signed original of this Agreement. This Agreement shall be void in the event such drawdown request is not approved.

24. Anything to the contrary in this Agreement notwithstanding, the Bank, in the making of any loans through the Housing Rehabilitation Revolving Loan Fund established hereby, (i) shall be obligated to cause the borrowers to execute only such loan documents as the Bank shall deem appropriate, in its sole discretion, and (ii) shall not be obligated to amend, modify or supplement such loan documents in any way, or to incorporate therein or include therewith any language, provision or agreement not contained in the Bank's standard forms of such loan documentation; provided, however, that nothing herein shall be construed as permitting the Bank to incorporate into such loan documents any provision that would violate any law, or as exempting the Bank from the obligation to comply with any

requirement applicable to the Bank under any amendment to 24 C.F.R. § 570.513 which should become effective subsequent to the date of execution of this Agreement. Attached as Exhibit B are examples of different types of loan documents currently used by the Bank for loan transactions similar to those contemplated hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

MANUFACTURERS AND TRADERS TRUST COMPANY

By: Charles R. Bradleton Banking Officer
(TITLE)

TOWN OF CHEEKTOWAGA

By: Kenneth J. Meyer Supervisor
(TITLE)

No. 13

STATE OF NEW YORK :
COUNTY OF ERIE : ss.:
CITY OF BUFFALO :

On this 3RD day of JUNE, 1982, before me personally came CHARLES R. PENDLETON, to me known, who being by me duly sworn, did depose and say that he resides in Darien, New York, that he is a Banking Officer of MANUFACTURERS AND TRADERS TRUST COMPANY, the corporation described in and which executed the above instrument and that he signed his name thereto by order of the board of directors of said corporation.

Michael J. Zwolinski

MICHAEL J. ZWOLINSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

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

On this 8th day of JUNE, 1982, before me personally came KENNETH J. MEYERS, to me personally known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of the Town of Cheektowaga, the municipal corporation described in and which executed the above instrument; and that he signed his name thereto by order of the Town Board of said corporation.

Jean A. Rosenberry

JEAN A. ROSENBERRY
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

No. 13

No. 14

No. 15

Item No. 24 Cont'd.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0
ABSTAINED:	Councilman Swiatek

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

WHEREAS, the Town of Cheektowaga has established a Housing Rehabilitation Loan Program for the purpose of providing assistance for housing rehabilitation to low and moderate income homeowners pursuant to the Town's Housing Code, AND

WHEREAS, funds for said loan program are provided through the Town's Community Devlopment Block Grant Program, AND

WHEREAS, said loan program includes provisions for direct, non-deferred payments loans to be made directly to eligible homeowners by the Town utilizing Community Development program funds, AND

WHEREAS, the Town Community Development Director has received applications for assistance under said loan program and determined that the owner(s) of the property listed below are eligible for participation in the Housing Rehabilitation Program pursuant to the established Program quidelines, NOW, THEREFORE, BE IT

RESOLVED that Community Development Housing Rehabilitation loan funds, in the amount of $1,132.00, are hereby approved for the owner(s) of the property listed below:

63 Farmingdale Road, Cheektowaga, New York

AND BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign a Loan Agreement with the owner(s) of the above listed property and any and all other necessary and related documents on behalf of the Town, AND BE IT

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign checks, prior to Town Board Warrant List approval, necessary for the timely disbursement of said loan funds, providing that the rehabilitation work to be performed has been carried out to the satisfaction of the Town Housing Inspectors and that all program regulations have been complied with to the satisfaction of the Town Community Development Director.

*SEE NEXT FIVE (5) PAGES FOR LOAN AGREEMENT.

LOAN AGREEMENT

THIS AGREEMENT, made and entered into this 26th day of MAY, 1982 by and between KENNETH J. MEYERS, Supervisor of the Town of Cheektowaga, a municipal corporation of the State of New York, and as Administrator of the Town of Cheektowaga Community Development Block Grant Program, having an office located at Town Hall, Broadway & Union Road, Cheektowaga, New York, 14227 (hereinafter referred to as the "Grantor"), and Henry and Patricia Karcher residing at Cheektowaga, N.Y. 14225 (hereinafter referred to as the "Grantee").

WHEREAS, pursuant to and funded under Title I of the Housing and Community Development Act of 1974, as amended, there has been established a Housing Rehabilitation Program to encourage and assist the residential rehabilitation process within the boundaries of the Town of Cheektowaga, and

WHEREAS, the Grantor has applied for a Housing Rehabilitation Loan under said established Program for rehabilitating the property at , Cheektowaga, N.Y. 14225 and represented by the Grantor as being the owner-occupant of said property.

NOW THEREFORE, the Grantor and the Grantee agree as follows:

1) Housing Rehabilitation Loan Funds in the amount of One-thousand, one-hundred thirty-two and 00/100 ($1,132.00) shall be made available to the Grantee for the exclusive purpose of rehabilitating the premises located at Cheektowaga, N.Y. 14225. This rehabilitation will be consistent with the application and documents submitted by the Grantee with respect to this Loan, the fiscal guidelines and

procedures established by the Town of Cheektowaga and the Housing and Community Development Act, as amended, and the regulations promulgated thereunder. Pursuant to the Town of Cheektowaga's Housing Rehabilitation Program, the parties mutually agree that the funds made available by the Grantor to the Grantee shall constitute a loan to the undersigned Grantee.

2) The Grantee agrees that in the event of the sale, transfer or foreclosure of the premises which is the subject of the Housing Rehabilitation Program Funds, the Grantee shall immediately refund, reimburse and repay to the Grantor all funds received under the Housing Rehabilitation Program. If the subject property is owned by a husband and wife as tenants by the entirety, a transfer of title as a result of death of either spouse shall not be deemed a sale, transfer or foreclosure within the meaning of this Agreement. The parties mutually agree that the Grantor has reserved the right to collect the total amount of said Loan funds in the event of the above stated sale, transfer or foreclosure from either and/or both the Grantee or transferee of the subject property.

3) The Grantee agrees to be personally liable with respect to such Loan funds owed the Grantor under the terms of this Agreement.

4) The Grantee states and verifies that all of the information provided by the Grantor to the Grantee for purposes of eligibility for said Loan is accurate, true and correct.

No. 13
No. 14
No. 15

5) The parties mutually agree to abide by the repayment schedule prepared by the Town of Cheektowaga Community Development Director or the Housing Assistance Center and agreeable to Henry & Patricia Karcher and acceptable to the Town of Cheektowaga Community Development Director, said repayment schedule attached hereto and made a part hereof.

6) The annual interest rate charged to the Grantee by the Grantor for said Housing Rehabilitation Loan funds shall be 0 %.

7) No verbal statements or prior written matter extrinsic to this Agreement shall have any force or effect. This Agreement and its terms and conditions may not be modified, amended, waived, assigned or transferred except by written agreement duly executed by the parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement on the day and year first written above.

GRANTOR

By: Kenneth J Mazur

Supervisor of the Town of Cheektowaga

Administrator of the Community

Development Block Grant Program

GRANTEE

By: Henry Karcher

Patricia Karcher

STATE OF NEW YORK)
COUNTY OF ERIE) SS.:

On this 8th day of June 1982, before me personally appeared KENNETH J. MEYERS, to me known, who being by me duly sworn, did depose and say that he resides in the Town of Cheekotwaga, New York; that he is the Supervisor of the Town of Cheektowaga and the Administrator of the Town of Cheektowaga Community Development Block Grant Program; and that he signed his name to this Agreement by order of the Town Board of the Town of Cheektowaga.

Jean A Rosenberry

JEAN A. ROSENBERRY
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

STATE OF NEW YORK)
COUNTY OF ERIE) SS.:

On this 26th day of May 1982, before me personally appeared Henry and Patricia Zacher to me known and known to me to be the same person(s) described in and who executed the within instrument and they acknowledged to me that they executed the same.

Patricia A. Scheuerle

PATRICIA A. SCHEUERLE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

TOWN OF CHEEKTOWAGA
HOUSING REHABILITATION PROGRAM

REPAYMENT SCHEDULE

Total Loan Amount: $ 1,132.00

Annual Interest Rate: 0 %

Number of Monthly Payments: 30

Amount of Monthly Payments: $ 37.73

Amount of Last Payment: $ 37.83

Payments Due on the first day of each month

Commencing On July 1, 1982

Make Checks Payable To: Town of Cheektowaga, HUD-CDBG

Send Payments To: Jerome J. Gabryszak
Community Development Director
Cheektowaga Town Hall
Broadway & Union Road
Cheektowaga, New York 14225

Signature of Borrower(s): Henry Karcher 5/26/82
Date
Patricia Karcher 5/26/82
Date

Signature of
Community Development Director: Jerome J. Gabryszak 5-26-82
Date

No. 13

No. 14

No. 15

Item No. 23 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Johnson, seconded by Councilman Dux

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to remove 8 - 17200 lumen mercury vapor lamps at $126.91 each (annual charge); 592 feet of underground conductors in municipally-owned duct at .2137 per foot; 8 bracket credits at $5.40 each; and install approximately 115 feet or direct burial underground conductor at .4028 per foot, for a total annual decrease to the General Lighting District of $1,052.27, AND BE IT

FURTHER RESOLVED that a one-time cost of $1,299.62 will be charged to the Town by New York State Electric & Gas Corporation as a result of their crews splicing underground conductor through at two bases as these bases are removed, for removal and return of 8 standards to the Town of Cheektowaga; and for the unrecovered cost for 8 - 17200 lumen mercury vapor fixtures, in accordance with the attached proposal which is hereby made a part of this resolution.

*SEE NEXT TWO (2) PAGES FOR PROPOSAL.

May 18, 1982

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

This proposal is to remove lights, standards, bases, and conductors on the Kensington Expressway on and off ramp to the Thruway as requested by Councilman Johnson (see the attached sketch).

Annual Charges

Remove 8 - 17200 lumen MV lamps @ $126.91 ea. ---------- (Stds. 396-1,396-2,396-3,396-4,399-1,399-2,399-3,399-4)	$ 1015.28
Remove 592' underground conductors in municipally owned duct at .2137 per foot ----------	$ 126.51
Remove 8 bracket credits @ $5.40 ea. ----------	$ 43.20
Install approx. 115' direct burial underground conductor @ .4028 per foot ----------	$ 46.32
TOTAL ANNUAL DECREASE ---	$ 1052.27

In addition to the annual charges, a one-time charge for the following will be made:

