

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, 1983 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 John V. Rogowski
Councilman Patricia A. Jaworowicz

ABSENT: 0

EXCUSED: Councilman William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; Matthew Kawczynski, Town Fire Inspector; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Services Director II; Ronald Marten, Building Inspector; Julia Reinstein, Town Historian; Pat Wojcik, Director of Senior Services; Bernard Wojtkowiak, Mayor of Sloan; and Ronald Zoeller, Sanitation Foreman.

I. PUBLIC HEARINGS

Item No. 2 This was 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 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 the addition of a new article as follows:

* * * * *

ARTICLE XI

Limited Access Highways

Section 110: School buses and pedestrians only

- A. All motor vehicles, excluding school buses, are hereby excluded from the following portions of highways within the Town of Cheektowaga, County of Erie and State of New York from September 1st to June 30th on days when school is in session, from 7:30 a.m. to 3:30 p.m.:

1. MAPLEVIEW ROAD - that portion lying east of a triangular island, which island is bound on the north, south and west sides by Corey Court.

* * * * *

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. For decision see Item No. 5.

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Fire Prevention Code of the said Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendments being as follows:

*SEE NEXT SIX (6) PAGES FOR COPY OF PROPOSED AMENDMENTS TO FIRE PREVENTION CODE.

1. RESOLVED THAT the Table of Contents, Division VII, which relates to service stations, shall be amended by substituting "Location and Construction", in Section 16.71 to replace "Location" and by substituting, "Permit Required" in Section 16.72 to replace "Construction".

2. RESOLVED THAT Section 1.2a, which relates to application of the Code, shall be amended by substituting "The Town of Cheektowaga Fire Inspector and the Board of Fire Commissioners of each established Fire District" in place of "The Board of Fire Commissioners of each established Fire District."

3. RESOLVED THAT Section 1.3a, which relates to authority to enter premises, shall be amended by substituting "The Town of Cheektowaga Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District shall have the power to," in place of "The Board of Fire Commissioners of each established Fire District shall have the power to authorize the Fire Chief or their duly authorized inspectors to,"

4. RESOLVED THAT Section 1.3b, which relates to authority to enter premises, shall be amended by substituting "The Town of Cheektowaga Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District", in place of "The Board of Fire Commissioners of each established Fire District or the Fire Chief or their duly authorized inspectors".

5. RESOLVED THAT Section 1.4a, which relates to inspection of buildings and premises, shall be amended by substituting "The Town of Cheektowaga's Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District shall have the power to inspect or cause to be "inspected", in place of "The Board of Fire Commissioners of each established Fire District shall have the power to inspect or cause to be inspected by the Fire Chief or other inspectors,".

6. RESOLVED THAT Section 1.4b, which relates to inspection of buildings and premises, shall be amended by substituting "The Town of Cheektowaga Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District", in place of "The Board of Fire Commissioners of each established Fire District or the Fire Chief or their inspectors".

7. RESOLVED THAT Section 1.5, which relates to orders to eliminate dangerous or hazardous conditions, shall be amended to read "Whenever the Town of Cheektowaga Fire Inspector or any officers, members or inspector of the Fire District as mentioned in Section 1.4 shall find in any building or upon any premises dangerous or hazardous conditions or materials as follows, he or they shall order such dangerous conditions or materials to be removed or remedied in such manner as may be specified by the Town of Cheektowaga Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District" in place of "Whenever any of the officers, members or inspectors of the Fire Company as mentioned in Section 1.4 shall find in any building or upon any premises dangerous or hazardous conditions or materials as follows, he or they shall order such dangerous conditions or materials to be removed or remedied in such manner as may be specified by the Chief of the Fire Company or authorized inspector".

8. RESOLVED THAT Section 1.7c, which relates to investigation of fires, shall be amended by substituting "Town of Cheektowaga Fire Investigator, upon request of the District Fire Chief", in place of "Police Department, upon request of the Board of Fire Commissioners".

9. RESOLVED THAT Section 1.9, which relates to permits, shall be amended by the addition of a new section, "F. The permit fee shall be twenty-five dollars and shall be valid for a period of one year from the date of issuance."

10. RESOLVED THAT Section 1.9b, which relates to permits, shall be amended by substituting "The Town of Cheektowaga Fire Inspector in association with the District Fire Chief, shall inspect and approve the receptacles, vehicles, buildings or storage places to be used. In addition, the District Fire Chief and the Board of Fire Commissioners shall be notified by the Town Fire Inspector immediately upon receipt of the application for all permits and the issuance thereof", in place of "The Chief of the Fire Company, or his assistants, shall inspect and approve the receptacles, vehicles, buildings or storage places to be used".

11. RESOLVED THAT Section 1.9c, which relates to permits shall be amended by substituting "The Town of Cheektowaga Fire Inspector" in place of "The Board of Fire Commissioners", in both sentences.

12. RESOLVED THAT Section 1.9d, which relates to permits shall include the addition of the phrase "or Town of Cheektowaga Fire Inspector" to follow the words "Police Department".

13. RESOLVED THAT Section 1.10, which relates to revocation of permits shall be amended to read as follows: "The Town of Cheektowaga Fire Inspector may revoke a permit if any violation of this code is found upon inspection or in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

14. RESOLVED THAT Section 3.4, which relates to burning operations, shall be amended to read as follows: "The burning of wrecked or discarded automobiles or any parts thereof or junk or any waste materials shall be prohibited completely."

15. RESOLVED THAT Section 4.3, which relates to a lane resurfacing operations shall be amended by substituting "The Town of Cheektowaga Fire Inspector and the District Fire Chief" in place of "The Chief of the Fire Company".

16. RESOLVED THAT SECTIONS

- | | |
|---------|--|
| 4.4b | which relates to Pin Refinishing |
| 6.4d | which relates to Storage & Handling |
| 9.2b | which relates to Permits Required |
| 9.5 | which relates to Class III Systems |
| 9.6b | which relates to Class IV Systems |
| 9.13f 1 | which relates to Extractors |
| 11.2b | which relates to Marking of Exit Ways |
| 12.4 | which relates to Bond Required for Blasting |
| 12.5a | which relates to General Requirements |
| 12.5c | which relates to General Requirements |
| 12.6m | which relates to Storage of Explosives |
| 12.6w | which relates to Storage of Explosives |
| 12.7k | which relates to Transportation of Explosives |
| 12.8a | which relates to Use and Handling of Explosives |
| 12.8f | which relates to Use and Handling of Explosives |
| 12.9a | which relates to Explosives and Blasting Agents of
Terminals |
| 12.9c | which relates to Explosives and Blasting Agents of
Terminals |
| 13.3c | which relates to Manufacture, Sale and Discharge of
Fireworks |
| 13.3f | which relates to Manufacture, Sale and Discharge of
Fireworks |

16. RESOLVED THAT SECTIONS (con't)
- 13.4a which relates to Bond & Responsibility for Fireworks Display Required.
 - 13.4b which relates to Bond & Responsibility for Fireworks Display Required.
 - 13.6 which relates to Seizure of Fireworks
 - 15.21a which relates to Spraying Area
 - 15.23f which relates to Spray Booths
 - 15.28 which relates to Fire Control
 - 15.31b which relates to Definitions
 - 15.37b which relates to Operations and Maintenance
 - 15.38a which relates to Fire Control
 - 15.51a which relates to Operation Included
 - 16.16 which relates to Hazardous Heating, Lighting and Cooking Appliances May Be Prohibited
 - 16.21a 3 which relates to Design and Construction Of Tanks
 - 16.22b 6 which relates to Installation of Outside Aboveground Tanks
 - 16.22c 5 which relates to Installation of Outside Aboveground Tanks
 - 16.22h 1 which relates to Installation of Outside Aboveground Tanks
 - 16.25b which relates to Support, Foundation and Anchorage for All Tank Locations
 - 16.27b which relates to Testing
 - 16.32c which relates to Materials for Piping, Valves and Fittings
 - 16.43b which relates to Design, Construction & Capacity of Storage Cabinets
 - 16.45b which relates to Storage Inside of Building
 - 16.45f 1 which relates to Storage Inside of Building
 - 16.55d3 which relates to General Requirements for Industrial Plants and Processing Plants
 - 16.63a which relates to Buildings
 - 16.65d which relates to Electrical Equipment
 - 16.73a3 which relates to Storage and Handling
 - 16.73a4f which relates to Storage and Handling
 - 16.73b 1 which relates to Storage and Handling
 - 16.73e which relates to Storage and Handling
 - 16.75a 1 which relates to Dispensing Systems
 - 16.75f 3 which relates to Dispensing Systems
 - 16.76b 1 which relates to Marine Service Stations
 - 16.792 which relates to Fire Control
 - 17.3a which relates to Use of Ethylene
 - 18.5c which relates to Notification of Fumigation or Thermal Insecticidal Fogging
 - 20.3c which relates to Permit Required
 - 20.3c3 which relates to Permit Required
 - 20.4b which relates to General Requirements
 - 20.7a which relates to Unstable (Reactive) Chemicals
 - 20.10H 1 which relates to Ammonium Nitrate
 - 20.14b which relates to Motor Vehicle Transportation of Hazardous Chemicals and Other Dangerous Articles
 - 21.6a which relates to Location of Containers
 - 21.8b9c which relates to Location of Containers and Regulating Equipment Inside Building
 - 21.10c which relates to Parking and Garaging
 - 22.4 which relates to Fire Control in Open Yards and Buildings
 - 24.8a3 which relates to Design, Construction and Installation of Fuel Oil Tanks
 - 24.9b which relates to Piping Materials and Design
 - 26.3a which relates to Permits and Plans Required
 - 26.8a which relates to Fire Control

16. RESOLVED THAT SECTIONS (con't)

- 28.3b which relates to Smoking Prohibited Under Certain Conditions
- 28.7 which relates to Handling Readily Combustible Materials
- 28.10 which relates to Storage or Display in Roofed-Over Malls
- 28.16 which relates to Fire Lane on Private Property Devoted to Public Use

shall be amended by substituting "Town of Cheektowaga Fire Inspector" in place of "Chief of the Fire Company".

17. RESOLVED THAT Section 13.3c, which relates to the manufacture, sale and discharge of fireworks, shall be amended by the addition of, "The Town of Cheektowaga Fire Inspector and the District Fire Chief shall be notified of the transportation route and storage location of fireworks within any fire district. No fireworks shall be stored within any fire district for more than thirty (30) days prior to use", immediately after the phrase "person or persons",

18. RESOLVED THAT SECTION 14.2, which relates to survey of premises and specification of equipment, shall be amended by substituting "Town of Cheektowaga Fire Inspector or the District Fire Chief" in place of "Chief of the Fire Company".

19. RESOLVED THAT Section 14.3, which relates to maintenance of equipment, shall be amended by substituting "Town of Cheektowaga Fire Inspector and the District Fire Chief" in place of "Chief of the Fire Company".

20. RESOLVED THAT Section 16.12a, which relates to the definition of automotive service station (garage) shall be amended to read as follows: "Automotive service station shall mean a building or structure or a portion thereof in which a motor vehicle containing a flammable fluid in its fuel storage tank, is stored, housed, kept, repaired or serviced and where no repair work is done except exchange of parts and maintenance requiring no open flame, cutting, welding or the use of highly flammable liquids or where Class I or Class II liquids are sold or dispensed to the public and shall include both self-service and regular service".

21. RESOLVED THAT Section 16.71, which relates to the location of service stations, shall be amended to read as follows:

"Section 16.71 Location and Construction

Apparatus dispensing Class I liquids into the fuel tanks of motor vehicles of the public shall not be located at a bulk plant unless separated by a fence or similar barrier from the area in which bulk operations are conducted. Class I liquids shall not be stored or handled within a building having a basement or pit into which flammable vapors may travel, unless such area is provided with ventilation designed to prevent the accumulation of flammable vapors therein."

22. RESOLVED THAT Section 16.72, which relates to the construction of service stations, shall be amended to read as follows:

"Section 16.72 Permit Required

A permit shall be required for any person using any building, shed or enclosure as a place of business for the purpose of servicing or repairing any motor vehicle therein or where Class I or Class II liquids are sold or dispensed to the public."

23. RESOLVED THAT Section 16.77d, which relates to electrical equipment, shall be amended by substituting "Town of Cheektowaga Fire Inspector", in place of "Chief of the Fire Prevention Bureau."

24. RESOLVED THAT Section 18.5a, which relates to notification of fumigation or thermal insecticidal fogging, shall be amended by substituting "Town of Cheektowaga Fire Inspector and the District Fire Chief due to the life hazard of the activity" in place of "Fire Company".

25. RESOLVED THAT Section 21.3b, which relates to permits and reports of installation, shall be amended by substituting "Town of Cheektowaga Fire Inspector" in place of "Chief of the Fire Company" and also in place of "Board of Fire Commissioners".