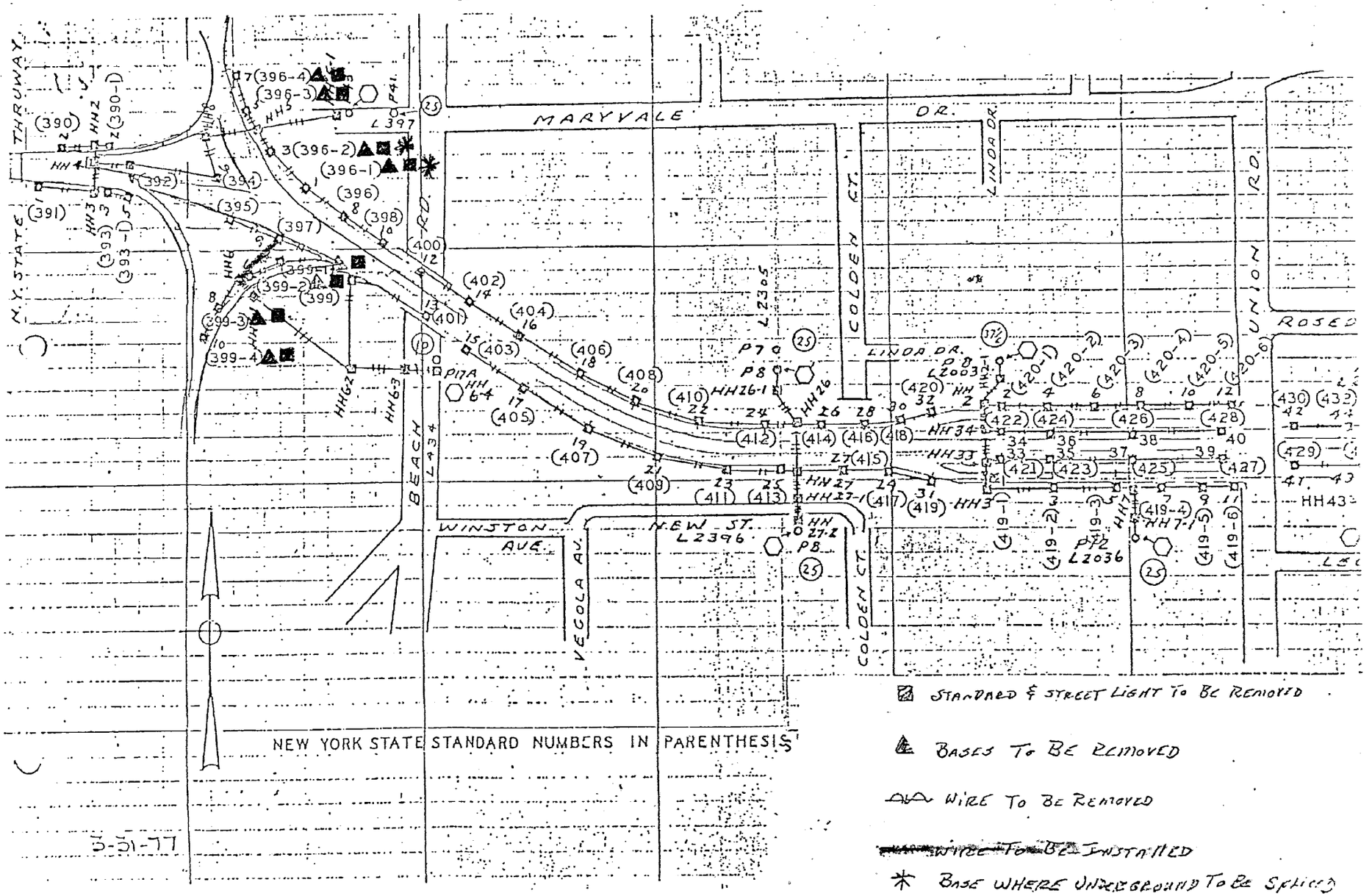
* Splice underground thru at two bases as bases are removed-	$ 233.56
Remove and return eight (8) standards to the Town of Cheektowaga Maintenance Building ----------	$ 674.70
Unrecovered cost for 8 - 17200 lumen MV fixtures @ $48.92-	$ 391.36
TOTAL ----	$ 1299.62

The Town of Cheektowaga to remove eight (8) bases for standards, backfill and dispose of bases

Total one-time charge of $1299.62 to be included on the street lighting bill to the Town of Cheektowaga after work is field completed.

* NYSEG crew to work with the Town of Cheektowaga crew

NEW YORK STATE ELECTRIC & GAS CORP.


THRUWAY
N.Y. STATE
MARYVALE
DR.
LINDA DR.
COLDEN CT.
UNION RD.
ROSED
BEACH RD.
L 397
L 2305
L 2396
L 2003
L 2036
L 1434
WINSTON AVE.
NEW ST.
VEGOLA AV.
COLDEN CT.
P41
P7
P8
P9
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HH43
37½
NEW YORK STATE STANDARD NUMBERS IN PARENTHESIS
5-31-77
STANDARD & STREET LIGHT TO BE REMOVED
BASES TO BE REMOVED
WIRE TO BE REMOVED
WIRE TO BE INSTALLED
BASE WHERE UNDERGROUND TO BE SPLICED
KENSINGTON EXPRESSWAY

Item No. 25 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, there is need to relocate a pole and anchor at Maryvale and Community Drives, NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby granted to the New York Telephone Company to relocate said pole and anchor with cost to be chargeable to the Community Development Block Grant Fund.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, it is necessary to effect a power pole relocation on a pole at 10 Community Drive at an approximate cost of $1,400.48, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board approves and authorizes Niagara Mohawk Power Corporation to relocate said power pole AND, BE IT FURTHER

RESOLVED, that cost for said pole relocation is to be charged to the 1981 Community Development Block Grant Funds of the Cedargrove Heights area.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, additional street lighting is being provided in the Cedargrove Heights area as part of the Cedargrove Heights Improvement Project, AND

WHEREAS, there is need to enter into a contract with Niagara Mohawk Power Corporation, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board authorizes and approves the provisions of additional street lighting in the Cedargrove Heights area, AND, BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to sign an Application for Service and an Authorization for Construction with the Niagara Mohawk Power Corporation, AND, BE IT FURTHER

RESOLVED, that fees related to making electrical connections are to be chargeable to Community Development Block Grant Funds of the Cedargrove Heights area (1981), AND, BE IT FURTHER

RESOLVED, that the monthly energy cost of $7.87 be and hereby is charged to the General Lighting Fund.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski, and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 29a Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, numerous complaints have been received by the Town Board regarding accumulated debris on property located at 908 Dick Road, Cheektowaga, New York (Tax Account Number 24-418); which property according to the records of the Town Assessor is owned by the Estate of Robert E. Moore, and

WHEREAS, the said land owner has failed, neglected and/or refused to put such property in a proper state of repair, and

WHEREAS, the removal of the accumulated debris is necessary to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 64, subdivision 5-a of the Town Law of the State of New York, the accumulated debris be removed by the Town and all costs incurred be assessed on the real property so owned and described as aforesaid.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 29b Motion by Councilman Johnson, seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on property located East of 252 LeHarve Drive, Map Cover 2376, Sublot 1, 2, 3, Cheektowaga, New York, Tax Account Number 46-532, 46-533, and 46-534, and according to the Assessor's Office is owned by Castine, Kidawski, etal, 600 Cayuga Road, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by 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 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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Supervisor Meyers, seconded by Councilman J. V. Rogowski

WHEREAS, sanitary sewer leakage was discovered on the force main pipe discharging wastewaters from the Roycroft Pump Station, AND

WHEREAS, the Sewer Maintenance Department was not able to affect the repair to do the needed excavation at a depth greater than could be handled by Town equipment, AND

WHEREAS, M. C. Morgan Contractors, Inc. were delegated to affect said force main pipe repairs, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board agree with the need for emergency repairs at said Roycroft Pump Station and that the cost of $2,720.60 to affect said repairs by M.C. Morgan Contractors, Inc. be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that payment for said emergency repair is to be chargeable to the Sanitary Sewer District #5 Emergency Repairs Budget Item (508125.4438).

Item No. 30 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 31 Create Position of "Director of Labor Relations"

Motion by Councilman W. P. Rogowski, seconded by Supervisor Meyers to table the above named resolution.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel, for the creation of a "Youth Counselor" position in the Cheektowaga Youth Bureau, AND

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

RESOLVED that the position of "Youth Counselor" in the Cheektowaga Youth Bureau, be and hereby is created.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that Ellen Pacer, Cheektowaga, New York, be appointed to the temporary position of Youth Counselor, (7310.1331) in the Cheektowaga Youth Bureau, effective June 8, 1982, at a salary rate of $13,163.64 per year.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1982 summer programs:

POOL DIRECTOR - $2,700.00 - 10 weeks - A7180.1902

Brian Hansen

SPECIAL EVENTS SUPERVISOR - $2,000.00 - 10 weeks - A7180.1902

John Hartman

Item No. 34 Cont'd.

POOL SUPERVISORS - $1,750.00 - 10 Weeks - A7180.1902

Deborah Binner
Charles Olday, Jr.

POOL SUPERVISORS - $1,650.00 - 10 weeks - A7180.1902

Michelle Buyea
Thomas Gagola
Catherine Giles
Deborah Healy
Peggy Anne State

LIFEGUARDS - $3.35 with WSI - $3.10 without WSI - A7180.1903

Mark Angrisano
Debra Baumgardner
Jeanne Berst
Patricia Calhoon
Peter Catalfu
Deborah Chimes
Scott Dibble
Karen Dixon
John Eckel
Frank Filipski
Shari Gandy
Suzanne Gapik
Lynda Germann
Donna Glapinski
Linda Glasser
Thomas Glasser
Candace Ann Gorzynski
Eileen Hanavan
Karen Healy
Robert Heary
Jill Suzette Horvatis
Susan Jagodzinski
Cheryl Jaworowicz
Bob Joyce
Allan Kellam
Gina Kellam
T. R. Keller
Mary Ann Kissel
Paul Kmiotek
Anthony Kolasny
Christine Kolasny
Ron Kubiak, Jr.
Cynthia Kushner
Joseph Kwiatkowski, Jr.
Lisa Lageman
Kim Lennert
Michelle Leszczynski
Mary Jo Lipowski
Mia Marsh
Lynnette Mazurek
Stephanie Michalski
Pamela Miller
Richard Mirando
David McElligott
Suzan Nicholson
Kim Niedzielski
Alan Pawlowski
Gail Pleban
Scott Pleban
Lynn Preischel
Brian Russ
Michael Schlager

Item No. 34 Cont'd.

Deborah Szeliga
Kimberly Van Gulik
Antoinette Vero
Lucy Vero
Janet Walentynowicz
Diane Zablotny
Greg Zygaj

TENNIS COURT SUPERVISORS - $1,500.00 - 10 weeks - A7140.1613

Pat Hickey
Laura Lageman

TENNIS INSTRUCTORS - $1,200.00 - 10 weeks - A7140.1613

Paula Cooley
Audrey Gill
Susan Pella
Jeffrey Smith

ASSISTANT TENNIS INSTRUCTOR - $900.00 - 10 weeks - A7140.1613

Dana Fritzinger

PLAYGROUND SUPERVISORS - $1,650.00 - 10 weeks - A7140.1613

Richard Andrzejewski
Diane Catalfu
Barbara Fiorello
Chuck Geary
Carl Giambelluca
Dean Lach
Mark Kensey
Peter Odrobina
Melissa Prorok
Paul Ruda

ARTS & CRAFTS SUPERVISORS - $1,650.00 - 10 weeks - A7140.1613

Linda Chadwell
Nancy Grzybek
Sharon Kensey
Kathryn Paulus
Joseph Wojcik

CULTURAL CENTER SUPERVISOR - $4.10/hour - A7140.1613

David Gasiewicz

SPECIAL EVENTS COORDINATOR - $4.10/hour - A7140.1613

Donald Levan

SOCCER COORDINATOR - $4.10/hour - A7140.1613

Thomas Block

BASKETBALL COORDINATOR - $4.10/hour - A7140.1613

Richard Binner

CHEERLEADING & GYMNASTICS COORDINATORS - $4.10/hour - A7140.1614

Sandy Means
Colleen Stapleton

ASST. SOFTBALL SUPERVISOR & INSTRUCTOR - $4.10/hour - A7140.1614

Helen Nikiel

NO. 13

Item No. 34 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the below listed individuals be hired as Trainee Supervisors in the Cheektowaga Youth Bureau's Hometown Beautification Program at the salary rate of $5.00 per hour:

HOMETOWN BEAUTIFICATION - (7130.1821)

Joseph Bernal
Sloan, New York 14212

Robert Boyle
Cheektowaga, New York 14225

David Forsyth
Cheektowaga, New York 14225

Beth Ann Griffin
Cheektowaga, New York 14227

Jack Hornung
Cheektowaga, New York 14225

Eugene Idziak
Depew, New York 14043

Karen Leavens
Depew, New York 14043

Robert Off
Cheektowaga, NY 14225

Patricia Rusiniak
Cheektowaga, NY 14227

BE IT FURTHER RESOLVED that Michael Bernal who was previously hired as a Trainee Supervisor be elevated to the position of Program Coordinator in the Youth Conservation Corps and Hometown Beautification Program (7310.1821) effective June 28th at the salary rate of $6.50 per hour.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Councilman W. P. Rogowski, seconded by Councilman Dux

WHEREAS, at a regularly scheduled Town Board meeting held on May 3, 1982 this Town Board passed a resolution authorizing the hiring of Trainee Supervisors and Summer Trainees, to provide additional services required by the Town, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are hired as listed, effective June 21, 1982:

SUMMER TRAINEES: - $3.10 per hour

Greg Brystrak
James Wozniak
Eric Forrest
James Nowicki
Jeff Wiatrowski
Scott Slade

Item No. 36 Cont'd.