26. RESOLVED THAT Section 21.4, which relates to inspection of installations, shall be amended by substituting "Town of Cheektowaga Fire Inspector", in place of "Fire Company".

27. RESOLVED THAT Section 21.8b (4) (F), which relates to location of containers and regulating equipment inside buildings, shall be amended by substituting "Town of Cheektowaga Fire Inspector and the District Fire Chief due to the life hazard of the activity" in place of "Chief of the Bureau of Fire Prevention".

28. RESOLVED THAT Section 27.1b, which relates to place of assembly, shall be amended to read as follows: "Place of assembly shall mean a room or space or portion of a building used for gathering together 50 or more persons for such purpose as deliberation, worship, entertainment, dining, amusement, or awaiting transportation. Such room or space shall include any similar occupied connecting room or space in the same story, or in a story or stories above or below, where entrance is common to the rooms or spaces."

29. RESOLVED THAT Section 27.9, which relates to plan of exit ways and aisles, shall be amended by substituting "Town of Cheektowaga Fire Inspector and the District Fire Chief", in place of "Fire Company".

30. RESOLVED THAT Section 27.11, which relates to number of occupants permitted, shall be amended by substituting, "Each place of assembly shall be posted with a legible sign conspicuously located stating the maximum number of occupants permitted as specified in the most current publication of the N.F.P.A. Life Safety Code."

31. RESOLVED THAT Section 28.1d, which relates to bonfires and outdoor rubbish fires, shall be amended by substituting, "May prohibit. The Town of Cheektowaga Fire Inspector or the District Fire Chief", in place of "Chief may prohibit. The Chief of the Fire Company",

32. RESOLVED THAT Section 30.3, which relates to permits required for welding or cutting, shall be amended by substituting, "Town of Cheektowaga Fire Inspector and the District Fire Chief", in place of "Fire Company".

33. RESOLVED THAT Section 30.6b(3), which relates to fire control, shall be amended by substituting "Town of Cheektowaga Fire Inspector or the District Fire Chief" in place of "Fire Company".

34. RESOLVED THAT Article 32a, which relates to penalties shall be amended to read as follows: "Any person who shall violate any of the provisions of the Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, or who shall fail to comply with such an order as affirmed or modified by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non-compliance respectively be punished by a fine of not more than one thousand dollars per day of violation, or imprisonment not exceeding

one year or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense."

35. RESOLVED THAT Appendix A8a, which relates to protection of tanks containing flammable or combustible liquids in locations that may be flooded, shall be amended by substituting, "Town of Cheektowaga Fire Inspector and the District Fire Chief due to the hazardous materials" in place of "Fire Company".

36. RESOLVED THAT Section 11.2, which relates to marking of exit ways, shall be amended by substituting, "50 persons" in place of "100 persons".

* * * * *

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. See Item No. 6 for decision.

II. RESOLUTIONS

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

WHEREAS, this Town Board duly held a public hearing on the 21st day of March, 1983 at 7:00 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:

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

ARTICLE X

Parking, Standing and Stopping

Section 102 shall be amended by adding thereto the following:

A. No parking this side or one-side parking

PLEASANT PARKWAY	East side:	from the south curbline of Dings Street southerly to terminus at the New York State Thruway right-of-way
WILLOWLAWN PARKWAY	East side:	from the south curbline of Dings Street southerly to terminus at the New York State Thruway right-of-way
MEADOWBROOK PARKWAY	East side:	from the south curbline of Dings Street southerly to terminus at the New York State Thruway right-of-way
CHARLES STREET	East side:	from the south curbline of William Street southerly to terminus at north curbline of Bismarck Street

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

Item No. 4 Cont'd.

minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon roll call.....

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

*SEE NEXT PAGE FOR AFFIDAVIT.

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

Ann F. Muka....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk.....of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks;
first publication.....April 14, 1983.....;
last publication.....April 14, 1983.....;
and that no more than six days intervened be-
tween publications.

Ann F. Muka.....
Sworn to before me this15th.....
day ofApril....., 1983.
.....Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1985

Reg. 15.95

IT INSTALLED BY
Bring This Ad With You
Will Deduct Another \$
Offer ends 4/30/83

**EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union roads, in said Town on the 5th day of April, 1983 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

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

ABSENT: 0

EXCUSED: Councilman William P. Rogowski

Motion by Councilman Jaworowicz

Seconded by Supervisor Meyers

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(b) Any part or parts of this amendment which is subject to approval under Section 1684 of the Vehicle and Traffic Law of

the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

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

Section 4. Publication.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon roll call...

Supervisor

Meyers

Voting AYE

Councilmen

Swiatek

Voting AYE

Johnson

Voting AYE

Dux

Voting AYE

W.P. Rogowski

Voting

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

AYES: 6

NAYES: 0

ABSENT: 0

EXCUSED: 1

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, 1983, 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, in-

clusive, 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, 1983.

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: April 14, 1983

WHEREAS, this Town Board duly held a public hearing on the 5th day of April, 1983 at 7:00 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:

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 XI

Limited Access Highways

Section 110: School buses and pedestrians only

- A. All motor vehicles, excluding school buses, are hereby excluded from the following portions of highways within the Town of Cheektowaga, County of Erie and State of New York from September 1st to June 30th on days when school is in session, from 7:30 a.m. to 3:30 p.m.:

1. MAPLEVIEW ROAD - that portion lying east of a triangular island, which island is bounded on the north, south and west sides by Corey Court.

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application.

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

Section 4. Publication.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon roll call.....

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

*SEE AFFIDAVIT ON NEXT PAGE.

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

Anna E. Mika....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....April 14, 1983.....;
last publication.....April 14, 1983.....;
and that no more than six days intervened be-
tween publications.

Anna E. Mika.....
Sworn to before me this15th.....
day ofApril....., 1983.
.....Eve J. Allis.....

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

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1985

**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, 1983 at 7:00 o'clock p.m. Eastern Standard Time there

PRESENT:

Supervisor Kenneth J. Meyers
Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
John V. Rogowski
Patricia A. Jaworowicz

ABSENT: 0

EXCUSED: Councilman William P. Rogowski

Motion by Councilman Johnson
Seconded by Councilman Dux

WHEREAS, this Town Board duly held a public hearing on the 5th day of April, 1983 at 7:00 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:

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 XI

Limited Access Highways

Section 110: School buses and pedestrians only

A. All motor vehicles, excluding school buses, are hereby excluded from the following portions of highways within the Town of Cheektowaga, County of Erie and State of New York from September 1st to June 30th on days when school is in session from 7:30 a.m. to 3:30 p.m.:

1. MAPLEVIEW ROAD — that portion lying east of a triangular island, which island is bounded on the north, south and west sides by Corey Court.

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application.

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

Section 4. Publication.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon roll call...

Supervisor

Meyers Voting AYE

Councilmen

Swiatek Voting AYE

Johnson Voting AYE

Dux Voting AYE

W.P. Rogowski Voting

J.V. Rogowski EXCUSED

Jaworowicz Voting AYE

AYES: 6

NAYES: 0

ABSENT: 0

EXCUSED: 1

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, 1983, 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 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, 1983.

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: April 14, 1983

WHEREAS, the Building and Plumbing Inspector of the Town of Cheektowaga has requested the Town Board of the Town of Cheektowaga to amend certain provisions of the "Fire Prevention Code" of the Town of Cheektowaga, New York, and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the "Fire Prevention Code" 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 5th day of April, 1983 at 7:00 o'clock P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the "Fire Prevention Code" of the Town of Cheektowaga, New York as hereinafter set forth;

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

*SEE NEXT SIX (6) PAGES FOR COPY OF AMENDMENTS TO "FIRE PREVENTION CODE."

1. RESOLVED THAT the Table of Contents, Division VII, which relates to service stations, shall be amended by substituting "Location and Construction", in Section 16.71 to replace "Location" and by substituting, "Permit Required" in Section 16.72 to replace "Construction".
2. RESOLVED THAT Section 1.2a, which relates to application of the Code, shall be amended by substituting "The Town of Cheektowaga Fire Inspector and the Board of Fire Commissioners of each established Fire District" in place of "The Board of Fire Commissioners of each established Fire District."
3. RESOLVED THAT Section 1.3a, which relates to authority to enter premises, shall be amended by substituting "The Town of Cheektowaga Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District shall have the power to," in place of "The Board of Fire Commissioners of each established Fire District shall have the power to authorize the Fire Chief or their duly authorized inspectors to,"
4. RESOLVED THAT Section 1.3b, which relates to authority to enter premises, shall be amended by substituting "The Town of Cheektowaga Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District", in place of "The Board of Fire Commissioners of each established Fire District or the Fire Chief or their duly authorized inspectors".
5. RESOLVED THAT Section 1.4a, which relates to inspection of buildings and premises, shall be amended by substituting "The Town of Cheektowaga's Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District shall have the power to inspect or cause to be "inspected", in place of "The Board of Fire Commissioners of each established Fire District shall have the power to inspect or cause to be inspected by the Fire Chief or other inspectors,".
6. RESOLVED THAT Section 1.4b, which relates to inspection of buildings and premises, shall be amended by substituting "The Town of Cheektowaga Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District", in place of "The Board of Fire Commissioners of each established Fire District or the Fire Chief or their inspectors".
7. RESOLVED THAT Section 1.5, which relates to orders to eliminate dangerous or hazardous conditions, shall be amended to read "Whenever the Town of Cheektowaga Fire Inspector or any officers, members or inspector of the Fire District as mentioned in Section 1.4 shall find in any building or upon any premises dangerous or hazardous conditions or materials as follows, he or they shall order such dangerous conditions or materials to be removed or remedied in such manner as may be specified by the Town of Cheektowaga Fire Inspector, the District Fire Chief or District Fire Inspectors duly authorized by the Board of Fire Commissioners of each established Fire District" in place of "Whenever any of the officers, members or inspectors of the Fire Company as mentioned in Section 1.4 shall find in any building or upon any premises dangerous or hazardous conditions or materials as follows, he or they shall order such dangerous conditions or materials to be removed or remedied in such manner as may be specified by the Chief of the Fire Company or authorized inspector".
8. RESOLVED THAT Section 1.7c, which relates to investigation of fires, shall be amended by substituting "Town of Cheektowaga Fire Investigator, upon request of the District Fire Chief", in place of "Police Department, upon request of the Board of Fire Commissioners".
9. RESOLVED THAT Section 1.9, which relates to permits, shall be amended by the addition of a new section, "F. The permit fee shall be twenty-five dollars and shall be valid for a period of one year from the date of issuance."

10. RESOLVED THAT Section 1.9b, which relates to permits, shall be amended by substituting "The Town of Cheektowaga Fire Inspector in association with the District Fire Chief, shall inspect and approve the receptacles, vehicles, buildings or storage places to be used. In addition, the District Fire Chief and the Board of Fire Commissioners shall be notified by the Town Fire Inspector immediately upon receipt of the application for all permits and the issuance thereof", in place of "The Chief of the Fire Company, or his assistants, shall inspect and approve the receptacles, vehicles, buildings or storage places to be used".

11. RESOLVED THAT Section 1.9c, which relates to permits shall be amended by substituting "The Town of Cheektowaga Fire Inspector" in place of "The Board of Fire Commissioners", in both sentences.

12. RESOLVED THAT Section 1.9d, which relates to permits shall include the addition of the phrase "or Town of Cheektowaga Fire Inspector" to follow the words "Police Department".

13. RESOLVED THAT Section 1.10, which relates to revocation of permits shall be amended to read as follows: "The Town of Cheektowaga Fire Inspector may revoke a permit if any violation of this code is found upon inspection or in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

14. RESOLVED THAT Section 3.4, which relates to burning operations, shall be amended to read as follows: "The burning of wrecked or discarded automobiles or any parts thereof or junk or any waste materials shall be prohibited completely,"

15. RESOLVED THAT Section 4.3, which relates to a lane resurfacing operations shall be amended by substituting "The Town of Cheektowaga Fire Inspector and the District Fire Chief" in place of "The Chief of the Fire Company".

16. RESOLVED THAT SECTIONS

- | | |
|---------|--|
| 4.4b | which relates to Pin Refinishing |
| 6.4d | which relates to Storage & Handling |
| 9.2b | which relates to Permits Required |
| 9.5 | which relates to Class III Systems |
| 9.6b | which relates to Class IV Systems |
| 9.13f 1 | which relates to Extractors |
| 11.2b | which relates to Marking of Exit Ways |
| 12.4 | which relates to Bond Required for Blasting |
| 12.5a | which relates to General Requirements |
| 12.5c | which relates to General Requirements |
| 12.6m | which relates to Storage of Explosives |
| 12.6w | which relates to Storage of Explosives |
| 12.7k | which relates to Transportation of Explosives |
| 12.8a | which relates to Use and Handling of Explosives |
| 12.8f | which relates to Use and Handling of Explosives |
| 12.9a | which relates to Explosives and Blasting Agents of
Terminals |
| 12.9c | which relates to Explosives and Blasting Agents of
Terminals |
| 13.3c | which relates to Manufacture, Sale and Discharge of
Fireworks |
| 13.3f | which relates to Manufacture, Sale and Discharge of
Fireworks |

16. RESOLVED THAT SECTIONS (con't)

- 13.4a which relates to Bond & Responsibility for Fireworks Display Required.
- 13.4b which relates to Bond & Responsibility for Fireworks Display Required.
- 13.6 which relates to Seizure of Fireworks
- 15.21a which relates to Spraying Area
- 15.23f which relates to Spray Booths
- 15.28 which relates to Fire Control
- 15.31b which relates to Definitions
- 15.37b which relates to Operations and Maintenance
- 15.38a which relates to Fire Control
- 15.51a which relates to Operation Included
- 16.16 which relates to Hazardous Heating, Lighting and Cooking Appliances May Be Prohibited
- 16.21a 3 which relates to Design and Construction Of Tanks
- 16.22b 6 which relates to Installation of Outside Aboveground Tanks
- 16.22c 5 which relates to Installation of Outside Aboveground Tanks
- 16.22h 1 which relates to Installation of Outside Aboveground Tanks
- 16.25b which relates to Support, Foundation and Anchorage for All Tank Locations
- 16.27b which relates to Testing
- 16.32c which relates to Materials for Piping, Valves and Fittings
- 16.43b which relates to Design, Construction & Capacity of Storage Cabinets
- 16.45b which relates to Storage Inside of Building
- 16.45i 1 which relates to Storage Inside of Building
- 16.55d3 which relates to General Requirements for Industrial Plants and Processing Plants
- 16.63a which relates to Buildings
- 16.65d which relates to Electrical Equipment
- 16.73a3 which relates to Storage and Handling
- 16.73a4f which relates to Storage and Handling
- 16.73b 1 which relates to Storage and Handling
- 16.73e which relates to Storage and Handling
- 16.75a 1 which relates to Dispensing Systems
- 16.75f 3 which relates to Dispensing Systems
- 16.76b 1 which relates to Marine Service Stations
- 16.792 which relates to Fire Control
- 17.3a which relates to Use of Ethylene
- 18.5c which relates to Notification of Fumigation or Thermal Insecticidal Fogging
- 20.3c which relates to Permit Required
- 20.3c3 which relates to Permit Required
- 20.4b which relates to General Requirements
- 20.7a which relates to Unstable (Reactive) Chemicals
- 20.10H 1 which relates to Ammonium Nitrate
- 20.14b which relates to Motor Vehicle Transportation of Hazardous Chemicals and Other Dangerous Articles
- 21.6a which relates to Location of Containers
- 21.8b9c which relates to Location of Containers and Regulating Equipment Inside Building
- 21.10c which relates to Parking and Garaging
- 22.4 which relates to Fire Control in Open Yards and Buildings
- 24.8a3 which relates to Design, Construction and Installation of Fuel Oil Tanks
- 24.9b which relates to Piping Materials and Design
- 26.3a which relates to Permits and Plans Required
- 26.8a which relates to Fire Control

16. RESOLVED THAT SECTIONS (con't)

- 28.3b which relates to Smoking Prohibited Under Certain Conditions
- 28.7 which relates to Handling Readily Combustible Materials
- 28.10 which relates to Storage or Display in Roofed-Over Malls
- 28.16 which relates to Fire Lane on Private Property Devoted to Public Use

shall be amended by substituting "Town of Cheektowaga Fire Inspector" in place of "Chief of the Fire Company".

17. RESOLVED THAT Section 13.3c, which relates to the manufacture, sale and discharge of fireworks, shall be amended by the addition of, "The Town of Cheektowaga Fire Inspector and the District Fire Chief shall be notified of the transportation route and storage location of fireworks within any fire district. No fireworks shall be stored within any fire district for more than thirty (30) days prior to use", immediately after the phrase "person or persons".

18. RESOLVED THAT SECTION 14.2, which relates to survey of premises and specification of equipment, shall be amended by substituting "Town of Cheektowaga Fire Inspector or the District Fire Chief" in place of "Chief of the Fire Company".

19. RESOLVED THAT Section 14.3, which relates to maintenance of equipment, shall be amended by substituting "Town of Cheektowaga Fire Inspector and the District Fire Chief" in place of "Chief of the Fire Company".

20. RESOLVED THAT Section 16.12a, which relates to the definition of automotive service station (garage) shall be amended to read as follows: "Automotive service station shall mean a building or structure or a portion thereof in which a motor vehicle containing a flammable fluid in its fuel storage tank, is stored, housed, kept, repaired or serviced and where no repair work is done except exchange of parts and maintenance requiring no open flame, cutting, welding or the use of highly flammable liquids or where Class I or Class II liquids are sold or dispensed to the public and shall include both self-service and regular service".

21. RESOLVED THAT Section 16.71, which relates to the location of service stations, shall be amended to read as follows:

"Section 16.71 Location and Construction

Apparatus dispensing Class I liquids into the fuel tanks of motor vehicles of the public shall not be located at a bulk plant unless separated by a fence or similar barrier from the area in which bulk operations are conducted. Class I liquids shall not be stored or handled within a building having a basement or pit into which flammable vapors may travel, unless such area is provided with ventilation designed to prevent the accumulation of flammable vapors therein."

22. RESOLVED THAT Section 16.72, which relates to the construction of service stations, shall be amended to read as follows:

"Section 16.72 Permit Required

A permit shall be required for any person using any building, shed or enclosure as a place of business for the purpose of servicing or repairing any motor vehicle therein or where Class I or Class II liquids are sold or dispensed to the public."

23. RESOLVED THAT Section 16.77d, which relates to electrical equipment, shall be amended by substituting "Town of Cheektowaga Fire Inspector", in place of "Chief of the Fire Prevention Bureau."

24. RESOLVED THAT Section 18.5a, which relates to notification of fumigation or thermal insecticidal fogging, shall be amended by substituting "Town of Cheektowaga Fire Inspector and the District Fire Chief due to the life hazard of the activity" in place of "Fire Company".

25. RESOLVED THAT Section 21.3b, which relates to permits and reports of installation, shall be amended by substituting "Town of Cheektowaga Fire Inspector" in place of "Chief of the Fire Company" and also in place of "Board of Fire Commissioners".

26. RESOLVED THAT Section 21.4, which relates to inspection of installations, shall be amended by substituting "Town of Cheektowaga Fire Inspector", in place of "Fire Company".

27. RESOLVED THAT Section 21.8b (4) (F), which relates to location of containers and regulating equipment inside buildings, shall be amended by substituting "Town of Cheektowaga Fire Inspector and the District Fire Chief due to the life hazard of the activity" in place of "Chief of the Bureau of Fire Prevention".

28. RESOLVED THAT Section 27.1b, which relates to place of assembly, shall be amended to read as follows: "Place of assembly shall mean a room or space or portion of a building used for gathering together 50 or more persons for such purpose as deliberation, worship, entertainment, dining, amusement, or awaiting transportation. Such room or space shall include any similar occupied connecting room or space in the same story, or in a story or stories above or below, where entrance is common to the rooms or spaces."

29. RESOLVED THAT Section 27.9, which relates to plan of exit ways and aisles, shall be amended by substituting "Town of Cheektowaga Fire Inspector and the District Fire Chief", in place of "Fire Company".

30. RESOLVED THAT Section 27.11, which relates to number of occupants permitted, shall be amended by substituting, "Each place of assembly shall be posted with a legible sign conspicuously located stating the maximum number of occupants permitted as specified in the most current publication of the N.F.P.A. Life Safety Code."

31. RESOLVED THAT Section 28.1d, which relates to bonfires and outdoor rubbish fires, shall be amended by substituting, "May prohibit. The Town of Cheektowaga Fire Inspector or the District Fire Chief", in place of "Chief may prohibit. The Chief of the Fire Company",

32. RESOLVED THAT Section 30.3, which relates to permits required for welding or cutting, shall be amended by substituting, "Town of Cheektowaga Fire Inspector and the District Fire Chief", in place of "Fire Company".

33. RESOLVED THAT Section 30.6b(3), which relates to fire control, shall be amended by substituting "Town of Cheektowaga Fire Inspector or the District Fire Chief" in place of "Fire Company".

34. RESOLVED THAT Article 32a, which relates to penalties shall be amended to read as follows: "Any person who shall violate any of the provisions of the Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, or who shall fail to comply with such an order as affirmed or modified by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non-compliance respectively be punished by a fine of not more than one thousand dollars per day of violation, or imprisonment not exceeding

one year or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense."

35. RESOLVED THAT Appendix A8a, which relates to protection of tanks containing flammable or combustible liquids in locations that may be flooded, shall be amended by substituting, "Town of Cheektowaga Fire Inspector and the District Fire Chief due to the hazardous materials" in place of "Fire Company".

36. RESOLVED THAT Section 11.2, which relates to marking of exit ways, shall be amended by substituting, "50 persons" in place of "100 persons".

Item No. 6 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, 1983; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED, that the aforementioned amendments to the "Fire Prevention Code" of the Town of Cheektowaga, shall take effect ten (10) days after said publication.

Upon roll call.....

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

*SEE AFFIDAVIT ON NEXT PAGE.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

.....*Anna E. Mika*....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*clerk*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks;
first publication.....*April 14, 1983*.....;
last publication.....*April 14, 1983*.....;
and that no more than six days intervened be-
tween publications.

Anne E. Mika
 Sworn to before me this 15th
 day of April, 1983
 Eve J. Ellis
 Notary public in and for Erie County, N. Y.

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
~~MY COMMISSION EXPIRES~~ MARCH 30, 19 85

This Agreement of Limited Partnership (hereinafter referred to as "Agreement") is executed this 1st day of March 1983 and is intended to evidence the mutual agreement of the Partners to join together in a Limited Partnership (hereinafter referred to as the "Partnership"), for the purposes and upon the terms and conditions hereinafter set forth.

1) The parties hereto hereby form a Limited Partnership, pursuant to the provisions of Article B of the Partnership Laws of the State of New York. The Partners and each of them, shall execute and cause to be filed, published or both, necessary Certificates of Limited Partnership as required by said Partnership Law. The name of the Partnership shall be **HIGH RIDGE PARTNERS**.

2) The character of its business shall be to engage in activities related to development, ownership and/or operations of real estate or interests therein or ownership of interests and entities with related purposes.

3) The principal place of business is 352 Franklin Street, Buffalo, New York 14202.

4) The term of the Partnership is forty (40) years.

The Partners, their addresses, percent of profits and compensation by way of income and designations are:

a) **HIGH RIDGE SPONSORS**, 352 Franklin Street, Buffalo, N.Y. (12.5 percent) (Limited Partner)

b) **HIGH RIDGE INVESTORS**, 352 Franklin Street, Buffalo, N.Y. (42.975 percent) (Limited Partner)

c) **HIGH RIDGE ASSOCIATES**, 352 Franklin Street, Buffalo, N.Y. (55.575 percent) (Limited Partner)

d) **CULLEN LAKE ASSOCIATES, INC.**, 3543 Cullen Lake Shore Drive, Orlando, Fla. (0.1 percent) (Managing General Partner)

No Limited Partner has priority over any other Limited Partner.

6) The contributions of each Limited Partner are cash payments as follows:

Partner: High Ridge Sponsors; Amount: \$50,500; Payable as follows: upon admission. Partner: High Ridge Assoc.; Amount: \$100; Payable as follows: upon admission. Partner: Cullen Lake Assoc., Inc.; Amount: \$10; Payable as follows: upon admission. Partner: High Ridge Investors; Amount: \$353,500; Payable as follows: 12/10/83, \$22,912; 6/10/84, \$52,370; 6/10/85, \$42,370; 6/10/86, \$56,462; 6/10/87, \$56,462; 6/10/88, \$56,462; 6/10/89, \$56,462.

No additional contributions are required and no time has been set for the return of any contributions. No Limited Partner has the right to demand and receive property other than cash in return for his contribution.

7) No Limited Partner shall have the right to substitute an assignee as contributor in his place for any portion of interest and no additional Limited Partner may be admitted unless prior written approval has been obtained from the Managing General Partner.

8) Upon the death, retirement, bankruptcy or insanity of a sole remaining General Partner, the remaining Partners shall have the right, but not the obligation, to continue the business of the Partnership.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first written above.

a) **HIGH RIDGE SPONSORS** (Limited Partner) By Lawrence E. White

b) **HIGH RIDGE INVESTORS** (Limited Partner) BY SOUTHERN SENIOR INVESTORS

Joan A. Sonberg
Notary Public
State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

STATE OF NEW YORK)
COUNTY OF ERIE)
CITY OF BUFFALO) SS...