Tom Boris
John Mazurek, Jr.
Robert Kubiak
Robert Kiszewski
Gwen Gies
Lisa Cieslik
Peter Dudek
Paul Hockwater
John Choinski
Jeffrey McEvoy
Tim Obstarczyk
Paul Hojnacki

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the below listed individual be terminated from the Cheektowaga Youth Bureau's Recycling Program (4089.002) effective June 1, 1982:

--Alan Oryszak

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 38 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 5th through July 16th, 1982, to attend active duty training with the United States Army Reserve at Fort Belvoir, Virginia.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 39 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Vickie Dankowski has previously been granted a six (6) month leave of absence, without pay, from her permanent position of Clerk Stenographer, in the Town Clerk's Office, while holding the position of 2nd Deputy Town Clerk, AND

WHEREAS, this six (6) month leave of absence will expire June 30, 1982, NOW, THEREFORE, BE IT

RESOLVED that Vickie Dankowski, be and hereby is granted a six (6) month extension of her leave of absence, without pay, from her permanent position of Clerk Stenographer in the Town Clerk's Office; said leave of absence to expire December 31, 1982.

Item No. 39 Cont'd.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

WHEREAS, the following checks drawn on the Town of Cheektowaga's accounts have been outstanding for over one year, NOW, THEREFORE, BE IT

RESOLVED, that the following checks are hereby restored to cash.

General Fund	Check No.	11871	$ 5.00
		12006	5.00
		12258	900.00
		13659	100.00
		12871	9.00
		13022	95.50
		16191	6.00
Special District Fund	Check No.	6068	123.57
		7045	10.00
Trust and Agency Fund	Check No.	708	15.00
			$1,269.07

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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

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

FEDERAL REVENUE SHARING FUND

From:	CF.8540.4009 (Erosion Control and Drainage)	$15,157.62
	CF.8540.4009 (Erosion Control and Drainage	648.10
To:	CF.8540.4573 (Scajaquada Creek Maint.-Chemicals)	$15,157.62
	CF.8540.4574 (Drainage Ditch Improvements)	648.10

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, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Supervisor Meyers, seconded by Councilman Swiatek

FUND	CHECK NOS.	AMOUNTS
SPECIAL ASSESSMENT FUND	9-10	$ 1,589.95
DEBT SERVICE FUND	166	104,400.00
GENERAL FUND		145,730.34
SPECIAL DIST. FUND		88,074.62
HIGHWAY FUND		22,800.70
FEDERAL REVENUE SHARING FUND		105,567.45
CAPITAL FUND		234,422.37
TRUST AND AGENCY FUND		690.00
COMMUNITY DEVELOPMENT FUND		12,647.07
PART TOWN FUND		1,290.04
		$717,212.54

BE IT RESOLVED that the above vouchers and warrants submitted to the Town of Cheektowaga prior to June 7, 1982 are hereby approved and the Supervisor is ordered to pay said warrants.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

IV. FROM THE TABLE

Item No. 43 Retain firm of Collins, Collins & DiNardo to represent Town in labor management negotiations.

Motion by Councilman Dux, seconded by Councilman J. V. Rogowski to table the above item.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

V. DEPARTMENTAL COMMUNICATIONS

Item No. 44 Building Permits
Received and Filed.

Item No. 45 Resignation of member of Zoning Board of Appeals
Received and Filed.

Item No. 46 Cheektowaga Public Library Board: Minutes of April meeting.
Received and Filed.

NO. 13

Item No. 47 Health Report for month of May, 1982.
Received and filed.

VI. GENERAL COMMUNICATIONS

Item No. 48 New York State Department of Transportation: Notice of Cancellation of Designation of Restricted Highway: Harlem Road.
Copies of this Notice of Cancellation were sent to Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Traffic Safety Commission; and Captain Kempski, Police Department.
This item was received and filed.

Item No. 49 New York State Department of Transportation: Notice of Order: Installation, operation and maintenance of traffic signal at Union Road and Gardenville Parkway.
Copies of this Notice of Order were sent to Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Traffic Safety Commission; and Captain Kempski, Police Department.
This item was received and filed.

Item No. 50 New York State Department of Transportation: Notice of Order: No turn on red prohibition for Westbound French Road at Union Road.
Copies of this Notice of Order were sent to Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Traffic Safety Commission; and Captain Kempski, Police Department.
This item was received and filed.

Item No. 51 Erie County Legislature: Copy of resolution designating Fire District No. 8 as Hy-View Fire District No. 8.
A copy of this resolution was sent to Chester L. Bryan, Town Engineer.
This item was received and filed.

Item No. 52 Erie County Legislature: Copy of resolution regarding funding of sewer projects statewide, through 1985.
This item was received and filed.

Item No. 53 Erie County Department of Public Works: Notice of Closing Highway: Como Park Boulevard.
Copies of this Notice were sent to Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary; Traffic Safety Commission; and Captain Kempski; Police Department.
This item was received and filed.

*SEE AFFIDAVIT ON NEXT PAGE.

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PHONE: 632-4700

STATE OF NEW YORK)
COUNTY OF ERIE)

CERTIFICATE AND NOTICE OF CLOSING HIGHWAY
STATE OF NEW YORK
SS
County of Erie

This is to certify the undersigned Deputy Commissioner-Highways having jurisdiction of the highways of the County of Erie, does hereby close that portion of the highway in the Town of Cheektowaga in said County, known as Road C.R. #523 Como Park Blvd. described as follows:

That portion of Como Park Blvd. from Indian Rd. to Borden Rd. Purpose of closure is due to repairs of railroad bridge 0.25± miles east of Indian Road. Closure to be in effect from May 17, 1982 until completion of project. Work to be done by county forces. District Engineer in charge of project — Irving Druar (683-4272).

The necessity for such closing consists in the fact that such highway is a County road and is being improved under Article VI of the Highway Law, and the work of improving such highway cannot be properly conducted and completed unless the portion thereof described be closed during the time such work is being performed.

In witness whereof the undersigned has, on this 13th day of May 1982, set his hand at Buffalo, New York.

Leonard V. Samiewski, P.E.
Acting Deputy
Commissioner-Highways
By Fred P. Osborne

june 10

Jean Mugler

being duly sworn, deposes and says that she is the

Ass't to the Publisher of the

Cheektowaga Bee , a

public newspaper published at

Williamsville, N.Y. , New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 10th day of June , 19 82 , and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 10th day of June , 19 82

Jean Mugler

Donna M. Yambor

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Notary Public in and for Erie County

Form No. 1

Item No. 54 Erie County Board of Elections: Notice regarding voting hours for Primary Elections.
This item was received and filed.

Item No. 55 Notice of Claim: Michael & Adrienne Freas vs. Town of Cheektowaga.
Copies of this Notice of Claim were sent to James Kirisits, Town Attorney; Kenneth J. Meyers, Supervisor; Town's Insurance Carrier; Thomas Johnson, Councilman; James Burst, Sewer Maintenance Foreman; and Chester Bryan, Town Engineer.
This Notice was received and filed.

Item No. 56 Notice of Claim: Carl Schefline vs. Town of Cheektowaga.
Copies of this Notice of Claim were sent to James Kirisits, Town Attorney; Kenneth J. Meyers, Supervisor; E. T. Clauss & Co., Town's Insurance Carrier; Thomas Johnson, Councilman, and Alfred Wnek, Highway Superintendent.
This Notice was received and filed.

Item No. 57 Summons & Complaint: Joseph L. Nader vs. R. Chamberlin, K. Jezioro, and R. Jakubowski/agents of the Town of Cheektowaga.
Copies of this Summons and Complaint were sent to: James Kirisits, Town Attorney; Kenneth J. Meyers, Supervisor; E. T. Clauss & Co., Town's Insurance Carrier; Theodore DeFedericis, Chief of Police; and Thomas Johnson, Councilman.
This Summons was received and filed.

Item No. 58 Summons & Complaint: Frances & Louis A. DeVincentis vs. Town of Cheektowaga.
Copies of this Summons and Complaint were sent to James Kirisits, Town Attorney; Kenneth J. Meyers, Supervisor; E. T. Clauss & Co., Town's Insurance Carrier; Chester L. Bryan, Town Engineer; Thomas Johnson, Councilman.
This Summons was received and filed.

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

Motion by Supervisor Meyers, seconded by Councilman Jaworowicz to suspend the rules to include the following item.

Upon roll call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0

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

VII. SUSPENSION OF RULES

Item No. 59 Authorize Supervisor to sign approval of Subscribers and Consent to Incorporation by Supervisory Agency (Town of Cheektowaga) regarding: Mother of Divine Grace Housing Development Fund Co., Inc.

Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, Bishop Edward D. Head, Auxiliary Bishop Bernard J. McLaughlin, Msgr. Donald W. Trautman and Rev. S. Paul Ayoub are the subscriberrs to a corporation to be formed pursuant to Article XI of the Private Housing Finance Law and Section 402 of the Not-for-Profit Corporation Law, and to be known as Mother of Divine Grace Housing Development Fund Company, Inc., AND

Item No. 59 Cont'd.

WHEREAS, Section 573 of the Private Housing Finance Law provides for approval of the subscribers and consent to incorporation by the chief fiscal officer of the municipality within which such proposed corporation will be located,

NOW, THEREFORE, BE IT, RESOLVED, that the Supervisor of the Town of Cheektowaga be and he hereby is authorized to sign the Approval of Subscribers and Consent to Incorporation by Supervising Agency Town of Cheektowaga which is appended to the Certificate of Incorporation of Mother of Divine Grace Housing Development Fund Company, Inc.

Upon roll call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, W. P. Rogowski, J. V. Rogowski and Jaworowicz
NAYES:	0
ABSENT:	0

Item No. 60 Motion by Councilman J. V. Rogowski, seconded by Councilman Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

6/7/82

No. 13

MEETING NO. 13

CHEEKTOWAGA, NEW YORK
June 21, 1982

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 June, 1982 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia J. Jaworowicz

ABSENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Julia Reinstein, Town Historian; Ron Zoeller, Working Foreman in Sanitation Department; Sal LaGreca, Employment and Training Services Director II; Michael Miecznikowski, Recreation Director; Alfred Wnek, Highway Superintendent; Ron Marten, Building and Plumbing Inspector; Theodore DeFedericis, Chief of Police; Dr. Louis Vendetti, Town Health Officer; Andrew Schwenk, Sole Assessor.

In the absence of Supervisor Kenneth J. Meyers, Councilman Thomas Johnson was the chairman of the meeting.

Item No. 1b (This hearing was held at 6:30 P.M., prior to the Town Board meeting)

This being the time and place advertised for a public hearing to consider proposed sanitary sewer tap-in restrictions in Cheektowaga Sanitary Sewer District #3, 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 notice being as follows:

* See next two (2) pages for notice

NOTICE OF PUBLIC HEARING
PROPOSED SANITARY SEWER TAP-IN RESTRICTIONS
CHEEKTOWAGA SANITARY SEWER DISTRICT #3

Pursuant to the requirements of the United States Environmental Protection Agency, as published in the September 27, 1978 Federal Register, Volume 43, No. 188, the Town of Cheektowaga Sanitary Sewer District #3 will hold a Public Hearing on a Town Resolution to restrict sanitary sewer tap-ins from future development in any wetlands or floodplains in the District #3 service area, except as approved for waiver by the New York State Department of Environmental Conservation. The Public Hearing will be held at the Cheektowaga Town Hall, Broadway and Union Road, New York 14227 at 6:30 P.M., Local Time, on Monday, June 21, 1982.

Cheektowaga Sanitary Sewer District #3 has received a Federal Grant for design of sanitary sewer rehabilitation. United States Executive Orders 11988 (Floodplain Management - May 24, 1977) and 11990 (Protection of Wetlands - May 24, 1977) require Federal Agencies (EPA) to avoid through their actions (Step II Grant for Design) direct or indirect support of floodplain or wetland development. The stated intents of these directives are "to reduce the risk of flood loss, to minimize the impacts of floods on human safety, health and welfare, . . ." (E.O. 11988) and "to minimize the destruction, loss or degradation of wetlands" (E.O. 11990).

The EPA, through a "Special Grant Condition", is requiring the Town to pass a resolution stating:

> - that for a period of fifty years from the date of the Grant award (September 30,1981), that no sewer hook-up or other connections to the sewerage collection system tributary to ECSD #4 connection at the Plant #3 site will be allowed or permitted for any facility located on a parcel of land within any wetland or the 100-year floodplain, which land parcel as of the date of the Grant was undeveloped unless approved in writing by the New York State Department of Environmental Conservation.

The Town of Cheektowaga will apply for a waiver of this restriction if a property owner so desires, and notifies the Town at the Public Hearing or within thirty (30) days thereafter.