On this 1st day of March, 1983, before me, the subscriber, personally appeared Lawrence E. White to me personally known and known to me to be the same person(s) described in and who executed the within instrument, he/she/they acknowledged to me that he/she/they executed the same.

Joan A. Sonberg
Notary Public
State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

DESIGNATION OF NEWSPAPERS BY COUNTY CLERK

The **BUFFALO DAILY LAW JOURNAL**, published in the City of Buffalo, County of Erie, New York, and the **Cheektowaga TIMES, Inc.**, published in the Town of Cheektowaga, County of Erie, New York, are hereby designated the newspapers in which shall be published a notice containing the substance of the certificate of formation of a limited partnership of High Ridge Partners filed in the office of the Clerk of Erie County on the 22nd day of March, 1983.

Charles A. DiGangi
County Clerk
DATED: March 22, 1983
PUBLISH: April 7, 14, 21, 28, May 5 & 12, 1983

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, corner of Broadway and Union Road, on the 20th day of April 1983, at 7:30 o'clock P.M., to consider the application of Violet Pangburn for a Variance of the Zoning Ordinance pursuant to Section 9-112 of the Zoning Ordinance of the Town of Cheektowaga, New York on premises located at 88 Milsom Avenue relative to front yard. Applicant wishes to build an enclosed front porch 10' wide x 16' long, which reduces front yard to 20.97 ft.

BY ORDER OF THE ZONING BOARD OF APPEALS

Donald J. Wegner, Chairman
Peter J. Rybka
Stephen Kozell
Edward Tokasz

RICHARD M. MOLESKI
Town Clerk
PUBLISHED: April 14, 1983

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, corner of Broadway and Union Road, on the 20th day of April 1983, at 7:30 o'clock P.M., to consider the application of Kolipinski Brothers for a Variance of the Zoning Ordinance pursuant to Section 9-112 of the Zoning Ordinance of the Town of Cheektowaga, New York on premises located at 2440 Chinnonn Street relative to maximum size of a free standing sign from 80 sq.

OF SOUTHERN SENIOR MANAGERS AND CERTIFICATE OF LIMITED PARTNERSHIP

WHEREAS, Southern Senior Managers is an existing New York Partnership founded on or about October 28, 1981, Index No. 164994, and

WHEREAS, The Partnership wishes to restructure as a Limited Partnership, and

WHEREAS, The Partnership wishes to amend the partners as follows:

The following wish to remain as Partners

Lawrence E. White, 3543 Cullen Lake Shore Drive, Orlando, Florida 32812 (Ltd. Partner)

The following withdraw as Partner:

Southern Senior Investors, 352 Franklin Street, Buffalo, New York 14202

The following is admitted as Partner:

Cullen Lake Associates, Inc., 3543 Cullen Lake Shore Drive, Orlando, Florida (Managing Gen'l Partner)

BY Lawrence E. White

BY Lawrence E. White

Managing Partner

SOUTHERN SENIOR INVESTORS

BY Lawrence E. White

Vice President

CULLEN LAKE ASSOCIATES, INC.

This Agreement of Limited Partnership (hereinafter referred to as "Agreement") is executed this 28th day of February 1983 and is intended to evidence the mutual agreement of the Partners to join together in a Limited Partnership (hereinafter referred to as the "Partnership"), for the purposes and upon the terms and conditions hereinafter set forth.

1) The parties hereto hereby form a Limited Partnership, pursuant to the provisions of Article B of the Partnership Laws of the State of New York. The Partners and each of them, shall execute and cause to be filed, published or both, as necessary Certificates of Limited Partnership as required by said Partnership Law. The name of the Partnership shall be **SOUTHERN SENIOR MANAGERS**.

2) The character of its business shall be to engage in activities related to development, ownership and/or operations of real estate or interests therein or ownership of interests and entities with related purposes.

3) The principal place of business is 352 Franklin Street, Buffalo, New York 14202.

4) The term of the Partnership is forty (40) years.

The Partners, their addresses, percent of profits and compensation by way of income and designations are:

a) Lawrence E. White, 3543 Cullen Lake Shore Dr., Orlando, Florida 32812 (99.9 percent) (Limited Partner)

d) Cullen Lake Associates, Inc., 3543 Cullen Lake Shore Dr., Orlando, Florida 32812 (0.1 percent) (Managing General Partner)

No Limited Partner has priority over any other Limited Partner.

6) The contributions of each Limited Partner are cash payments as follows:

Partner: Lawrence E. White; Amount: \$99.90; Payable as follows: at admission. Partner: Cullen Lake Assoc., Inc.; Amount: \$0.10; Payable as follows: at admission.

No additional contributions are required and no time has been set for the return of any contributions. No Limited Partner has the right to demand and receive property other than cash in return for his contribution.

the right, but not the obligation, to continue the business of the Partnership.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first written above.

a) Lawrence E. White (Limited Partner)

b) Cullen Lake Associates, Inc. (Managing General Partner)

STATE OF NEW YORK)
COUNTY OF ERIE)
CITY OF BUFFALO)

On this 4th day of March, 1983, before me personally Lawrence E. White, to me personally known, who, being duly sworn, did depose and that he resides in 3543 Cullen Lake Shore Dr., Orlando, Florida, that he is the Vice President of Cullen Lake Associates, Inc., corporation described in, which executed the above instrument; that he knows the seal of said corporation; that the seal fixed to said instrument is such corporate seal; that it was so fixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

Joan A. Sonberg
Notary Public
State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

STATE OF NEW YORK)
COUNTY OF ERIE)
CITY OF BUFFALO) SS...

On this 4th day of March, 1983, before me, the subscriber, personally appeared Lawrence E. White to me personally known and known to me to be the same person(s) described in and who executed the within instrument, he acknowledged to me that he executed the same.

Joan A. Sonberg
Notary Public
State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

DESIGNATION OF NEWSPAPERS BY COUNTY CLERK

The **BUFFALO DAILY LAW JOURNAL**, published in the City of Buffalo, County of Erie, New York, and the **Cheektowaga TIMES, Inc.**, published in the Town of Cheektowaga, County of Erie, New York, are hereby designated the newspapers in which shall be published a notice containing the substance of the certificate of formation of the limited partnership of Southern Senior Managers filed in the office of the Clerk of Erie County on the 22nd day of March, 1983.

Charles A. DiGangi
County Clerk
DATED: March 22, 1983
PUBLISH: April 7, 14, 21, 28, May 5 & 12, 1983

LEGAL NOTICE

A 1969 Dodge, identification No. LL23A9B323434, owned by Charles Tufano, will be sold at public auction on April 25, 1983, at 2:00 in the afternoon at Gruber Towing Inc., 2916 Union Rd., Cheektowaga, N.Y. 14227.
PUBLISH: April 7 & 14, 1983

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, corner of Broadway and Union Road, on the 20th day of April 1983, at 7:30 o'clock P.M., to consider the application of Nello Nati for a Variance of the Zoning Ordinance pursuant to

Town Board of the Town of Cheektowaga held on April 5, 1983; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk, and BE IT FURTHER

RESOLVED, that the aforementioned amendments to the "Fire Prevention Code" of the Town of Cheektowaga, shall take effect ten (10) days after said publication.

Upon roll call...

Supervisor

Meyers

Voting AYE

Councilmen

Swiatek

Voting AYE

Johnson

Voting AYE

Dux

Voting AYE

W.P. Rogowski

Voting

EXCUSED

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

AYES: 6

NAYES: 0

ABSENT: 0

EXCUSED: 1

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, 1983, 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 5th day of April, 1983.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: April 14, 1983

Item No. 7

Notice to Bidders: Phase I Development, Stiglmeier Park Improvements.
This item was withdrawn.

Item No. 8

Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, this Town Board directed the consulting firm of Nussbaumer & Clarke, Inc. to prepare plans and specifications for the rerouting of electrical services, AND

WHEREAS, the Town Engineer informs this Town Board that plans and specifications are completed and bids may be received, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is directed to publish a Notice to Bidders for the construction of electrical modifications at the Main Pump Station site, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of April, 1983 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* * * * *

DEMOLITION RELATED ELECTRICAL MODIFICATIONS

MAIN PUMP STATION SITE - CENTRAL BOULEVARD

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 18th day of April, 1983 at 11:00 A.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 electrical modifications at the Main Pump Station site, 171 Central Boulevard, Cheektowaga, New York, all complete, in place, tested and ready for use, in accordance with the Contract Documents, therefore, including plans, specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project.

Plans are on file in the office of the Town Engineer of Cheektowaga, Town Hall, Broadway and Union Road, Town of Cheektowaga, New York 14227.

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, from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be in the form of two (2) \$25.00 checks, 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 Electrical Modifications and Related Work in Sanitary Sewer District No. 5".

Any bids not delivered in person shall be mailed to the office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Any bidders 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.

Item No. 8 Cont'd.

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 any time prior to the scheduled date 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 60 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: April 5, 1983

Published: April 7, 1983

* * * * *

Upon roll call.....

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

*SEE AFFIDAVIT ON NEXT PAGE.

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

Anne T. Mida....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....4/7/83.....;
last publication.....;
and that no more than six days intervened be-
tween publications.

Anne T. Mida.....
Sworn to before me this8th.....
day of April....., 1983.
Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1985

**LEGAL NOTICE
DEMOLITION RELATED
ELECTRICAL
MODIFICATIONS MAIN
PUMP STATION SITE —
CENTRAL BOULEVARD
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 18th day of April, 1983 at 11:00 A.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 electrical modifications at the Main Pump Station site, 171 Central Boulevard, Cheektowaga, New York, all complete, in place, tested and ready for use, in accordance with the Contract Documents, therefore, including plans, specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project.

Plans are on file in the office of the Town Engineer of Cheektowaga, Town Hall, Broadway and Union Road, Town of Cheektowaga, New York 14227.

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, from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be in the form of two (2) \$25.00 checks, 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 Electrical Modifications and Related Work in Sanitary Sewer District No. 5".

Any bids not delivered in person shall be mailed to the office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Any bidders 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 percent) 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 percent) 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 any time prior to the scheduled date 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 60 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: April 5, 1983

PUBLISHED: April 7, 1983

Item No. 9

Motion by Councilman Swiatek, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a meeting thereof for the purchase of football equipment for use in the Cheektowaga Recreation Department, as a result of advertisement thereof, and such bids were referred to the Director of Recreation for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to the lowest possible bidder meeting specifications as follows:

Laux Sporting Goods
25 Pineview Drive
North Tonawanda, New York 14120

ITEMS

Rawlings Football helmet	\$69.35 each	Laux
Model RTS 1		
Color - White		
Cage - full grey steel cage installed		
Quantity - approximately 30		
 Bike IV Football helmet	 \$45.65 each	 Laux
Color - White		
Cage - full blue steel cage installed		
Quantity - approximately 30		
 Rawlings Pro-2 shoulder pads	 \$24.95 each	 Laus
Sizes - regular, large, extra large		
Quantity - approximately 20		

Upon roll call.....

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

Item No. 10

Motion by Councilman J. V. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, bids were duly received on March 21, 1983 as the result of advertisement, therefore, for the furnishing of all corrugated metal, metal slotted and reinforced concrete pipe requirements to the Town of Cheektowaga for the year of 1983. 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 March 23, 1983, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of pipe to the Town for the year of 1983 as per said unit prices and as recommended by the Town Engineer is hereby awarded to the following for corrugated metal and metal slotted pipe:

Chemung Supply Corporation
P.O. Box 527
Elmira, New York 14902

6" dia. C.M.P.	\$2.33/ft.
8" dia. C.M.P.	\$3.08/ft.
10" dia. C.M.P.	\$3.81/ft.
12" dia. C.M.P.	\$4.46/ft.
15" dia. C.M.P.	\$5.42/ft.
18" dia. C.M.P.	\$6.47/ft.
21" dia. C.M.P.	\$7.52/ft.
24" dia. C.M.P.	\$9.97/ft.

Item No. 10 Cont'd.

30" dia. C.M.P.	\$12.43/ft.
36" dia. C.M.P.	\$14.87/ft.
42" dia. C.M.P.	\$21.95/ft.
48" dia. C.M.P.	\$25.50/ft.
54" dia. C.M.P.	\$28.83/ft.
60" dia. C.M.P.	\$40.39/ft.
43" X 27" C.M.P.	\$15.57/ft.
43" X 27" C.M.P. Paved Invert	\$19.39/ft.
50" X 31" C.M.P.	\$18.10/ft.
50" X 31" C.M.P. Paved Invert	\$22.55/ft.
58" X 36" C.M.P.	\$26.35/ft.
58" X 36" C.M.P. Paved Invert	\$31.44/ft.
65" X 36" C.M.P.	\$29.79/ft.
65" X 36" C.M.P. Paved Invert	\$35.51/ft.
72" X 44" C.M.P.	\$33.11/ft.
72" X 44" C.M.P. Paved Invert	\$39.45/ft.
12" C.M.P. End Section	\$24.70 each
15" C.M.P. End Section	\$31.44 each
18" C.M.P. End Section	\$40.98 each
21" C.M.P. End Section	\$49.13 each
24" C.M.P. End Section	\$61.09 each
30" C.M.P. End Section	\$111.85 each
36" C.M.P. End Section	\$179.75 each
12" - 2½" Slotted Drain Pipe	\$19.25/ft.
12" - 6" Slotted Drain Pipe	\$24.50/ft.
12" Slotted Drain Band	\$12.30 each
15" - 2½" Slotted Drain Pipe	\$21.80/ft.
15" - 6" Slotted Drain Pipe	\$26.75/ft.
15" Slotted Drain Band	\$13.68 each
18" - 2½" Slotted Drain Pipe	\$23.50/ft.
18" - 6" Slotted Drain Pipe	\$28.00/ft.
18" Slotted Drain Band	\$15.30 each
6" C.M.P. Perforated U.D.	\$2.39/ft.
8" C.M.P. Perforated U.D.	\$3.16/ft.
10" C.M.P. Perforated U.D.	\$3.91/ft.
12" C.M.P. Perforated U.D.	\$4.58/ft.
15" C.M.P. Perforated U.D.	\$5.57/ft.

Lane Metal Products Company, Inc.
Box 711
Bath, New York 14810

72" C.M.P.	\$51.54/ft.
84" C.M.P.	\$60.07/ft.

K & S Contractors Supply
1971 Gunville Road
Lancaster, New York 14086

12" R.C.P. - Class III	\$5.25/ft.
- Class IV	\$5.25/ft.
15" R.C.P. - Class III	\$6.20/ft.
- Class IV	\$6.20/ft.
18" R.C.P. - Class III	\$7.75/ft.
- Class IV	\$8.30/ft.
21" R.C.P. - Class III	\$9.25/ft.
- Class IV	\$10.55/ft.
24" R.C.P. - Class III	\$11.40/ft.
- Class IV	\$13.90/ft.
30" R.C.P. - Class III	\$17.50/ft.
- Class IV	\$20.00/ft.
36" R.C.P. - Class III	\$25.75/ft.
- Class IV	\$29.80/ft.
42" R.C.P. - Class III	\$34.65/ft.
- Class IV	\$39.05/ft.

Item No. 10 Cont'd.

48" R.C.P.	- Class III	\$42.90/ft.
	- Class IV	\$50.60/ft.
54" R.C.P.	- Class III	\$56.45/ft.
	- Class IV	\$65.25/ft.
60" R.C.P.	- Class III	\$69.00/ft.
	- Class IV	\$84.40/ft.
66" R.C.P.	- Class III	\$84.15/ft.
	- Class IV	\$100.65/ft.
72" R.C.P.	- Class III	\$88.00/ft.
	- Class IV	\$110.00/ft.
84" R.C.P.	- Class III	\$135.00/ft.
	- Class IV	\$162.40/ft.

*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

March 23, 1983

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid Award, Corrugated Metal,
Metal Slotted Drain and
Reinforced Concrete Pipe

Gentlemen:

At a public bid opening on March 21, 1983, bids were received and publicly opened for the purchase of corrugated metal, metal slotted and reinforced concrete pipe in various sizes for the year of 1983. Due to the large quantity of items that were bid, the lowest bidders in each item are listed on the attached resolution. Their bid items cover each unit price for seventy five (75) different sizes of pipe and related items.

It is, therefore, recommended that the bid be awarded to the attached listed bidders for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

A handwritten signature in cursive script, reading "William R. Pugh".

BY: William R. Pugh
Junior Engineer

CLB:WRP:dms

Item No. 10 Cont'd.

Upon roll call.....

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

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

BE IT RESOLVED that the below listed individuals be terminated from
the Cheektowaga Youth Bureau staff effective immediately:

Adapted Recreation Program - 7310-1802

Lynn Preischel

Administrative Intern Program - 7310-1804

Karen Szymanski

Upon roll call.....

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

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

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

Horst, Lawrence	3/4/83
Lodyga, John	3/4/83
Szczepanik, John	3/4/83

Upon roll call.....

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

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

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

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

WHEREAS, the Erie County Civil Service Eligible List for the position
of Clerk Typist - Permanent Appointment, has been properly canvassed, and interviews
conducted, NOW, THEREFORE, BE IT

RESOLVED that Susan Mulcahy, of , Cheektowaga, New
York, whose name appears on the current Erie County Civil Service List of Eligibles,
be and hereby is appointed to the permanent position of Clerk Typist in the Justice
Department; said appointment effective April 11, 1983, at a salary of \$12,398.09.

Item No. 13 Cont'd.

Upon roll call.....

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

Item No. 14 Hiring of Trainee Supervisors and Summer Trainees in Sanitation Dept.
This item was withdrawn.

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

BE IT RESOLVED that the following be hired to aid the Cheektowaga
Recreation Department in conducting its 1983 softball program.

Recreation Attendant at \$3.10 per hour

Jack Kirisits

Upon roll call.....

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

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

WHEREAS, a vacancy exists for the position of Music Director in the
Youth Bureau's Adapted Recreation Program (7310.1803),

BE IT RESOLVED that the below listed individual be hired for this
position at a salary rate of \$5.00 per hour:

--Teresa Gorski

Cheektowaga, New York 14206

BE IT FURTHER RESOLVED that the below listed individuals be hired
as Clerk's in the Administrative Intern Program at a salary rate of \$3.35 per hour
(7310.1804):

--Susan Adinolfi

Cheektowaga, New York 14215

--Brenda Wagner

Cheektowaga, New York 14227

Upon roll call.....

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

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

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 1983, 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 008540.4009.

Upon roll call.....

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

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

WHEREAS, the Town of Cheektowaga has been the direct recipient of Community Development Block Grant funds from the Department of Housing for the 1981-82 and 1982-83 fiscal years, AND

WHEREAS, an independent audit of these funds is required by federal regulations governing Community Development Block Grant funds, AND

WHEREAS, the Certified Public Accounting firm of Main-Hurdman, which has had experience in performing such audits, has submitted a proposal to the Town for the performance of said audit, NOW, THEREFORE, BE IT

RESOLVED that the firm of Main-Hurdman be and hereby is authorized to perform the audit of fiscal year 1981-82 and 1982-83 Community Development Block Grant funds for a fee not to exceed \$4,950.00, as per their proposal of March 7, 1983, said fee to be paid from Community Development Block Grant funds, AND BE IT

FURTHER RESOLVED that the Town Supervisor be and hereby is authorized to sign an Agreement with the firm of Main-Hurdman for said services.

Upon roll call.....

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

Item No. 19 Authorize Supervisor to sign all agreements for services of various performing artists for Polish-American Arts Festival.
This item was withdrawn.

Item No. 20 Amendment of User Fee Schedule for Town Park Baseball Diamonds and umpires.
This item was withdrawn for lack of a second.

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

WHEREAS, members of the Cheektowaga Patriotic Commission are dedicated to maintaining and fostering a sense of pride and identity for the Town among its residents and also in promoting the good name of the Town of Cheektowaga, and

WHEREAS, as a means of accomplishing this goal, the Cheektowaga Patriotic Commission has commissioned the design and fabrication of a Town Tie, and

WHEREAS, said Town Tie bears the original seal of the Town of Cheektowaga, which is a crabapple tree encircled by a ring of Indian arrowheads, representing Cheektowaga's earliest heritage, and

WHEREAS, the proceeds from the sale of said Town Tie will be applied by the Cheektowaga Patriotic Commission for the benefit of the community through such functions as the annual Flag Day Observance and the annual 4th of July Independence Day Celebration, and

WHEREAS, the Cheektowaga Patriotic Commission has requested that said Town Tie be designated by the Town Board as the "Official" Tie of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Town Tie created under the sponsorship of the Cheektowaga Patriotic Commission, bearing the Town's original seal, be and hereby is designated as the "Official" Tie of the Town of Cheektowaga.

Upon roll call.....

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

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

WHEREAS, Cub Scout Pack #618, Cub Scouts of America, has requested permission to conduct an overnight campout on August 27th through August 28, 1983 at John C. Stiglmeier Park, AND

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "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", NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board permits a waiver of Article 48-12 of the Code of the Town of Cheektowaga, said waiver extended to Cub Scout Pack #618, Cub Scouts of America for the use of John C. Stiglmeier Park on August 27th through August 28th, 1983, AND BE IT

RESOLVED, that a copy of said resolution be forwarded to the Chief of Police, Facilities Department Director and Recreation Director.

Upon roll call.....

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

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

WHEREAS, the Williamstowne Senior Citizens will be holding their annual Polish-American Fun Festival '83 on June 4th and 5th, 1983, AND

Item No. 23 Cont'd.

WHEREAS, the Williamstowne Senior Citizens, as part of their celebration, will be sponsoring a parade commencing at 9:00 A.M. on Saturday, June 4th, 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.

Upon roll call.....

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

Item No. 24 Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, there is need to approve Change Order #1 to the contract for the demolition of brick/reinforced concrete structures, Phase III, as documented in a letter from the Town Engineer dated March 31, 1983 to this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #1 for the partial demolition of the old digester tank and removal of the steel, floating roof, and the removal of concrete saddles used to support the 12' diameter steel tank which was recently removed, as an addition to the contract of Custom Topsoil, Inc. in the amount of \$5,950.00 be and hereby is approved, and that the Supervisor is authorized and directed to sign said Change Order #1 on behalf of this Town Board.

*SEE NEXT TWO (2) PAGES FOR COPY OF LETTER FROM TOWN ENGINEER AND CHANGE ORDER AUTHORIZATION.



Town of Cheektowaga

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

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

March 31, 1983

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Demolition - Plant #5

Gentlemen:

Our demolition bid awards have been much lower than anticipated due to the lack of construction activity in our area. Lower prices are also the result of providing on-site debris disposal locations such as secondary settling tanks which were constructed below ground level and must now be filled for safe use of the property.

The on-site disposal areas are now filled almost to ground level. Unless we provide added below ground disposal, additional debris from the on-going demolition contract will need to be stored on-site for disposal on the next contract. This will result in added costs due to double handling of demolition debris.

It is recommended that the Town Board approve a change Order to the present demolition contract of Custom Topsoil, Inc. in the amount of \$5,950.00. This is an additional 16%. Funds are available in our Sewer District #5 to do the work.

This proposed change order would cover the demolition of half of one of the old digester tanks and removal of the steel, floating roof. The below ground portion of this digester will serve as the repository of the additional demolition debris. In addition, the contractor will remove and dispose of the concrete saddles that supported the old 12 foot diameter steel tank that was recently removed.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

RECEIVED

TOWN OF CHEEKTOWAGA

Richard M. Moleski, Town Clerk

CHANGE ORDER AUTHORIZATION

APR 8 1983

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

DATE March 29, 1983

PROJECT Demolition at Wastewater Treatment Plant No. 5, Phase III
CONTRACT DATE March 7, 1983 CONTRACT AWARD PRICE \$36,400.00
CHANGE ORDER NO. 1 ADD OR SUBTRACT Add \$5,950.00
COMMUNITY NAME Town of Cheektowaga
COMMUNITY ADDRESS Broadway & Union Roads
CONTRACTORS NAME Custom Topsoil
CONTRACTORS ADDRESS 320 Losson Road

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK:

Removal of steel 35' diameter floating top and partial removal of digester walls and removal of concrete saddles used to support 12' diameter tank.

REASON FOR CHANGE OR EXTRA WORK:

Additional fill area was required in order to complete Phase III renovation to Primary B. Concrete saddles were removed to gain access to digester.

CONTRACT TIME CHANGE: (1) NO AFFECT ☒ (2) CHANGE March 29, 1983
DATE OF COMPLETION

ITEMIZATION OF CONTRACTOR'S PROPOSAL ON THIS CHANGE

~~REFER TO EXHIBIT A - PRICE~~
~~EXHIBIT B - LOCATION~~

APPROVALS:

SUPERVISOR Kimeth J. Meyer DATE April 6, 1983
CONTRACTOR Richard M. Moleski DATE March 29, 1983
TITLE Town Clerk DATE March 29, 1983

Item No. 24 Cont'd.

Upon roll call.....

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

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

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

WHEREAS, the Town Community Development Director has received applications for assistance under said program and has determined that the owner(s) 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 amount(s) listed below, are hereby approved for the owner(s) of the property listed below:

50 Fairview Drive - \$1,567.00
Depew, 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 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: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, J. V. Rogowski
and Jaworowicz
NAYES: 0
ABSENT: 0
EXCUSED: Councilman W. P. Rogowski

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 5th, 1983 are hereby approved and the SUPERVISOR is ordered to pay said warrants.