The Hearing is open to the public. Interested parties are invited and encouraged to present their views on this resolution. Maps delinating wetlands and the 100 year floodplains of Buffalo River and Cayuga Creek in the District #3 service area with a list of affected land parcels will be available for inspection at the offices of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202, and at the offices of the Cheektowaga Town Engineer at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, beginning May 17, 1982, Monday through Friday, 9 A.M. to 4 P.M.

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

Richard M. Moleski
Town Clerk

Item No. 1b 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.

I. BIDS

Item No. 2 Improvements to Nob Hill Park
Referred to Stuart Alexander & Associates, Architect

Item No. 3 Improvements at the following parks & playgrounds; Raymond Street, St. Aloysius, Theodore Roosevelt, Nokomis, Dartwood, Dingens, North Creek/ South Creek and Kelly Parks
Referred to Stuart Alexander & Associates, Architect

Item No. 4 Improvements to Cedargrove Recreation Corridor
Referred to Stuart Alexander & Associates, Architect

Item No. 5 Stage II, Phase III of Cedargrove Heights Neighborhood Improvement Program
Referred to Nussbaumer & Clarke.

Item No. 6 Traffic control signs, street name signs, sign posts & brackets
Referred to Chester Bryan, Town Engineer

Item No. 7 Diesel fuel, motor oils, lubricants, anti-freeze, etc.
Referred to Alfred Wnek, Highway Superintendent

Item No. 8 Football equipment
Referred to Mike Miecznikowski, Recreation Director

Item No. 9 Auction of surplus equipment
Referred to Alfred Wnek, Highway Superintendent

II. PUBLIC HEARING

Item No. 10 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 Supervisor such proof was duly filed. 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	Direction	Entrance Street	Traffic Stops	Sign Location
MANLON TERRACE	East-West	CRESTHAVEN DRIVE	Southbound	N.W. Corner
MANLON TERRACE	East-West	LYNNCREST TERRACE	Southbound	N.W. Corner
MANLON TERRACE	East-West	VERNON DRIVE	Southbound	N.W. Corner

Item No. 10 cont'd

ARTICLE X

Parking, Standing and Stopping

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.

(14) One-hour parking

PINE RIDGE TERRACE - east side: from south curb of Genesee Street to No. 23

* *

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. 11 Motion by Councilman W.P. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, the next regularly scheduled Town Board meeting would normally have been on Monday, July 5, 1982, and

WHEREAS, Monday, July 5, 1982, is a Holiday, in observance of July 4, 1982, NOW, THEREFORE, BE IT

RESOLVED that the next regularly scheduled Town Board meeting shall be held on Tuesday, July 6, 1982 at 7:00 P.M.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski & Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 12 Motion by Councilman J.V. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga, pursuant to the Freedom of Information Law, on April 6, 1981, adopted rules and regulations setting forth procedures for the public inspection and copying of records, and

WHEREAS, the Town's present "Application for Public Access to Records" has proved to be inadequate in that it fails to provide enough information for the Records Access Officer to make a thorough evaluation of a request for records, and

WHEREAS, it is expected that numerous requests will be made for Town records, and

WHEREAS, the Cheektowaga Town Attorney's Office has prepared a new "Application to Inspect Town Records", NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga hereby approves and adopts the "Application to Inspect Town Records", as prepared by the Town Attorney's Office; a copy of such form and instruction sheets is appended to this resolution.

* See next three (3) pages for copy of application and instruction

APPLICATION TO INSPECT TOWN RECORDS
(see instructions)

NO. _____

Record Inspected (Date) _____

Record Returned (Date) _____

Section I - APPLICATION INFORMATION

1. Name and address (street, city, state and zip code)

To applicant:
The action by the Records Access Officer with respect to your application to inspect records is shown in item 8 below.

2a. Title, subject, or nature of requested record

2b. Approximate date

2c. Originator or author

2d. Recipient or addressee

2e. General description of record

3. Fees: Schedule of fees to cover costs of making records available for inspection is shown in instructions.

4. Optional services available:
a. Are copies desired? ____Yes ____No ____Number
b. Is certification of copy desired? ____Yes ____No
c. If record(s) are determined to be available:
____ I wish to inspect at the Town Clerk's Office at address indicated in instructions.
____ Please mail copy(ies) to above address.

Section II - DETERMINATION OF AVAILABILITY (for agency use only)

5a. Request received by

5b. Date received

6. Routing

7a. Title of official making determination

7b. Date of determination

Determination - The record(s) which you have applied to inspect:
a. ____ Are not in the custody of the Town of Cheektowaga
b. ____ Cannot be identified. Additional information needed: ____
c. ____ Cannot be disclosed because:
____ Confidential Disclosure
____ Unwarranted Invasion of Personal Privacy
____ Part of Investigatory Files
____ Record of Which This Agency is Legal Custodian Cannot be Found
____ Record is not Maintained by This Agency
____ Exempted by Statute Other Than the Freedom of Information Act
____ Other (specify)_____
d. ____ The requested record(s) will be made available upon receipt of estimated costs shown in item 9:
____ For your inspection at the Town Clerk's Office
____ Copies will be held for you at the Town Clerk's Office.
____ Copies will be mailed to you at the address requested above

If you wish to inspect the record, return this form with the total amount shown in 9 (a)-(e) by check or money order, payable to "TOWN OF CHEEKTOWAGA".

9. Costs of making disclosable record available for inspection: (schedule of fees shown in instructions)

	Estimated (a)	Actual (b)	Refund (c)
a. Record search			
b. Copying			
c. Certification			
d. Postage			
e. Total			

Section III - REQUEST FOR REDETERMINATION

I request that a redetermination of the disclosability of the record(s) described in Section I be made.

____ I have ____ have not enclosed a written statement supporting my belief that this record can be made available.

Signature_____ Date_____

INSTRUCTIONS

Submit all copies of this application, together with the application fee, in person or by mail to:

The Town Clerk
Town Hall
Broadway and Union Road
Cheektowaga, N. Y. 14227

Section I - APPLICATION INFORMATION

1. Name and Address. Print or write clearly your full name and mailing address, including zip code. (This form will be used to notify you as to the availability of the record(s) you have requested.)

2. Description of Requested Record

a. This part of the form has been designed to describe only one record. If you wish to inspect several records related to the same general subject, supply the required descriptive information for each additional record and attach to this application.

b. In completing items 2a-2e, supply as much of the indicated information as possible. If the exact title is not known, indicate in 2a the subject it deals with, and whether it is a letter, report, table etc. In 2b, indicate the year, approximate month, and where known, the day. In 2c, give the title or name of the person (or the organization, if appropriate) who prepared the record, and show in 2d, the person or organization to whom the record was addressed, or for whom it was prepared. Provide in 2e any additional identifying information, such as the general content, scope, purpose, identifying number, or other characteristics of the record.

c. In many cases, requested records can be identified and located, even if part of the identifying information is not known. However, since the responsibility for providing an adequate identification of each requested record rests with the applicant, it is to your advantage to describe the record as specifically and completely as possible.

3. Fees

a. If the record requested can be made available, item 9 will be completed to show the estimated charge for locating, retrieving, forwarding, and inspecting the requested record(s). This charge is based upon the cost to the Town for these services, and must be paid prior to inspection.

b. If the estimated payment is less than the actual cost, you may either pay the additional cost, or inspect the requested record(s) to the extent the costs of retrieving them have been covered by your payment.

4. Optional Services

a. Requested records determined to be available for your inspection will be held at the Town Clerk's Office for five working days beyond the date indicated on this form. You may copy any portion of the record, by hand or by use of copying equipment available at the Town Clerk's Office. In addition, the following optional services are available:

(1) You may request that copy(ies) of each record be made and held for you at the Town Clerk's Office.
(2) You may request that copy(ies) of record(s) made for you by the Town Clerk be certified as true copies.
(3) If you do not wish to inspect the available records by PERSONAL VISIT to the Town Clerk's Office you may request that copy(ies) of the requested record(s) be mailed to your address.

b. If you desire any of the above optional services, you should make appropriate entries in item 4. The costs for these services are shown below. Charges for any requested optional services will be entered in item 9, at the time the action copy of this form is returned to you, and must be paid before the services can be provided.

Section II - DETERMINATION AVAILABILITY

1. Item 8 of this section will be completed to inform you of the determination made by the Records Access Officer as to the availability of the record(s) you have requested. The original and one copy will be returned to you approximately five working days from receipt of your request by the Town Clerk. The availability of each record, if several records related to the same general subject have been requested, will be determined separately.

2. If, in Item 8, the record you have requested is shown as being disclosable, the estimated cost of making the record available for inspection will be shown in item 9. If you wish to inspect the requested record(s), remit the amount shown together with one copy of the approved application to the Town Clerk's Office. The record(s) will be held for your inspection at the Town Clerk's Office for five working days, or if you have so requested, copies will be mailed to you.

3. Procedure for Appeal of Decision of Records Access Officer. If Item 8 indicates the record you have requested is not disclosable, you may appeal to the Town Board for a redetermination of this decision be made by completing Section III of this form:

a. Sign and date statement on lines indicated.

b. Return the original copy of the application form to the Town Board, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 within thirty days from the date of determination shown in Item 7(b) of Section II.

c. Submit attached thereto any written arguments supporting your belief that the record requested should be made available. (No personal appearances, oral arguments, or hearing are permitted in connection with this redetermination.)

d. You will be advised promptly as to the results of the redetermination, which shall constitute the final decision of the Town.

SCHEDULE OF FEES:

a. Copies of records, if requested by applicant:

1. Xerographic or similar process - up to 9 x 14 inches (each page). . . . $0.25

2. Other forms of reproduction as required by nature of document . . . . . Actual cost, each instance

3. Typed or handwritten transcript . . . . . Actual cost of clerical time

b. Certification fee, if requested (Applicable to each certification). $1.00

c. Postage, registration, or other forwarding or parking fees. . . . . Actual cost

d. Police records. . . . . Cost as set by Police Department

Item No. 12 cont'd

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 13 Motion by Councilman W.P. Rogowski, seconded by Councilman Dux

WHEREAS, the Town of Cheektowaga has previously adopted a Park Ordinance (Ordinance No. 38) with amendments thereto and Rules and Regulations governing Cheektowaga Town Parks which apply to all public parks and public park approaches owned by the Town of Cheektowaga, and

WHEREAS, said Park Ordinance and Rules and Regulations give ample authority and control by the Town for the use of said parks and their facilities and to control the movement and activities of persons using the same, and

WHEREAS, the Town Board of the Town of Cheektowaga has authorized installation of electrical lighting equipment for various baseball and softball diamonds within the said Town parks making it necessary that such areas be open to the public after sunset to allow that games can be played on such lighted baseball and softball diamonds, and

WHEREAS, said Park Ordinance specifies that all parks shall be closed between the hours of sunset and sunrise the following morning, and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting an amendment to the said Park Ordinance 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 7th day of June, 1982 at 7:00 o'clock P.M., Eastern Daylight Saving Time; 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 amendment to the Park Ordinance (Ordinance No. 38) of the Town of Cheektowaga, as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Park Ordinance (Ordinance No. 38) be and the same hereby is amended and changed as follows:

ORDINANCE NO. 38

PARKS

Section 12. Park Closing Hours, which reads:

> 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 when so closed.

shall be amended to read:

> All parks shall be closed between the hours of sunset and sunrise the following morning and no person shall remain inside any park during the hours when so closed, except that any park which has a lighted baseball or softball diamond shall remain open after sunset when baseball or softball games are being played on such lighted diamond. Such park shall be open only to players, officials and spectators involved in such baseball or softball games. Such players, officials and spectators

must remain in the immediate vicinity of the lighted diamond or diamonds. Immediate vicinity excludes picnic areas, shelters, trailers, playground areas and other athletic facilities. Comfort stations and vehicular roads for access and egress are constituted as being within the vicinity of a lighted diamond. The park shall be closed to the public fifteen (15) minutes after the conclusion of any such game

BE IT FURTHER RESOLVED that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 21st day of June, 1982; that a certified copy thereof be published in the CHEEKTOWAGA BEE, the official newspaper of the Town of Cheektowaga and having a general circulation therein.

That the aforementioned amendment to the Park Ordinance (Ordinance No. 38) of the Town of Cheektowaga, New York shall take effect ten (10) days after such publication, but such amendment shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

AFFIDAVIT - NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK
COUNTY OF ERIE } ss.

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 24th day of June, 19 82, and the last insertion being on the same day of ....., 19.....

Subscribed and sworn to before me this 24th day of June, 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

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 June, 1982 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Councilman
Thomas M. Johnson, Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz
ABSENT:
Supervisor
Kenneth J. Meyers
Councilman
Frank E. Swiatek

Motion by Councilman W. Rogowski Seconded by Councilman Dux

WHEREAS, the Town of Cheektowaga has previously adopted a Park Ordinance (Ordinance No. 38) with amendments thereto and Rules and Regulations governing Cheektowaga Town Parks which apply to all public parks and public park approaches owned by the Town of Cheektowaga, and

WHEREAS, said Park Ordinance and Rules and Regulations give ample authority and control by the Town for the use of said parks and their facilities and to control the movement and activities of persons using the same, and

WHEREAS, the Town Board of the Town of Cheektowaga has authorized installation of electrical lighting equipment for various baseball and softball diamonds within the said Town parks making it necessary that such areas be open to the public after sunset to allow that games can be played on such lighted baseball and softball diamonds, and

WHEREAS, said Park Ordinance specifies that all parks shall be closed between the hours of sunset and sunrise the following morning, and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting an amendment to the said Park Ordinance 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 7th day of June, 1982 at 7:00 o'clock P.M. Eastern Daylight Saving Time; 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 amendment to the Park Ordinance (Ordinance No. 38) of the Town of Cheektowaga, as set forth below,

NOW, THEREFORE, BE IT RESOLVED, that the Park Ordinance (Ordinance No. 38) be and the same hereby is amended and changed as follows:

ORDINANCE NO. 38
PARKS

Section 12. Park Closing Hours, which reads:

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 when so closed.

shall be amended to read:

All parks shall be closed between the hours of sunset and sunrise the following morning and no person shall remain inside any park during the hours when so closed, except that any park which has a lighted baseball or softball diamond shall remain open after sunset when baseball or softball games are being played on such lighted diamond. Such park shall be open only to players, officials and spectators involved in such baseball or softball games. Such players, officials and spectators must remain in the immediate vicinity of the lighted diamond or diamonds. Immediate vicinity excludes picnic areas, shelters, trails, playground areas and other athletic facilities. Comfort stations and vehicular roads for access and egress are constituted as being within the vicinity of a lighted diamond. The park shall be closed to the public fifteen (15) minutes after the conclusion of any such game.

BE IT FURTHERE RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 21st day of June, 1982; that a certified copy thereof be published in the CHEEKTOWAGA BEE, the official newspaper of the Town of Cheektowaga and having a general circulation therein.

That the aforementioned amendment to the Park Ordinance (Ordinance No. 38) of the Town of Cheektowaga, New York shall take effect ten (10) days after such publication, but such amendment shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Upon roll call — Supervisor Meyers ABSENT, Councilman Swiatek ABSENT, Councilman Johnson Voting AYE, Councilman Dux Voting AYE, Councilman W.P. Rogowski Voting AYE, Councilman J.V. Rogowski Voting AYE, Councilman Jaworowicz Voting AYE. AYES: 5, NAYES: 0, ABSENT: 2.

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 21, 1982, 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. 13, 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 June, 1982.

Richard M. Moleski
Town Clerk

june 24

No. 14

No. 15

Item No. 14 Motion by Councilman Johnson seconded by Councilman Dux

WHEREAS, this Town Board duly held a public hearing on the 7th day of June, 1982 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:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
MARKUS DRIVE	East-West	VICTORIA BOULEVARD	Northbound	S.E. Corner
VICTORIA BLVD.	North-South	PARKVIEW TERRACE	Eastbound	S.W. Corner
VICTORIA BLVD.	North-South	PINEWOOD TERRACE	Eastbound	S.W. Corner
CEDARGROVE CIRCLE	North-South	SPRINGFIELD DRIVE	Westbound	N.W. Corner

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application.

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

Section 4. Publication.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA BEE, the official newspaper of the Town of Cheektowaga 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.

AFFIDAVITS - NEXT PAGE

PROOF OF PUBLICATION

Bee Publications Inc.

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5564 MAIN STREET,
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PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE } ss.

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 24th day of June, 19 82, and the last insertion being on the same day of ....., 19 .....

Jean Mugler

Subscribed and sworn to before me this 24th day of June, 19 82

Donna M. Yambor

Notary Public, State of New York, for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

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 June, 1982 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Councilman
Thomas M. Johnson, Jr.
Councilman
Frank J. Dux
Councilman
William P. Rogowski
Councilman
John V. Rogowski
Councilman
Patricia A. Jaworowicz

ABSENT:
Supervisor
Kenneth J. Meyers
Councilman
Frank E. Swiatek

Motion by Councilman Johnson Seconded by Councilman Dux

WHEREAS, this Town Board duly held a public hearing on the 7th day of June, 1982 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:

Street: MARKUS DRIVE; Direction: East-west; Entrance Street: VICTORIA BOULEVARD; Traffic Stops: Northbound; Sign Location: S.E. Corner.

Street: VICTORIA BLVD.; Direction: North-south; Entrance Street: PARKVIEW TERRACE; Traffic Stops: Eastbound; Sign Location: S.W. Corner.

Street: VICTORIA BLVD.; Direction: North-south; Entrance Street: PINEWOOD TERRACE; Traffic Stops: Eastbound; Sign Location: S.W. Corner.

Street: CEDARGROVE CIRCLE; Direction: North-south; Entrance Street: SPRINGFIELD DRIVE; Traffic Stops: Westbound; Sign Location: N.E. Corner.

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application.

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

Section 4. Publication.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA BEE, the official newspaper of the Town of Cheektowaga 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 ABSENT, Councilman Swiatek ABSENT, Councilman Johnson Voting AYE, Councilman Dux Voting AYE, Councilman W.P. Rogowski Voting AYE, Councilman J.V. Rogowski Voting AYE, Councilman Jaworowicz Voting AYE. AYES: 5, NAYES: 0, ABSENT: 2.

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 21, 1982, 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. 14, 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 June 1982.

Richard M. Moleski
Town Clerk

june 24

Item No. 15 Motion by Councilman W.P. Rogowski, seconded by Councilman Dux

WHEREAS, the Whitmier & Ferris Co. has requested permission to erect two 12 ft. by 25 ft. billboard signs, one facing East and one facing West, at 2477 Broadway, said signs to be on a single pole, be set back 25 ft. from the front lot line and be a maximum of 25 ft. above grade, and

WHEREAS, said application was referred to the Building Inspector of the Town of Cheektowaga, and

WHEREAS, said Building Inspector has recommended approval of said sign application, NOW, THEREFORE, BE IT

RESOLVED that the Whitmier & Ferris Co. be and is hereby granted permission to erect the aforementioned billboard signs in the manner as specified above.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 16 Motion by Councilman J. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1982 to the Erie County Board of Elections by July 1, 1982; and

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly voters, provided, however, that this requirement may be waived in writing by the County Board of Elections upon a petition to the Board by the Town Board showing good and sufficient cause, and

WHEREAS, the Town of Cheektowaga includes 111 Election Districts, 77 of which provide proper accessibility and 34 of which do not; the Town of Cheektowaga is a fully developed community and has within its environs very few new or recently constructed buildings which provide the required accessibility and also are available for use as polling places; conversion of current inaccessibile polling places, whether privately or publicly owned, is neither economically feasible nor cost effective at this time; the Town is cognizant of this situation and continues to seek accessible locations to replace inaccessible locations, and, when financially and otherwise practicable, will convert present inaccessible locations to provide accessibility, NOW, THEREFORE, BE IT

RESOLVED that the attached list of Town of Cheektowaga polling places for 1982 be approved for submittal to the Erie County Board of Elections; and BE IT FURTHER

RESOLVED that the Town Board herewith requests a waiver in writing from the Erie County Board of Elections for inaccessible polling places as designated on same attached list, to be made a part of this resolution.

* See next three (3) pages for list of polling places

P O L L I N G P L A C E S

TOWN OF CHEEKTOWAGA

DISTRICT	LOCATION	PROPER ACCESS?
1	Stiglmeier Park Community Center, Losson Road	(No) Upstairs
2	Bellevue Fire Station, Como Park & Bennett Rd.	(Yes) No Stairs
3	Village of Depew, DPW Bldg., Rutherford Place	(Yes) No Stairs
4	Forks Fire Hall No. 2, Nagel Dr. & South Creek Dr.	(Yes) No Stairs
5	Our Lady Help of Christians School, 4115 Union Rd.	(No) Downstairs
6	Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.	(Yes) No Stairs
7	Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.	(Yes) No Stairs
8	Our Lady Help of Christians School, 4115 Union Rd.	(No) Downstairs
9	Maryvale High School, 1050 Maryvale Drive	(No) 2 steps
10	North Hill Elementary, 4635 Union Road	(No) 2 steps
11	North Hill Elementary, 4635 Union Road	(No) 2 steps
12	Infant of Prague School Hall, 921 Cleveland Dr.	(Yes) No Stairs
13	Cleveland Drive United Presbyterian Church, 735 Cleveland Drive	(Yes) No Stairs
14	Cleveland Hill Fire Hall, 440 Cleveland Dr.	(Yes) No Stairs
15	St. Aloysius School, 157 Cleveland Drive	(No) Downstairs
16	St. Aloysius School, 157 Cleveland Drive	(No) Downstairs
17	Trailer, Marc Lane	(No) Steps
18	Trailer, Marc Lane	(No) Steps
19	St. Aloysius School, 157 Cleveland Drive	(No) Downstairs
20	Cleveland Hill Elementary School, Mapleview Drive	(No) Upstairs
21	Cleveland Hill High School, Mapleview Drive	(Yes) No Stairs
22	Cleveland Hill High School, Mapleview Drive	(Yes) No Stairs
23	Infant of Prague School Hall, 921 Cleveland Dr.	(Yes) No Stairs
24	North Hill Elementary School, 4635 Union Road	(No) 2 steps
25	North Branch Library, 735 Maryvale Drive	(No) Downstairs
26	Maryvale Community Center, 3409 Genesee St.	(Yes) No stairs
27	Mother of Divine Grace Church, 500 Maryvale Dr.	(No) Downstairs
28	Mother of Divine Grace Church, 500 Maryvale Dr.	(No) Downstairs
29	Cleveland Hill Primary School, 7 Community Drive	(No) 3 steps
30	Cleveland Hill Primary School, 7 Community Drive	(No) 3 steps
31	Pine Hill Elementary School, 1635 East Delavan	(Yes) No Stairs
32	Pine Hill Elementary School, 1635 East Delavan	(Yes) No stairs
33	Most Holy Redeemer School, 16 Alpine Place	(No) Upstairs
34	Pine Hill Fire Hall, 2435 Genesee St.	(Yes) No Stairs
35	Cheektowaga Recreation Center, Town Park, Harlem Rd.	(Yes) No Stairs
36	Queen of Martyrs School, 180 George Urban Blvd.	(No) Downstairs
37	Maryvale Community Center, 3409 Genesee St.	(Yes) No Stairs
38	U-Crest Fire Hall, 255 Clover Place	(Yes) No Stairs
39	U-Crest Fire Hall, 255 Clover Place	(Yes) No Stairs
40	Anna M. Reinstein Memorial Library, 2580 Harlem Rd.	(Yes) No Stairs