Item No. 26 Cont'd.

FUND	AMOUNT
GENERAL FUND	
SPECIAL DISTRICT FUND	\$100,226.45
HIGHWAY FUND	17,650.82
FEDERAL REVENUE SHARING FUND	11,570.96
PART TOWN FUND	344.90
CAPITAL FUND	577.35
	5,668.00
	<u>\$136,038.48</u>

Upon roll call.....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 27 Building Permits.
Received and Filed.

* * * * *

Motion by Supervisor Meyers, seconded by Councilman Swiatek to move
Item No. 28 off the table.

Upon roll call.....

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

* * * * *

IV. FROM THE TABLE

Item No. 28 Hiring of seasonal trainees in Wastewater Treatment Plant No. 5 and
Facilities Department.

Motion by Supervisor Meyers, seconded by Councilman Dux

RESOLVED that the following individuals are hereby hired as Seasonal
Trainees at the Wastewater Treatment Plant No. 5, at the rate of \$3.10 per hour:

David Gallmeyer	Shirley Thurnherr
Cheektowaga, N.Y.	Cheektowaga, N.Y.

and BE IT FURTHER

RESOLVED that the following individuals be hired as Seasonal Trainees
at the Sewer Maintenance Department at \$3.10/hr.:

Ronald Budney	Mark Bessing
Cheektowaga, N.Y.	Cheektowaga, N.Y. 14225

and BE IT FURTHER

Item No. 28 Cont'd.

RESOLVED that the following individual be hired as a Seasonal Trainee in the Facilities Department, at the rate of \$3.10 per hour, retroactive to March 1, 1983:

Joseph Sikorski

Upon roll call.....

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

* * * * *

Motion by Councilman Swiatek, seconded by Councilman Dux to suspend the rules to include the following items.

Upon roll call.....

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

* * * * *

V.. SUSPENSION OF RULES

Item No. 29 Hiring of seasonal trainees in Facilities Department

Motion by Supervisor Meyers, seconded Councilman Dux

RESOLVED that the following individuals be hired in the Cheektowaga Facilities Department as Seasonal Trainees at the rate of \$3.10 per hour.

Edward Clark
Gregory Borgosz
Donald Surdej
Kevin Kopacz
John Bratek
Daniel Grzechowiak
Jeffrey Dominiak
Michael Haas
John Noworyta
Edward Kwiatkowski
James Wozniak
Kenneth Jeffords, Jr.
Richard Dean
Anthony Schlenker
Thomas Dedline

Upon roll call.....

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

Item No. 30

Termination of part-time employee in Police Department.

Motion by Supervisor Meyers, seconded by Councilman Dux

RESOLVED that Diane Wesolowski of , Depew, New York, 14043, is hereby terminated as a part-time employee in the Cheektowaga Police Department, effective April 5, 1983.

Upon roll call.....

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

Item No. 31

Approval of settlement for easement on property located at 600 Doat St.

Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the Town of Cheektowaga has previously completed the Buffalo Sewer Authority connection of the Town of Cheektowaga Sanitary Sewer District No. 5 Pollution Abatement Program, which project is designed to channel Town sewage into the Buffalo Sewer Authority's Sewage Treatment Plant, and

WHEREAS, in pursuance of the aforesaid public project, the Town has commenced a proceeding under the Eminent Domain Procedure Law against the Order of Felician Sisters of St. Francis for the purpose of determining the value of an easement in a portion of the real property owned by the Order of Felician Sisters of St. Francis and located at No. 600 Doat Street, Buffalo, New York, such property is commonly referred to as "Villa Maria College"; and

WHEREAS, the owner of said real property has contested the Town's eminent domain proceeding on the grounds of just compensation for the real property to be acquired by the Town, and

WHEREAS, the Town has been involved in negotiations and settlement since the commencement of said proceeding and it appears that the easement on the subject premises may be obtained by the Town for the total additional sum of \$3,250.00 in full settlement and compromise in said proceedings, and

WHEREAS, a pretrial conference was held on the matter before the Hon. John C. Broughton, Justice of the Supreme Court, who indicated that the payment of the sum of \$3,250.00 by the Town to the Order of Felician Sisters of St. Francis would be a fair and reasonable settlement of the matter in view of the divergent appraisals as to just compensation,

NOW, THEREFORE, BE IT RESOLVED, that the aforementioned settlement be and the same is hereby approved, and BE IT FURTHER

RESOLVED, that the Town Attorney, or the Supervisor, be authorized to sign any and all agreements and stipulations to consummate the said settlement, and to obtain an easement agreement for the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the sum of \$3,250.00 to be paid by the Town for said settlement be taken from Capital Project 37.

Upon roll call.....

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

Item No. 32

Motion by Councilman J. V. Rogowski, seconded by Councilman Jaworowicz
to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

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P U B L I C H E A R I N G S

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<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
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2	Application of Cheektowaga Cablevision Inc. d/b/a International Cable for renewal of its franchise.	1
	<u>Meeting No. 11 - May 16, 1983</u>	
2	Amendment to Traffic Ordinance - Article X: "Parking, Standing, Stopping" - CRESTWOOD PLACE.	1-2
	<u>Meeting No. 12 - June 6, 1983</u>	
2	Amendment to Traffic Ordinance - Art. VIII: "Stop & Yield Intersection" (CAMPBELL RD., TUDOR ROAD); Article X: "Parking, Standing Stopping" (BISMARCK STREET, OAK ROAD).	1-2

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R E S O L U T I O N S

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6	Notice to Bidders: One (1) used 1976 Caterpillar, D-3, Model WX-3000, for use by Highway Department.	7
7	Notice to Bidders: Construction of New Sidewalks along Walden Ave.	8-9
8	Notice to Bidders: Phase I Development, Stiglmeier Park Improvements.	10-11
9	Award of Bid: Moving of Election Machines for the year 1983.	12
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13	Maternity leave of absence for Clerk-Stenographer in Engineering Dept.	13
14	Create position of Clerk-Typist and abolish position of Clerk in Assessor's Office.	13
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16	Termination of seasonal employees.	13-14
17	Designation of Clean-up, Paint-up, Fix-up Week.	14
18	Authorize final payment for electrical work at Senior Citizens Center.	14
19	Authorize Supervisor to sign all agreements for services of various performing artists for Polish-American Arts Festival.	14-15
20	Authorize Chief of Police to arrange for necessary traffic safety & escort services for senior citizen parade at Idylwoods Apt. Complex.	15
21	Request Cheektowaga Chamber of Commerce to review provisions of Zoning Ordinance pertaining to signs.	15
22	Approval of 1983-84 Community Development Block Grant Application.	16-17
23	Amend resolution of 2/7/83 re: Change Order No. 3 for Beach Rd., Phase II project.	17
24	Approval of Community Development Housing Rehabilitation grant and loan funds for owner of certain property in Town.	17-18
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26	Authorize N.Y.S. Electric & Gas Corp. to install one (1) lumen high pressure sodium light and one 22' bracket on Harlem Road.	19-20
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10	Seasonal hiring in various departments.	9-10
11	Military leave for employee in Facilities Department.	10
12	Amendment to Police Contract re: Accumulated sick time.	10-11
13	Authorize Supervisor to execute agreement between Erie Cty. Dept. of Central Police Services and Th. of Cktw. for computer terminal in Police Department.	11-12
14	Authorize Supervisor to execute agreement between County of Erie and Th. of Cktw. for 1982-83 snow removal.	12-13
15	Approval of Town of Cheektowaga Cable Television franchise agreement.	13-14
16	Permission for South Line Fire Company, Inc. to use a portion of Stiglmeier Park & Community Center for assembling a parade.	14
17	Clean-up of property located at 3755 Union Road.	14-15
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10a	Permission for Kennel Club of Buffalo to use John C. Stiglmeier Park.	8-9
10b	Permission for waiver of Article 48-8 of Th. Code Re: Domestic animals in parks.	9
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17	Authorization for Police Officer to attend training session.	12-13
18	Hiring of Trainee Supervisor for Youth Bureau.	13
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17	Promotion of Trainee Supervisor & alternate in Youth Bureau's Cheektowaga Conservation Corps Program.	24
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D E P A R T M E N T A L C O M M U N I C A T I O N S

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20	Building Permits.	15
21	Cheektowaga Planning Board: Minutes of March Meeting.	16
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30	Notice of Claim - Allstate Insurance Co. for Robert Beers vs. Town of Cheektowaga.	27
31	Notice of Claim - John Dusza vs. Town of Cheektowaga.	27
32	Notice of Claim - N.Y.S. Electric and Gas Corp. vs. Town of Cheektowaga.	27

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S U S P E N S I O N O F R U L E S

* * * * *

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 8 - April 18, 1983</u>	
34	Memorialize N.Y.S. Legislature to enact Senate Bill 2717 and Assembly Bill 3515 regarding authorization for Receivers of Taxes to retain interest earned on deposit of County taxes.	21-22
35	Authorize Supervisor to enter into agreement with Cheektowaga Community Development Corp. for provision of grant.	22
	<u>Meeting No. 10 - May 2, 1983</u>	
27	Approval of Change Order No. 6 for Electrical and Instrumentation Contracts 3E and 3F for Sewer District No. 5 Main Pump Station Project.	16-17
	<u>Meeting No. 11 - May 16, 1983</u>	
26	Appointment of appraisers regarding extension of John C. Stiglmeier Park.	16
	<u>Meeting No. 12 - June 6, 1983</u>	
33	Authorization for Supervisor to execute "Release and Discharge of Easement" at 48 Marilyn Drive.	27-29

REGULAR ADJOURNED MEETING

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 9 - April 20, 1983</u>	
2	Act on contract with Cheektowaga Employees Association	1-2
3	Seasonal Hiring.	2
4	Authorize Town Attorney to request Erie County Department of Personnel to certify the 1982 Civil Service Lieutenants List, superceding the 1980 list.	3

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of April, 1983 at 7:00 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; Julia Reinstein, Town Historian; Ronald Marten, Building and Plumbing Inspector; Pat Wojcik, Recreation Supervisor-Senior Citizens; Sal LaGreca, Employment and Training Services Director II; Richard Koszuta, General Foremanin Central Garage; Bernard Wojtkowiak, Mayor of Village of Sloan; Andrew Schwenk, Assessor; Theodore DeFedericis, Chief of Police; Alfred Wnek, Highway Superintendent; Mike Miecznikowski, Recreation Director; Chester Bryan, Town Engineer; Earl Loder-Natural Disaster Services Coordinator; Dr. Louis Vendetti, Town Health Officer.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing regarding the application of Cheektowaga Cablevision, Inc. d/b/a International Cable for renewal of its franchise. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

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

II. RESOLUTIONS

Item No. 3 Motion by Supervisor Meyers, seconded by Councilman W.P. Rogowski

WHEREAS, Ronald J. Smyntek, Vice President of Atlas Auto Glass, has petitioned for the rezoning from M-1 Light Manufacturing District to CM - General Commercial District, of property owned by it and located at 3820 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of April, 1983 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 the conditions that there be no overnight outside storage on the premises and that Section 10-10 of the Zoning Ordinance of the Town of Cheektowaga be complied with, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town

Item No. 3 cont'd

of Cheektowaga," has also duly considered the application for the aforementioned rezoning and has rendered a determination that such rezoning will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of Ronald J. Smyntek, Vice President, Atlas Auto Glass, for the rezoning from M-1 Light Manufacturing District to CM - General Commercial District of the property specified in the attached legal description be and the same is hereby granted, subject to the above-noted conditions as recommended by the Cheektowaga Planning Board, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

* See next page for legal description.