No. 14
No. 15

TOWN OF CHEEKTOWAGA

DISTRICT	LOCATION	PROPER ACCESS?
41	Anna M. Reinstein Memorial Library, 2580 Harlem Rd.	(Yes) No Stairs
42	Alexander Street School, 275 Alexander Street	(No) Basement
43	Alexander Street School, 275 Alexander Street	(No) Basement
44	Rescue Fire Hall, 20 Pine Ridge Road	(Yes) No Stairs
45	Rescue Fire Hall, 20 Pine Ridge Road	(Yes) No Stairs
46	Woodrow Wilson School, 166 Halstead Ave., Sloan	(Yes) No Stairs
47	Woodrow Wilson School, 166 Halstead Ave., Sloan	(Yes) No Stairs
48	Sloan Fire Hall, 55 Gates Street, Sloan	(Yes) No Stairs
49	Sloan Fire Hall, 55 Gates Street, Sloan	(Yes) No Stairs
50	Sloan Fire Hall, 55 Gates Street, Sloan	(Yes) No stairs
51	St. Josaphat's School, William & Mansion	(No) Downstairs
52	Theodore Roosevelt School, 2495 William Street	(Yes) No stairs
53	Resurrection School, 130 Como Park Blvd.	(No) Downstairs
54	St. Josaphat's School, William & Mansion	(No) Downstairs
55	Doyle Fire Hall No. 1, William & Alaska	(Yes) No Stairs
56	Grover Cleveland School, Rossler & Dingens Street	(Yes) No Stairs
57	Doyle Fire Hall No. 2, Willowlawn & Griswold Street	(Yes) No stairs
58	South Branch Library, 2660 William St.	(Yes) No Stairs
59	Alys Drive Elementary School, 86 Alys Drive, Depew	(Yes) No Stairs
60	Alys Drive Elementary School, 86 Alys Drive, Depew	(Yes) No Stairs
61	Forks Fire Hall No. 2, Nagel & South Creek Drive	(Yes) No Stairs
62	Hy-View Fire Hall, 8 Airport Drive	(Yes) No Stairs
63	Hy-View Fire Hall, 8 Airport Drive	(Yes) No Stairs
64	Forks Fire Hall (Memorial Hall) 3340 Broadway	(Yes) No Stairs
65	St. Barnabas School, 2099 George Urban Blvd.	(Yes) No Stairs
66	Union U-Crest Elementary School, 1 Nagel Drive	(Yes) No stairs
67	John F. Kennedy High School, 305 Cayuga Creek Rd.	(Yes) No Stairs
68	West End Hose Co. No. 6, 2325 George Urban Blvd.	(Yes) No stairs
69	Queen of Martyrs, 180 George Urban Blvd.	(No) Downstairs
70	Cheektowaga Recreation Center, Town Park, Harlem Rd.	(Yes) No Stairs
71	Cleveland Hill Elementary School, Mapleview Drive	(No) Upstairs
72	Cleveland Hill Fire Hall, 440 Cleveland Drive	(Yes) No stairs
73	Cleveland Heights Christian Church, 4774 Union Rd.	(Yes) No Stairs
74	Forty & Eight Voiture Hall, 810 Rein Road	(Yes) No Stairs
75	North Branch Library, 735 Maryvale Drive	(No) Downstairs
76	Our Lady of the Blessed Sacrament School, 2620 George Urban Blvd.	(Yes) No Stairs
77	Resurrection School, 130 Como Park Blvd.	(No) Downstairs
78	Doyle Fire Hall No. 1, William & Alaska Streets	(Yes) No stairs
79	Southline Fire Hall, 1049 French Road	(Yes) No Stairs
80	Garden Village Apts., Recreation Center, 70 Garden Village Drive	(Yes) No Stairs

TOWN OF CHEEKTOWAGA

DISTRICT	LOCATION	PROPER ACCESS?
81	Southline Fire Hall, 1049 French Road	(Yes) No stairs
82	Stiglmeier Park Community Center, Losson Road	(No) Upstairs
83	Dartwood Community Center, 222 Autumnwood Drive	(Yes) No Stairs
84	Dartwood Community Center, 222 Autumnwood Drive	(Yes) No stairs
85	Bellevue Fire Hall, Como Park Blvd. & Bennett Rd.	(Yes) No Stairs
86	Village of Depew, DPW Bldg., Rutherford Place	(Yes) No stairs
87	St. Barnabas School, 2099 George Urban Blvd.	(Yes) No Stairs
88	West End Hose Co. No. 6, 2325 George Urban Blvd.	(Yes) No Stairs
89	Maryvale East School, Moorman Drive	(Yes) No Stairs
90	Infant of Prague School Hall, 921 Cleveland Drive	(Yes) No Stairs
91	Maryvale East School, Moorman Drive	(Yes) No Stairs
92	Union U-Crest Elementary School, One Nagel Drive	(Yes) No Stairs
93	U-Crest Fire Hall, 255 Clover Place	(Yes) No Stairs
94	Williamstown Apartments Recreation Center, William Street	(No) Downstairs
95	Doyle Fire Hall No. 1, William & Alaska Streets	(Yes) No Stairs
96	Union U-Crest Elementary School, 1 Nagel Drive	(Yes) No stairs
97	South Branch Library, 2660 William Street	(Yes) No Stairs
98	Forks Fire Hall No. 2, Nagel & South Creek Drives	(Yes) No Stairs
99	Cleveland Heights Christian Church, 4774 Union Rd.	(Yes) No Stairs
100	Maryvale High School, 1050 Maryvale Drive	(No) 2 steps
101	Queen of Martyrs School, 180 George Urban Blvd.	(No) Downstairs
102	Forty & Eight Voiture Hall, 810 Rein Road	(Yes) No Stairs
103	Our Lady of the Blessed Sacrament School, 2620 George Urban Blvd.	(Yes) No stairs
104	Williamstown Apartments Recreation Center, William Street	(No) Downstairs
105	John F. Kennedy High School, 305 Cayuga Creek Road	(Yes) No Stairs
106	Garden Village Apartments, Recreation Center, 70 Garden Village Drive	(Yes) No Stairs
107	Garden Village Apartments, Recreation Center, 70 Garden Village Drive	(Yes) No Stairs
108	Dartwood Community Center, 222 Autumnwood Drive	(Yes) No Stairs
109	Dartwood Community Center, 222 Autumnwood Drive	(Yes) No Stairs
110	Southline Fire Hall, 1049 French Road	(Yes) No Stairs
111	Southline Fire Hall, 1049 French Road	(Yes) No Stairs

Item No. 16 cont'd

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

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

WHEREAS, the Town of Cheektowaga has operated a Housing Rehabilitation Program, funded through the Community Development Block Grant Program in the Town's designated neighborhood improvement areas, since 1980, and

WHEREAS, the purpose of said program is to provide low-interest loans to income-eligible property owners for purposes of housing rehabilitation and correction of Town Housing Code Violations, and

WHEREAS, a need exists for low-cost housing rehabilitation assistance outside of the designated target areas, and

WHEREAS, the Town is desirous of extending said Housing Rehabilitation Program to income-eligible, owner-occupants of residential properties throughout the Town, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be scheduled for Tuesday, July 6, 1982 at 7:00 P.M. at Cheektowaga Town Hall for purposes of considering an amendment to the Town of Cheektowaga's 1982-83 Community Development Block Grant Program extending the Housing Rehabilitation Loan Program from a target area to a Town-wide basis for income-eligible owner-occupants of residential property in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Town Clerk be directed to publish a Notice of public hearing for said hearing in the CHEEKTOWAGA BEE on June 24, 1982.

* *

TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
NOTICE OF PUBLIC HEARING

A public hearing will be held on Tuesday, July 6, 1982 at 6:39 P.M. at Cheektowaga Town Hall, corner of Broadway & Union Road, Cheektowaga, New York, 14227, pursuant to Section 570.312 of the Housing & Community Development Act of 1974 as amended, for the purpose of considering an amendment to the Town of Cheektowaga's fiscal year 1982-83 Community Development Block Grant Program which would extend the Community Development Housing Rehabilitation Loan Program from a target area basis to a town-wide basis for income eligible occupant-owners of residential property in the Town of Cheektowaga.

* *

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

AFFIDAVIT - NEXT PAGE

No. 14

No. 15

PROOF OF PUBLICATION

Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald Cheektowaga Bee West Seneca Bee

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

STATE OF NEW YORK
COUNTY OF ERIE } ss.

Jean Mugler

being duly sworn, deposes and says that she is the

Ass't to the Publisher of the

Cheektowaga Bee , a

public newspaper published at

Williamsville , New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks the first insertion being on the 24th day of June , 19 82 , and the last insertion being on the same day of , 19 .

TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM
NOTICE OF PUBLIC HEARING

A Public Hearing will be held on Tuesday, July 6, 1982 at 6:30 P.M. at Cheektowaga Town Hall, corner of Broadway & Union Road, Cheektowaga, New York, 14227, pursuant to Section 570.312 of the Housing & Community Development Act of 1974, as amended, for the purpose of considering an amendment to the Town of Cheektowaga's fiscal year 1982-83 Community Development Block Grant Program which would extend the Community Development Housing Rehabilitation Loan Program from a target area basis to a town-wide basis for income eligible occupant-owners of residential property in the Town of Cheektowaga.

june 24

Subscribed and sworn to before me this 24th day

of June , 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Item No. 18 Motion by Councilman Jaworowicz, seconded by Councilman W. Rogowski

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on June 7, 1982 for exterior alterations to a Town building located at 3329 Broadway (proposed Town Historical Museum) as a result of advertisement therefor, and such bids were referred to Kenneth Selden, Architect, and the "Board of Directors" for the Town Historical Museum 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 NAI Construction Co., Inc. P.O. Box 32, Station B, 26 Arthur Street, Buffalo, New York 14207 at a total bid price of $36,318.00; said bidder being the lowest responsible bidder meeting specifications, and BE IT FURTHER

RESOLVED that the labor and materials for the above mentioned exterior alterations are to be paid for solely through private donations from the Cheektowaga Historical Society and various individuals.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 19 Motion by Councilman J.V. Rogowski, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is sponsoring a summer day camp for handicapped children ("Camp Cheektowaga") at the Cheektowaga Town Park from July 6, 1982 to August 13, 1982, and

WHEREAS, it is necessary that bus transportation be provided to transport these handicapped children to and from Camp Cheektowaga, and

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of the aforesaid bus transportation to be provided from July 8, 1982 to August 13, 1982; said Notice to be published in the June 24, 1982 issue of the CHEEKTOWAGA BEE, and BE IT FURTHER

RESOLVED that sealed bid proposals will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York until 2:00 P.M. on Wednesday, June 30, 1982, and BE IT FURTHER

RESOLVED that the Cheektowaga Town Clerk is hereby designated to publicly open and read said sealed bid proposals at 2:00 P.M. on Wednesday, June 30, 1982.

* *

NOTICE TO BIDDERS

PROPOSALS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway & Union Roads, Cheektowaga, New York, until 2:00 P.M., Eastern Daylight Time, on Wednesday, June 30, 1982, for the furnishing of two full size school buses and one wheel chair van for the purpose of transporting clients to and from the Sloan, Cheektowaga, Depew area, to the Cheektowaga Recreation Center, 2600 Harlem Road. Included in this bid should be the use of one full size school bus and one wheel chair van for use one day per week for five weeks for transportation of clients from and to the Cheektowaga Recreation Center to various points of interest in the Western New York area. The time period for the aforementioned transportation will be July 8th, 1982 through August 13, 1982.

No. 14
No. 15

Item No. 19 cont'd

Information for bidders may be obtained from the Adapted Recreation Program Director at the Cheektowaga Youth Bureau Offices 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 low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 17, 1982

* *

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

AFFIDAVIT - NEXT PAGE

No. 14

No. 15

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STATE OF NEW YORK
COUNTY OF ERIE

NOTICE TO BIDDERS
PROPOSALS

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Information for bidders may be obtained from the Adapted Recreation Program Director at the Cheektowaga Youth Bureau Offices 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 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 Cheektowaga, Erie County, New York.

Richard M. Moleski
Town Clerk
DATED: June 17, 1982

june 24

Jean Mugler

being duly sworn, deposes and says that she is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 24th day of June, 19 82, and the last insertion being on the same day of ....., 19 .....

Subscribed and sworn to before me this 24th day of June, 19 82

Jean Mugler

Donna M. Yambor

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Item No. 20 Motion by Councilman J.V. Rogowski, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is in need of Dimensional Lumber, and

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of said Lumber, notice to be published in the June 24, 1982 issue of the CHEEKTOWAGA BEE, and BE IT FURTHER

RESOLVED that sealed bids will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York until 2:00 P.M. on Wednesday, June 30, 1982, and BE IT FURTHER

RESOLVED that the Cheektowaga Town Clerk is hereby designated to publicly open and read said sealed bid proposals at 2:00 P.M. on Wednesday, June 30, 1982.

* *

NOTICE TO BIDDERS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 2:00 P.M., Eastern Daylight Savings Time, on Wednesday, June 30, 1982 for the furnishing of Dimensional Lumber for the Town of Cheektowaga for the year 1982.

Information for bidders may be obtained from the Cheektowaga Youth Bureau Offices 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 low bidder, should it be in the best interest of the Town, or reject any and all bids.

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 17, 1982

* *

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

AFFIDAVIT - NEXT PAGE

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NOTICE TO BIDDERS

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Information for bidders may be obtained from the Cheektowaga Youth Bureau Offices 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 low bidder, should it be in the best interest of the Town, or reject any and all bids.

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

Richard M. Moleski
Town Clerk
DATED: June 17, 1982

june 24

Subscribed and sworn to before me this 24th day of June, 19 82

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 84

Item No. 21 Motion by Councilman W. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, the New York City Metropolitan Transportation Authority (MTA) has signed a proposed contract for the purchase of 825 IRT subway cars from Bombardier, Inc. of Montreal, and

WHEREAS, the proposal includes a subcontract for production of an estimated $60 million in motors and gear parts to Westinghouse Electric in Cheektowaga, and

WHEREAS, unemployment on the Niagara Frontier is in excess of 12 per cent, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga hereby goes on record in support of the MTA contract with Bombardier, Inc. and commends Rep. Henry J. Nowak of the 37th Congressional District of New York for his efforts in supporting the award of the motor production subcontract to Westinghouse in Cheektowaga and for opposing an alternative proposal for a Brazilian subcontract for motor production, and BE IT FURTHER

RESOLVED that certified copy of this resolution be sent to William E. Brock, the U.S. Trade Representative; Bill Alberger, Chairman of the International Trade Commission; and Richard Ravitch, Chairman of the MTA.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

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

WHEREAS, funds have been budgeted for Town Drainage Projects, and

WHEREAS, a drainage system located east of Princeton Court has caused residents severe rear yard drainage problems, NOW, THEREFORE, BE IT

RESOLVED that the Engineering Department is directed to arrange for the improvement of the Princeton Court Drainage System, and BE IT FURTHER

RESOLVED that $5,000.00 be transferred from Account CF8540 to the Princeton Court Drainage Project to pay for material, labor and equipment; mainly Webber Trucking and Excavating for labor and equipment and Reboy Supply, Inc. for material.

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: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

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

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing and Urban Development, and

WHEREAS, application for said funds included provisions for a Housing Rehabilitation Program which provides grants to elderly homeowners in the Town's target areas, and

WHEREAS, housing rehabilitation is an eligible activity under the Community Development Block Grant Program, and

WHEREAS, said Housing Rehabilitation Program also includes provisions for direct, zero-interest loans to be made directly to eligible homeowners by the Town, and

Item No. 23 cont'd

WHEREAS, the Town Community Development Director has received applications for assistance under said program and has determined that the owners of the property listed below are eligible for participation in the Housing Rehabilitation Program, NOW, THEREFORE, BE IT

RESOLVED that Community Development Housing Rehab loan funds, in the amounts listed below, are hereby approved for the owners of the property listed below:

29 Starcrest Drive - $3,657.00
72E Windwood Court - $ 400.00

and BE IT FURTHER

RESOLVED that a supplemental grant, in the amount of $500.00, be and hereby is authorized for the owner of the property located at 72E Windwood Court, and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign a Loan Agreement with the owner(s) of the above listed property and any and all other necessary and related documents on behalf of the Town, and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign checks, prior to Town Board Warrant List approval, necessary for the timely disbursement of said loan and grant funds, providing that the rehabilitation work to be performed has been carried out to the satisfaction of the Town Housing Inspectors and that all program regulations have been complied with to the satisfaction of the Town Community Development Director.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

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

WHEREAS, the Town of Cheektowaga is presently participating in a State and Federal Construction Grants Program to abate pollution in Cheektowaga's Sanitary Sewer District #5, and

WEHREAS, there is need for a telemetry system for pump station monitors so as to provide signals to the Main Pump Station Control Room, which Control Room will be staffed continuously, and

WHEREAS, on May 3, 1982 the Town Board did authorize a contract with Nussbaumer & Clarke, Inc. for preparation of bid documents and a Step 3 Grant Application for installation of telemetry in District #5 to monitor remote pump stations at the new Main Pump Station, and

WHEREAS, engineering services are necessary during Step 3 installation of the said telemetry, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, acting as the Board of Managers of Sewer District #5, authorizes and directs the Supervisor to sign the Step 3 Grant Application for installation of telemetry in District #5, and BE IT FURTHER

RESOLVED that upon grant award by the U.S.E.P.A., the Supervisor is authorized and directed to sign the agreement with Nussbaumer & Clarke, Inc. for Step 3 engineering services.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 25 Motion by Councilman J.V. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, the Cheektowaga Youth Bureau is desirous of initiating the

Item No. 25 cont'd

operation of a joint program with Child and Family Services of Erie County, New York, 330 Delaware Avenue, Buffalo, New York 14202, for the purpose of providing group, individual and family counseling to police and court referred juveniles and youthful offenders, and

WHEREAS, the First Offender and Troubled Youth Counseling Program would be located at the agency's East Regional Office, located at 45 Anderson Road, in Cheektowaga, and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color, or creed, and

WHEREAS, the Town will be eligible to receive 50% reimbursement from the New York State Division for Youth for the operation of said program, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga contract for said program for the period from July 1, 1982 through December 31, 1982, for a total cost not to exceed the sum of $17,730.00 and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute said agreement between the Town and Child and Family Services.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 26 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, the Town of Cheektowaga is interested in providing expanded recreation space in the Cedargrove Heights neighborhood, and

WHEREAS, a portion of teh proposed Cedargrove Heights Recreation Corridor is owned by the Cleveland Hill School District, and

WHEREAS, the Town has, in the past, contracted lease agreements with school districts for the operation and maintenance of recreational facilities on school property, and

WHEREAS, the Town has proposed a lease agreement with the Cleveland Hill School District for said property for use as a baseball and football-soccer field, and

WHEREAS, the capital improvements on said property are to be funded through the Community Development Block Grant Program and are part of the overall Cedargrove Heights Revitalization project, NOW, THEREFORE, BE IT

RESOLVED that the Town Board authorizes the Supervisor to sign a lease agreement for the recreation space owned by the Cleveland Hill School District, and BE IT FURTHER

RESOLVED that a copy of the lease agreement be forwarded to the Cleveland Hill School Board for approval and signature.

The above resolution was called for amendment by Councilman Johnson, seconded by Councilman Jaworowicz and the vote on the amendment was as follows:

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, the Town of Cheektowaga is interested in providing expanded

Item No. 26 cont'd

recreation space in the Cedargrove Heights neighborhood, and

WHEREAS, a portion of the proposed Cedargrove Heights Recreation Corridor is owned by the Cleveland Hill School District, and

WHEREAS, the Town has, in the past, contracted joint agreements with school districts for the operation and maintenance of recreational facilities on school property, and

WHEREAS, the Town has proposed a joint agreement with the Cleveland Hill School District for said property for use as a baseball and football-soccer field, and

WHEREAS, the capital improvements on said property are to be funded through the Community Development Block Grant Program and are part of the overall Cedargrove Heights Revitalization project, NOW, THEREFORE, BE IT

RESOLVED that the Town Board authorizes the Supervisor to sign a joint agreement for the recreation space owned by the Cleveland Hill School District, and BE IT FURTHER

RESOLVED that a copy of the joint agreement be forwarded to the Cleveland Hill School Board for approval and signature.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 27 Motion by Councilman Johnson, seconded by Councilman J. Rogowski

WHEREAS, the Department of Housing and Urban Development has awarded a grant in the amount of $1,019,000 to the Town of Cheektowaga under the fiscal year 1982 Community Development Block Grant Program, and

WHEREAS, it is necessary for the Town of Cheektowaga to execute a Grant Agreement with the Department of Housing and Urban Development for receipt of said funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign said Grant Agreement with the Department of Housing and Urban Development for Community Development Block Grant funds totaling $1,019,000 for the 1982 program year.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

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

WHEREAS, the Town of Cheektowaga has established an optical plan with Blue Cross/Blue Shield for all police officers, as per negotiated labor contract, and

WHEREAS, the Town desires such a plan for its full-time non union employees, NOW, THEREFORE, BE IT

RESOLVED that all full-time non union employees shall be entitled to join the optical plan with Blue Cross/Blue Shield.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

No. 14

No. 15

Item No. 29 Motion by Councilman J. Rogowski, seconded by Councilman Johnson

WHEREAS, a Dog Enumeration has not been taken in the Town of Cheektowaga for the past three (3) years, and

WHEREAS, there has been a decrease in the number of dogs licensed in the Town of Cheekowaga, and

WHEREAS, the New York State Department of Agriculture and Markets has given the responsibility of Dog Enumeration and dog control to the municipality, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be hired as Dog Enumerators for the Town of Cheektowaga at the rate of $3.10 per hour, said funds to be taken out of the Dog Control Account:

Theresa Slomba,	Sloan, N.Y. 14212
Lori Lonczak,	Chktg., N.Y. 14206
Mary Jane Kaczmarek,	, Chktg., N.Y. 14227
Jacqueline M. Schaller,	Depew, N.Y. 14043
Shirley Kurdziel,	, Depew, N.Y. 14043
David Zielinski,	Chktg., N.Y. 14225
Daniel Kalinowski,	Chktg., N.Y. 14227
Deborah Granda,	Bldg. 1, Aptl 1, Chktg., N.Y. 14225

and BE IT FURTHER

RESOLVED that the following individual be hired as a part-time Dog Control Officer at the rate of $4.00 per hour:

Paul Janicki, Chktg., N.Y. 14227

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 30 Motion by Councilman Jaworowicz, seconded by Councilman W. Rogowski

WHEREAS, at a regularly scheduled Town Board meeting held on May 3, 1982, this Town Board passed a resolution authorizing the hiring of Trainee Supervisors and Summer Trainees, to provide additional services required by the Town, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are hired as listed:

SUMMER TRAINEES - $3.10 Per Hour

Andrew Neubauer
Dawn Stachura
Kimberly A. Ring
Gregory Kulka
David Laffrado
James Czajka
Paul Pyzikiewicz
Kenneth Ganje
Denis Marszalkowski
Glenn Boneburg
Mark Baumeister

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 31 Motion by Councilman J.V. Rogowski, seconded by Councilman W.P. Rogowski

WHEREAS, at a regular scheduled Town Board meeting held on May 3, 1982 this Town Board passed a resolution authorizing the hiring of Trainee Supervisors

No. 14 No. 15

Item No. 31 cont'd

and Summer Trainees to provide additional services required by the Town, NOW, THEREFORE, BE IT

RESOLVED that the below listed individuals be hired as Summer Trainees at a salary rate of $3.10 per hour (7310.1822)

Keith Hauser
Jeff Garbacz
Daniel Andrzejewski
Don Egan
Richard Burst
Glenn Bobeck
Norman Anderson
Lawrence Barberio
Linda Stawowy
Martin Surowiec
Patty Zbytek
Kathy Witkowski
James Zelasko
Robert W. Zilliox Jr.
Paul Juzdowski
Jack Jennings
Brian Skowron
James Shields
Lynn Schwenk
Louis Pelino
Thomas C. Ring
Timothy J. Pawlak
Richard Maciejewski
Sue Leszczynski
Ronald Marten
Kim R. Langgood
Ronald Kubiak
Denise Kelly
Jeffrey M. Kaczorowski
Beth Modica
Jeffrey Toporczyk
Brian Mikler
Eugene Nalezynski
Michael Mazur
Keith Zogaria
Michael Smaczniak
Robert Beresniewicz
Mike Cwiklinski
Carl Dettelis
Rick Crean
David Buckley
Mark Azzarello
Art Caprio
John Ambrose
Mark Melber
John Grandillo
Michael Maciejewski
David Kowalewski, Jr.
Tim Labenski
Keith Wojciechowski
Michael Russo
Peter Rybinski
Thaddeus Skowron
Alan Sobkowiak
Kevin Stablewski
Dan McManus
Sandra Chmielewski
Richard Pajak
Lori Piepszny
Mary Proehl
Lisa Szymkowiak
Gregory Wayne
Jeff Werdein

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Item No. 31 cont'd

Renee Romanski
Brian Cashdollar
David Kogut
David Toporczyk
Linda Piepszny
Mark Vedella
Martin Snyder
Michael Snyder
Jeff Swiatek
Carmela Stallone
Paul Drews
Larry Poturalski
Greg Dolegala
Michael Zanghi
Paul R. Delano, Jr.
Suzanna M. Pieczonka
Jack Ryder
Karen Kotlowski
Bernard Tobolski
Robert Sutton
Steven Dunkowski
Sheila Burek
Patricia Pawlak

ALTERNATES

Dan Meller
Mark Cleary
Kevin Flens
Todd Szarpa
Nancy Andrzejewski
Deborah A. Glowny
Jane Mularski
Renee Niziurski
Suzanne Hemingway
Gary Sovinsky
Julie Egan
Paul Sutton
Todd Horvatis
Joe Nowakowski
Don Olszewski
Jeffrey Klembczyk
Michelle Fuller
Charles Getz
James Forma
Julie Kusmierczyk
Bonnielyn Dietl
Steve Palumbo
Julie Kusmierczyk
Loren Crowden
Janet Martens
James Stachowiak
Cherly Domanowski
Michael J. Dahn
Wendy A. Troidl
Paul R. Kasinski
Denise Pajak
Thomas Urbanski

WHEREAS, Eugene Idziak who was hired as a Work Crew Supervisor for the Hometown Beautification Program is unable to accept the position, NOW, THEREFORE, BE IT

RESOLVED that Michael J. Tabaczynski of .s hired as a Work Crew Supervisor at the rate of pay of $5.00 per hour.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 32 Motion by Councilman W. Rogowski, seconded by Councilman Dux

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1982 summer programs:

ARTS & CRAFTS SUPERVISOR - $1,650.00 - 10 weeks - A7140.1613

Rosemary Ratajczyk

LIFEGUARDS - $3.35 with WSI - $3.10 without WSI - A7180.1903

Sandra Gosiniak
Lynn Brauer
Melinda Heath

RECREATION ATTENDANTS - $3.10 per hour

Nancy Aguglia
Roger Apps
Harry Babirad, Jr.
Kimberly Bannister
Eileen Beiter
Kevin Boniszewski
Gail Brodfuehrer
David Burgasser
Siobhan Campbell
Brian Cleary
Monica Crosby
Cheryl Marie Crupe
David Darnley
Linda Dietl
Lisa Dombrowski
Celeste Dux
Kim Fenske
Paul Halicki
Rose Marie Heckman
Bridget Howard
Bob Igoe
Lori Janik
Ronald Kasprzak
John Kent
Mary Kiliszewski
Eckart Koehler
Kimberly Kolbert
Brian Kramer
Cynthia Kroll
David Lina
Mike Lumadue
Joanne Lynch
Joseph Mahoney
Barbara Majchrzak
Judy Mangold
Lori Mankowski
Julie Mazurek
Stacy Michalski
Lita Murawski
Lisa Norman
Jackie Olszewski
Scot Patterson
Shelley Payton
Denothras Pierce
Eugene Pierce, Jr.
Jeffrey Pijacki
Scott Pilat
John Przybylak
Kathy Ritter
Michelle Rondina
Lynne Ryan
Mark Rzemek
Christine Safe
Chris Schmidt

Item No. 32 cont'd

Gretchen Schmidt
Kim Schmitt
Randall Sevilla
Robert Shepard
John Slowik
Mary Anne Spaulding
Kim Stag
Mark Strumpf
Michael Torgalski
Carmella Tramont
Joanna Viverto
James Wasilewski
David Wayne
Karen Weitz
Dean Winkler
Kevin Wurst
Carol Yamarino
Elizabeth goda
Al Zybtek
Robert Zygmund
John White

BASKET CHECKERS - $2.25 per hour

Mary C. Antkowiak
Michele Azzarello
Becky Babirad
Marlene Baginski
Shelly Bernfeld
Craig Brandon
Steven Caprio
Laura Cera
Kara Conboy
Paul Di Maria
Doug Dixon
Kelly Donnelly
Colleen Dunn
Sharon Ann Empl
Barb Gemerek
Debbie Genson
Robert Germann
Lynn Gowgiel
Michael Henry
John Jaroszewski
Jeff Juzdowski
Mike Karp
Michael Kochanski
Kathy Kornecki
Kelly Kornecki
Robert Kozell
Sue Krezemien
Daniel Lyons
Jane Mallwitz
Tracie Mason
Edwin Maturski
Thomas Mazurek
Jacquelyn Merkling
Judith Mikoll
Timothy Miller
Eric Mohr
Thomas Mohr
James Monczynski
Cathy Myszka
John Nichy
Lawrence Osswald
Carla Perlino
Scott Pelino
Kimberly Persons
Joseph Preszola

Item No. 32 cont'd

Chris Rogalski
Amy Russell
Sandra Lee Schultz
Sharon Sliwinski
Sabrina Smith
Susan Stafford
Gloria Jo Szablewski
Kristie Tokasz
Denise Troidl
Joanne Velez
Michelle Westphal
Joanne Witkowski
Kathleen Witucki
Kenneth Wojcik
Pam Yauch
Nadine Zurenda
Elaine Myszka

and BE IT FURTHER

RESOLVED that the following be hired as Alternates in the event of the above appointees inability to fulfill their obligations as summer trainees:

RECREATION ATTENDANTS - ALTERNATES

Mark Bartella
Samuel Burgio
William Catanzaro
Lisa Folsom
Dave Heary
Nancy Matuszak
Richard Morosey
Susan Sansone
Janet Simon
Gregory Stang
Janet Szatkowski
Michael Wasielewski
Deborah Granda
Douglas Okulewicz

BASKET CHECKERS - ALTERNATES

Debi Arendt
Dawn Derkovitz
Lynn Kaczmarowski
Jody Marie Logan
Jeff Mrugalski
Valerie Ann Neal
Scott Prell
Sharon Roeder
Debra Sobocinski
Joseph Bianchi
David Zawadzki

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 33 Motion by Councilman J.V. Rogowski, seconded by Councilman Dux

BE IT RESOLVED that the below listed individuals be hired as the designated titles and salaries: 7310.1802

ACTIVITY DIRECTORS @ $5.00/hr.

Physical Education
Bridget Lynch

Item No. 33 cont'd

Music
Lynn Preischel

Arts & Crafts
Denise Rutkowski

SENIOR ADAPTED RECREATION COUNSELORS @ $4.00/hr.

Lynn Cashdollar
Joyce Goodell
Patricia Hyzy
Monica Lullia
Carol Novo
Mark Popiela
Karen Spaulding
Denise Szefel
Carl Vella
Sandra Zygmunt

ADAPTED RECREATION COUNSELORS @ $3.50/hr.

Robin Blashka
Timothy Lynch
Dorene Panetski
Kathleen Moskal

ADAPTED RECREATION COUNSELOR AIDES @ $2.75/hr.

Michaelene Mahoney
Kim Ott

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 34 Motion by Councilman Dux, seconded by Councilman W.P. Rogowski

WHEREAS, a General Mechanic vacancy exists in the Facilities Department, Parks Division, and

WHEREAS, said position has been duly posted in compliance with Article 18, Work Force Changes, Section 18.01 of the Agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby appoints Mr. John J. Trzaska, , Cheektowaga, New York 14226 to the position of General Mechanic, Facilities Department, Parks Division, effective July 21, 1982.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 35 Motion by Councilman J.V. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, Kevin G. Schenk is currently working for the Town Attorney's Office, and

WHEREAS, Kevin G. Schenk has recently been admitted to the New York State Bar and has been certified to practice law in the State of New York, and

WHEREAS, Kevin G. Schenk's responsibilities will now include, among other things, going to court on behalf of the Town, NOW, THEREFORE, BE IT

RESOLVED that Kevin G. Schenk be elevated to the position of Law Clerk effective June 21, 1982 at a salary rate of $6.50 per hour.

Item No. 35 cont'd

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 36a Motion by Councilman W. Rogowski, seconded by Councilman Dux

WHEREAS, Cheektowaga Police Officer Harry Bollman, has received orders to report for military duty for the period July 17, 1982 thru August 1, 1982, 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 hereby approves said military leave for Officer Bollman, for the period July 17, 1982 thru August 1, 1982 at Fort Leonard Wood, MO.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilmen Swiatek

Item No. 36b Motion by Councilman Dux, seconded by Councilman W. Rogowski

WHEREAS, Mr. Lawrence Kowal, employed in the Cheektowaga Facilities Department is a member of the 42nd Aviation Battalion, N.Y.A.R.N.G., and

WHEREAS, Mr. Kowal is required to perform military duties during the period of July 10, 1982 through July 24, 1982 at Fort Drum, Watertown, New York, and

WHEREAS, Mr. Kowal's orders were submitted to the Facilities Department, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grant Mr. Lawrence Kowal, , Cheektowaga, Military Service Leave as defined in Section 242 and 243 of the Military Laws of the State of New York, for the period of July 10, through July 24, 1982.

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 36c Motion by Councilman Dux, seconded by Councilman W. Rogowski

WHEREAS, Christopher Kowal, an employee in the Sanitation Department has applied for a Military Leave of Absence from July 9, 1982 through July 24, 1982 at Fort Drum, New York, and his Order to report for Military duty has been forwarded to the Town Clerk, and

WHEREAS, Section 242 of the Military Law of the State of New York allows a military leave for the purpose of reporting for Military duty pursuant to an Order up to a period of six months, and

WHEREAS, said Section 242 of the Military Law also provides for the payment of the salary of such public employee for a period of thirty (30) days while on said military leave duty, NOW, THEREFORE, BE IT

RESOLVED that Christopher Kowal, employee in the Sanitation Department is granted a military leave of absence from July 9, 1982 through July 24, 1982 at Fort Drum, New York, and BE IT FURTH ER

RESOLVED that Christopher Kowal, be paid his salary or other compensation while on such military leave.

Item No. 36c cont'd

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 37 Motion by Councilman J.V. Rogowski, seconded by Councilman Jaworowicz

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

HIGHWAY FUND

From:	909 (Item I - Fund Balance)	$40,000.00
To:	095150.4458 (Improvement Fund - Improvement Projects)	$40,000.00

GENERAL FUND

From:	1410.4001 (Town Clerk - Office Supplies)	$ 1,500.00
To:	1410.4051 (Town Clerk - Micro-filming)	$ 1,500.00

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

William L. Wielinski

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 38 Motion by Councilman J. Rogowski, seconded by Councilman Johnson

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to June 21st, 1982 are hereby approved and the Supervisor is ordered to pay same.

FUND	AMOUNT
General Fund	$ 54,246.86
Special Districts Fund	120,227.74
Highway Fund	24,910.19
Federal Revenue Sharing Fund	9,527.91
Capital Fund	103,880.72
Trust and Agency Fund	455.00
H.U.D. - C.D.B.G. Fund	2,500.00
Part Town Fund	608.08
	$316,356.50

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

IV. FROM THE TABLE

Item No. 39 Retain firm of Collins, Collins & DiNardo to represent Town in Labor management negotiations

Motion by Councilman Johnson, seconded by Councilman J. Rogowski to table this item.

Item No. 39 cont'd

Upon Roll Call....
AYES: Councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

Item No. 40 Create position of "Director of Labor Relations"

Motion by Councilman Dux, seconded by Councilman W.P. Rogowski to table this item.

Upon Roll Call....
AYES: councilmen Johnson, Dux, W.P. Rogowski, J.V. Rogowski, Jaworowica
NAYES: 0
ABSENT: Supervisor Meyers, Councilman Swiatek

V. DEPARTMENTAL COMMUNICATIONS

Item No. 41 Minutes of Library Board
Received and Filed.

VI. GENERAL COMMUNICATIONS

Item No. 42 Notice of Claim - Joseph Hastreiter, Jr. vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company; Councilman Thomas M. Johnson; Theodore DeFedericis, Chief of Police.
Received and Filed.

Item No. 43 Notice of Claim - Laura Raczyk for Jennifer Raczyk vs Town of Chktg.
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Joseph J. Naples & Assoc., Insurance Company; Councilman Thomas M. Johnson, Alfred Wnek, Highway Superintendent.
Received and Filed.

Item No. 44 Motion by Councilman J.V. Rogowski, seconded by Councilman Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 14 - BID OPENING

CHEEKTOWAGA, NEW YORK
June 30, 1982

Item No. 1 At a special meeting held at the Cheektowaga Town Clerk's Office, Cheektowaga Town Hall, Broadway and Union Road, in said Town on the 30th day of June, 1982 at 2:00 P.M., Eastern Daylight Saving Time.

PRESENT: Richard M. Moleski, Town Clerk

I. BIDS

Item No. 2 Dimensional Lumber for the year 1982
Referred to the Youth Bureau.

Item No. 3 Bus Transportation to and from Chktg. Recreation Center
Referred to Youth Bureau.

RICHARD M. MOLESKI
Town Clerk