No. 9

No. 10

No. 11

No. 12

This Indenture,

Made the

5th

day of

February

Nineteen Hundred and eighty-three

Between JAMES W. STEER, residing at 1108 Marine Way West, North Palm Beach, Florida

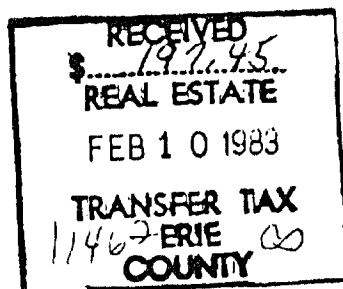
ATLAS AUTO GLASS, INC., 3814 Union Road, Cheektowaga, New York

Witnesseth, that the part Y of the first part, in consideration of _____ part Y of the second part,
 ONE AND MORE _____ Dollar (\$1.00 & more)
 lawful money of the United States, in hand
 paid by the part Y of the second part, do es hereby grant and release unto the part Y of the
 second part, its successors and assigns forever,

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 17, Township 11, Range 7 of the Holland Land Company's Survey, bounded as follows:

BEGINNING at a point on the west line of Union Road as a 100 foot road, distant 1230.50 feet northerly from its intersection with the south line of Lot No. 17; running thence westerly parallel with the south line of Lot No. 17, 865.36 feet to the southeast line of lands conveyed to the New York Central Railroad; running thence north-easterly along the southeast line of lands conveyed to the New York Central Railroad 504.67 feet to a point formed by the intersection of a line drawn parallel with the south line of Lot No. 17 from the east line of Lot No. 17 and distant 250 feet northerly from the point of beginning; running thence easterly parallel with the south line of Lot No. 17, 230.80 feet to the northwest corner of lands conveyed to Thirty Seven Eighty Eight Union Road Corp., by deed recorded in Erie County Clerk's office in Liber 5941 of Deeds at page 452; running thence southerly along the west line of lands so conveyed to Thirty Seven Eighty Eight Union Road Corp. by deed aforesaid 150 feet; running thence easterly along the south line of lands so conveyed to Thirty Seven Eighty Eight Union Road Corp. by deed aforesaid 200 feet to the said west line of Union Road; running thence southerly along the said west line of Union Road 100 feet to the point of beginning.

EXCEPTING therefrom that part thereof conveyed to Baracini's Restaurant and Lounge, Inc. by deed recorded in Erie County Clerk's Office in Liber 8864 of Deeds at page 300.



Item No. 3 cont'd

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

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

Ann T. Mika....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication..... April 21, 1983;
last publication..... April 21, 1983;
and that no more than six days intervened be-
tween publications.

Ann T. Mika.....

Sworn to before me this 22nd

day of April, 19 83

..... Eve J. Allis

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

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 85

**LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 18th day of April, 1983 at 7:00 o'clock P.M. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz

ABSENT: 0

Motion by Supervisor Meyers
Seconded by Councilman W.P. Rogowski

WHEREAS, Ronald J. Smyntek, Vice President of Atlas Auto Glass, has petitioned for the rezoning from M-1 Light Manufacturing District to CM-General Commercial district, of property owned by it and located at 3820 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of April, 1983 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 the conditions that there be no overnight outside storage on the premises and that Section 10-10 of the Zoning Ordinance of the Town of Cheektowaga be complied with, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning and has rendered a determination that such rezoning will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the application of Ronald J. Smyntek, Vice President, Atlas Auto Glass, for the rezoning from M-1 Light Manufacturing District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted, subject to the above-noted conditions as recommended by the Cheektowaga Planning Board, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 17, Township 11, Range 7 of the Holland Land Company's Survey, bounded as follows:

BEGINNING at a point on the west line of Union Road as a 100 foot road, distant 1230.50 feet northerly from its intersection with the south line of Lot No. 17; running thence westerly parallel with the south line of Lot No. 17, 865.36 feet to the southeast line of lands conveyed to the New York Central Railroad; running thence northeasterly along the southeast line of lands conveyed to the New York Central Railroad 504.67 feet to a point formed by the intersection of a line drawn parallel with the south line of Lot No. 17 from the east line of Lot No. 17 and distant 250 feet northerly from the point of beginning; running thence easterly parallel with the south line of Lot No. 17, 230.88 feet to the northwest corner of lands conveyed to Thirt Seven Eight Eight Union Road Corp., by deed recorded in Erie County Clerk's office in Liber 5941 of Deeds at page 452; running thence southerly along the west line of lands so conveyed to Thirt Seven Eight Eight Union Road Corp. by deed

aforesaid 150 feet; running thence easterly along the south line of lands so conveyed to Thirt Seven Eight Eight Union Road Corp. by deed aforesaid 200 feet to the said west line of Union Road; running thence southerly along the said west line of Union Road 100 feet to the point of beginning.

EXCEPTING therefrom that any part thereof conveyed to Baracini's Restaurant and Lounge, Inc. by deed recorded in Erie County Clerk's Office in Liber 8864 of Deeds at page 300. Upon roll call...

Supervisor	
Meyers	Voting AYE
Councilmen:	
Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
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 April 18, 1983, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 3, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 18th day of April, 1983.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: April 21, 1983

No. 9

No. 10

No. 11

No. 12

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

WHEREAS, Ronald J. Smyntek, Vice-President, Atlas Auto Glass, has applied for a Special Permit for a public garage on property located at 3820 Union Road, 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 5th day of April, 1983 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit, subject to the conditions that there be no overnight outside storage on the premises and that Section 10-10 of the Zoning Ordinance of the Town of Cheektowaga be complied with, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 3820 Union Road, and has rendered a determination that the Special 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 above-noted conditions as recommended by the Cheektowaga Planning Board.

* See next page for description.

This Indenture,

Made the

5th

day of

February

Nineteen Hundred and eighty-three

Between JAMES W. STEER, residing at 1108 Marine Way West, North Palm Beach, Florida

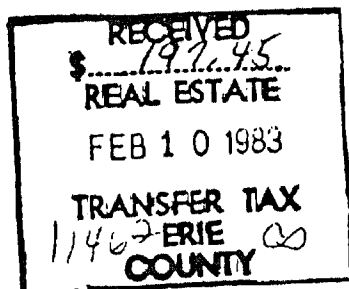
ATLAS AUTO GLASS, INC., 3814 Union Road, Cheektowaga, New York ^{part Y of the first part, and}^{part Y of the second part,}

Witnesseth, that the part Y of the first part, in consideration of -----
 ONE AND MORE ----- Dollar (\$1.00 & more)
 lawful money of the United States, in hand
 paid by the part Y of the second part, do es hereby grant and release unto the part Y of the
 second part, its successors and assigns forever,

All that Tract or Parcel of Land, situate in the Town of
 Cheektowaga, County of Erie and State of New York, being part of
 Lot No. 17, Township 11, Range 7 of the Holland Land Company's
 Survey, bounded as follows:

BEGINNING at a point on the west line of Union Road as a 100 foot road, distant 1230.50 feet northerly from its intersection with the south line of Lot No. 17; running thence westerly parallel with the south line of Lot No. 17, 865.36 feet to the southeast line of lands conveyed to the New York Central Railroad; running thence north-easterly along the southeast line of lands conveyed to the New York Central Railroad 504.67 feet to a point formed by the intersection of a line drawn parallel with the south line of Lot No. 17 from the east line of Lot No. 17 and distant 250 feet northerly from the point of beginning; running thence easterly parallel with the south line of Lot No. 17, 230.80 feet to the northwest corner of lands conveyed to Thirty Seven Eighty Eight Union Road Corp., by deed recorded in Erie County Clerk's office in Liber 5941 of Deeds at page 452; running thence southerly along the west line of lands so conveyed to Thirty Seven Eighty Eight Union Road Corp. by deed aforesaid 150 feet; running thence easterly along the south line of lands so conveyed to Thirty Seven Eighty Eight Union Road Corp. by deed aforesaid 200 feet to the said west line of Union Road; running thence southerly along the said west line of Union Road 100 feet to the point of beginning.

EXCEPTING therefrom that part thereof conveyed to Baracini's Restaurant and Lounge, Inc. by deed recorded in Erie County Clerk's Office in Liber 8864 of Deeds at page 300.



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

AFFIDAVIT - NEXT PAGE

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

Ann F. Mika....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....April 21, 1983.....;
last publication.....April 21, 1983.....;
and that no more than six days intervened be-
tween publications.

Ann F. Mika.....
Sworn to before me this22nd.....
day ofApril....., 19..83..
.....Eve J. Allis.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 85

**LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 18th day of April, 1983 at 7:00 o'clock P.M. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz

ABSENT: 0

Motion by Supervisor Meyers
Seconded by Councilman Dux

WHEREAS, Ronald J. Smyntek, Vice President of Atlas Auto Glass, has applied for a Special Permit for a public garage on property located at 3820 Union Road, 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 5th day of April, 1983 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit, subject to the conditions that there be no overnight outside storage on the premises and that Section 10-10 of the Zoning Ordinance of the Town of Cheektowaga be complied with, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant

to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 3820 Union Road, and has rendered a determination that the Special 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 above-noted conditions as recommended by the Cheektowaga Planning Board. ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 17, Township 11, Range 7 of the Holland Land Company's Survey, bounded as follows:

BEGINNING at a point on the west line of Union Road as a 100 foot road, distant 1230.50 feet northerly from its intersection with the south line of Lot No. 17; running thence westerly parallel with the south line of Lot No. 17, 865.36 feet to the southeast line of lands conveyed to the New York Central Railroad; running thence northeasterly along the southeast line of lands conveyed to the New York Central Railroad 504.67 feet to a point formed by the intersection of a line drawn parallel with the south line of Lot No. 17 from the east line of Lot No. 17 and distant 250 feet northerly from the point of beginning; running thence easterly parallel with the south line of Lot No. 17, 230.80 feet to the northwest corner of lands conveyed to Thirty Seven Eighty Eight Union Road Corp. by deed recorded in Erie County Clerk's office in Liber 5941 of Deeds at page 452; running thence southerly along the west line of lands so conveyed to Thirty Seven Eighty Eight Union Road Corp. by deed aforesaid 150 feet; running thence easterly along the south line of lands so conveyed to Thirty Seven Eighty Eight Union Road Corp. by deed aforesaid 200 feet to the said west line of Union Road; running thence southerly along the said west line of Union Road 100 feet to the point of beginning.

EXCEPTING therefrom that any part thereof conveyed to Baracini's Restaurant and Lounge, Inc. by deed recorded in Erie County Clerk's Office in Liber 8864 of Deeds at page 300.

Upon roll call...

Supervisor

Meyers Voting AYE

Councilmen:

Swiatek Voting AYE

Johnson Voting AYE

Dux Voting AYE

W.P. Rogowski Voting AYE

J.V. Rogowski Voting AYE

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 April 18, 1983, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 4, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 18th day of April, 1983.

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: April 21, 1983

Item No. 5 Motion by Councilman W.P. Rogowski, seconded by Councilman Dux

WHEREAS, bids were duly received and opened on April 5, 1983 at 11:00 a.m. for plant mixed concrete for use by the Cheektowaga Highway Department, and

WHEREAS, due to ambiguity in the specifications for plant mixed concrete, the Town Superintendent of Highways has recommended that bids received for such item be rejected and that the Town Board readvertise for bids on the plant mixed concrete, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby rejects all bids proposals for plant mixed concrete which were opened and read on April 5, 1983, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of quantities of plant mixed concrete for use by the Highway Department. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the officer authorized to open bids on the aforesaid item at 11:00 A.M. on May 2, 1983.

* * * * *

TOWN OF CHEEKTOWAGA, NEW YORK

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 plant mixed concrete at a public bid opening May 2, 1983 at 11:00 A.M., Eastern Daylight Saving Time, to be held in the Council Chambers at the Cheektowaga Town Hall.

PLANT MIXED CONCRETE -----various sized - (Bulk and bagged)

Note: Pick-up by the Town Highway trucks to be within a 15 mile distance.

Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Superintendent 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 "Seasonal bid for concrete" for the Town of Cheektowaga Highway Department.

RICHARD M. MOLESKI
Town Clerk

Dated: April 18, 1983

PUBLISHED: April 21, 1983

* * * * *

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

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

Anna E. Mika....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....April 21, 1983.....;
last publication.....April 21, 1983.....;
and that no more than six days intervened be-
tween publications.

Anna E. Mika.....

Sworn to before me this22nd.....

day ofApril....., 1983.....

Eve J. Allis.....

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

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1985

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK**

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 plant mixed concrete at a public bid opening May 2, 1983 at 11 A.M. Eastern Standard Time, to be held in the Council Chambers at the Cheektowaga Town Hall.

PLANT MIXED CONCRETE
various sized (bulk and bagged)

Note: Pick-up by the Town Highway trucks to be within a 15 Mile distance.

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 "Seasonal Bid for Concrete" for the Town of Cheektowaga Highway Department.

RICHARD M. MOLESKI
Town Clerk

DATED: April 18, 1983

PUBLISHED: April 21, 1983

Item No. 6 Motion by Councilman W.P. Rogowski, seconded by Councilman Dux

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of (1) used 1976 Caterpillar, D-3, Model WX-3000, Serial 2695 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, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the officer to open bids on the aforesaid item at 11:00 A.M. on May 2, 1983, and BE IT FURTHER

RESOLVED that the money for this item will come from the Highway Budget "Parts and Supplies," account #045130-4462.

* * * * *

TOWN OF CHEEKTOWAGA, NEW YORK

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 used equipment at a public bid opening May 2, 1983 at 11:00 A.M., Eastern Daylight Savings Time, to be held in the Council Chambers at the Cheektowaga Town Hall.

One (1) Used 1976 Caterpillar, D-3, Model WX-3000,
Serial 2695.

Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Superintendent of Highways at his office, located at 3145 Union Road, Cheektowaga, New York. Proposals must be enclosed and sealed in an opaque envelope plainly marked "Bid for used equipment for the Town of Cheektowaga Highway Department".

Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI
Town Clerk

DATED: April 18, 1983

PUBLISHED: April 21, 1983

* * * * *

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

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

Anne E. Smith....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 21, 1983.....;
last publication.....April 21, 1983.....;
and that no more than six days intervened be-
tween publications.

Anne E. Smith.....

Sworn to before me this22nd.....

day ofApril....., 1983.

Eve J. Allis.....

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

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1985

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK**

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 pro-
posals for used equipment at a
public bid opening May 2, 1983 at
11 A.M., Eastern Standard Time,
to be held in the Council
Chambers at the Cheektowaga
Town Hall.

One (1) Used 1976 Caterpillar,
D-3, Model WX-3000, Serial 2695.

Information for bidders and
specifications may be obtained
from the office of Alfred F. Wnek,
Superintendent of Highways at
his office, located at 3145 Union
Rd., Cheektowaga, New York.
Proposals must be enclosed and
sealed in an opaque envelope
plainly marked "Bid for Used
Equipment for the Town of
Cheektowaga Highway Depart-
ment".

Non-collusion forms must be
signed and submitted with each
bid. The Superintendent of
Highways may reject any or all
bids submitted.

RICHARD MOLESKI

Town Clerk

DATED: April 18, 1983

PUBLISHED: April 21, 1983

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

WHEREAS, there is need for the furnishing, installation and reconstruction of existing sidewalk, including incidental piping, miscellaneous grading and seeding along the Walden Avenue area and various other locations, and

WHEREAS, funding for said sidewalk construction has been budgeted under the Community Development Block Grant 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, notice to be published in the CHEEKTOWAGA TIMES, BUFFALO EVENING NEWS and the BUFFALO CRITERION, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 2nd day of May, 1983 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on May 2, 1983 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the furnishing, installation and reconstruction of existing sidewalk, including incidental piping, miscellaneous grading and seeding.

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 documents 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 "Construction of Town Sidewalks" with the contractors name and submitted to the Town Clerk prior to the bid opening.

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

ALL BIDDERS WILL SUPPLY A BID FOR NEW SIDEWALK AND ANOTHER FOR SIDEWALK REPLACEMENT AS REQUIRED.

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.

Bidders on this work will be required to comply with the President's Executive Order No. 11246 and Section 3 requirements. The requirements for bidders and contractors under Executive Order No. 11246, which concern nondiscrimination in employment, and under Section 3, which concern training employment and business opportunities, are explained in the specifications.

Item No. 7 cont'd

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 18, 1983

* * * * *

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

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

Anne T. Mika....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication..... April 21, 1983 ;
last publication..... April 21, 1983 ;
and that no more than six days intervened be-
tween publications.

Anne T. Mika.....

Sworn to before me this 22nd

day of April, 19 83

..... Eve J. Allis

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

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 85

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received by the Town of Cheektowaga on May 2, 1983 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the furnishing, installation and reconstruction of existing sidewalk, including incidental piping, miscellaneous grading and seeding.

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 documents 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 percent) 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 "Construction of Town Sidewalks" with 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 percent 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.

Bidders on this work will be required to comply with the President's Executive Order No. 11246 and Section 3 requirements. The requirements for bidders and contractors under Executive Order No. 11246, which concern nondiscrimination in employment, and under Section 3, which concern training employment and business opportunities, are explained in the specifications.

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

An Equal Opportunity Employer
DATED: April 18, 1983
PUBLISHED: April 21, 1983

No. 9

No. 10

No. 11

No. 12

State of New York
ERIE COUNTY
CITY OF BUFFALO

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.
DATED: April 18, 1983
RICHARD M. MOLESKI
Town Clerk
An Equal Opportunity
Employer

ss From Tip

Bedi

Geoffrey Testa,
dragon are at
Marjorie Torre
pajama party for pre
the Eggertsville-Su
party was or
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speaker Thomas "Tip"
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in his office. Mrs. Bu
ort of the California

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn,
deposes and says that She is Principal Clerk
of the BUFFALO EVENING NEWS, INC.,
Publisher of the BUFFALO EVENING NEWS, a
newspaper published in said city, that the notice of
which the annexed printed slip taken from said
newspaper is a copy, was inserted and published
therein once ~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~ insertion being on the 21st
day of April 1983 ~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~ D. Eileen Perry

Sworn to before me this 22nd day
of April 1983

Francis X. Vollmer Jr.
FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1985
Notary Public, Erie County, N. Y.

State of New York
ERIE COUNTY
CITY OF BUFFALO

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on May 2, 1983 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the furnishing, installation and reconstruction of existing sidewalk, including incidental piping, miscellaneous grading and seeding.

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 documents 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 "Construction of Town Sidewalks" with 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.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246, WHICH CONCERN NONDISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPORTUNITIES, ARE EXPLAINED IN THE SPECIFICATIONS.

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.

DATED: April 18, 1983

RICHARD M. MOLESKI

Town Clerk

An Equal Opportunity Employer

D. Eileen Perry

City of Buffalo, New York, being duly sworn,

and says that she is Principal Clerk

BUFFALO EVENING NEWS, INC.

her of the BUFFALO EVENING NEWS, a

paper published in said city, that the notice of

the annexed printed slip taken from said

paper is a copy, was inserted and published

ONCE annexed for xxxxxxxx

first insertion being on the 21st

April 1983 annexed for

xxxxxxx, xxxxxxxx

D. Eileen Perry

Sworn to before me this 22nd day

April 1983

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.

Notary Public, State of New York

Qualified in Erie County

My Commission Expires March 30, 1985

Notary Public, Erie County, N. Y.

STATE OF NEW YORK
Erie County, City of Buffalo

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

..... Frank E. Merriweather
of the City of Buffalo, being duly sworn deposes and says,
that ...he is Editor-Publisher.... of The Buffalo
Criterion, a weekly newspaper published in said City, that
the notice, of which the annexed printed slip taken from
said newspaper is a copy, was inserted and published there-
in once a week for one
weeks, the first insertion being on the ..20th... day of
.....April....., 19..83 and the last insertion be-
ing on the day of

19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this11th... day of
May
....., 19..83.

Frank E. Merriweather

~~Notary Public~~
Commissioner of Deeds

Notice to Bidders

Sealed proposals will be received by the Town of Cheektowaga on May 2, 1983 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the furnishing, installation and reconstruction of existing sidewalks including incidental piping, miscellaneous grading and seeding.

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 documents 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.

Proposal shall be in sealed envelopes, plainly marked on the outside "Construction of Town Sidewalks" with 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 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.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246 AND SECTION 3 REQUIREMENTS. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER EXECUTIVE ORDER NO. 11246, WHICH CONCERN NONDISCRIMINATION IN EMPLOYMENT, AND UNDER SECTION 3, WHICH CONCERN TRAINING EMPLOYMENT AND BUSINESS OPPORTUNITIES, ARE EXPLAINED IN THE SPECIFICATIONS.

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 18, 1983

An Equal Opportunity Employer

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

WHEREAS, through prior resolution dated June 1, 1981, the Town Board retained the services of Stuart Alexander & Associates to prepare Plans and Specifications for Phase I, Stiglmeier Park Improvements at a total fee of \$27,200.00, and

WHEREAS, Stuart Alexander & Associates has prepared Plans and Specifications for Phase I Development, Stiglmeier Park Improvements, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby directs the Town Clerk to publish a Notice to Bidders for Phase I Development, Stiglmeier Park Improvements, and BE IT FURTHER

RESOLVED that Plans and Specifications for Phase I Development, Stiglmeier Park Improvements can be obtained from the office of Stuart Alexander & Associates, 1152 Main Street, Buffalo, New York, 14209 and BE IT FURTHER

RESOLVED that sealed bids will be received on May 2, 1983 at 11:00 A.M., Eastern Daylight Savings Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* * * * *

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

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 2nd day of May, 1983 until 11:00 A.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 Stiglmeier Park Improvements, 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 \$30.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded \$15.00. 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 Stiglmeier 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 Specifications 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
RICHARD M. MOLESKI, Town Clerk

DATED: April 18, 1983

* * * * *

Item No. 8 cont'd

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

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

Anna P. Mita, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....April 21, 1983.....;
last publication.....April 21, 1983.....;
and that no more than six days intervened be-
tween publications.

Anna P. Mita

Sworn to before me this 22nd

day of April, 1983.

Eve J. Allis

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

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1985

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 2nd Day of May, 1983 until 11:00 A.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 Stiglemeir Park Improvements, 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 \$30.00 per contract. Any bidder upon returning such copy in good condition within 30 days following the taking of bids, will be refunded \$15.00. 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 Stiglemeier Park Improvements."

Each proposal must be accompanied by a certified check or bid bond in the amount of ten percent (10 percent) of the amount of the bid, payable to the order of the Supervisor. The bond shall be approved by the Town Attorney.

A security bond by a company satisfactory to the Town Board and in the amount of not less than 100 percent of the Contract price, will be required of the successful bidder.

The Town Board reserves the right to consider informal, any bid not prepared and submitted in accordance with the provision of the Specification and Contract Documents, and may waive any informalities in, and make an award to, other than the low bidder, should it be in the best 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 Moleski
Town Clerk
DATED: April 18, 1983
PUBLISHED: April 21, 1983

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

WHEREAS, bids were duly received at a public bid opening held on Monday, March 21, 1983 for the moving of election machines to and from various locations in the Town for the year of 1983 as a result of advertisement, and

WHEREAS, such bids were referred to the Town Clerk for analysis, tabulation and report, 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 Good & Fair Moving & Storage, Inc., 45 Comet Street, Buffalo, New York 14216 for their submission of the lowest bid of \$5,772.00 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. 10 Motion by Councilman Dux, seconded by Councilman W.P. Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) 1983, 3/4 ton, 4 Wheel drive, pick-up truck, for the Central Garage, which bids were duly received and opened at a Public Bid Opening, and

WHEREAS, said bids were referred to the Central Garage for analysis, tabulation and report, and

WHEREAS, said Central Garage has submitted the same, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of one (1) 1983 3/4 ton, 4 Wheel Drive, Pickup truck be awarded to Emerling Chevrolet, 9000 Boston State Road, Boston, New York, for their bid in the amount of \$9,699.06, said bid being the lowest meeting the specifications, and BE IT FURTHER

RESOLVED that said funds have been allocated in the Central Garage budget 1640.2304.

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 Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED that Michael J. Miecznikowski, Acting Director of Recreation, be and hereby is permanently appointed "Director of Recreation", as a result of a non-competitive promotional examination given for the above position, and on the basis of his rating and certification for appointment by the Erie County Department of Personnel; said permanent 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. 12 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, a vacancy exists in the Assessor's Office for the position of "Senior Clerk", and

WHEREAS, said vacancy has been properly posted, as per union agreement, for a period of ten (10) working days, and

Item No. 12 cont'd

WHEREAS, there exists a Town Senior Clerk Permanent Promotion Civil Service List, established January 26, 1981, and which is still in effect, NOW, THEREFORE, BE IT

RESOLVED that Joan M. Szymanski, presently a Clerk in the Assessor's Office, and whose name appears on the Town Senior Clerk Permanent Promotion Civil Service List, be and hereby is promoted to the position of "Senior Clerk" in the Assessor's Office; said appointment effective immediately, and at a salary in accordance with that established in the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association.

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 Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Diane Siwatek, Clerk Stenographer, has requested a maternity leave of absence from her position in the Engineering Department for a period of approximately three (3) months, to commence on April 28, 1983, NOW, THEREFORE, BE IT

RESOLVED that Diane Swiatek be and hereby is granted a maternity leave of absence in accordance with the applicable maternity leave laws.

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 Swiatek

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of a "Clerk Typist" position in the Assessor's Office, and

WEHREAS, the Erie County Department of Personnel has approved the creation of the above position, NOW, THEREFORE, BE IT

RESOLVED that a "Clerk Typist" position in the Assessor's Office be and hereby is created, and BE IT FURTHER

RESOLVED that the vacant position of "Clerk" in the Assessor's Office, 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. 15 Hiring of seasonal employees
This item was withdrawn.

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

RESOLVED that the following individuals who have been previously hired as seasonal employees, be and hereby are terminated:

Eugene L. Pierce - effective April 8, 1983

Item No. 16 cont'd

John Kremblas	- effective April 15, 1983
Paul Hockwater	- effective April 15, 1983
Joseph Denzel	- effective April 15, 1983
Edward Hamerski	- effective April 15, 1983

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 W.P. Rogowski, seconded by Supervisor Meyers

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 2, 1983 through May 13, 1983 hereby is designated Clean-Up, Paint-Up, Fix-Up Week in the Town of Cheektowaga, and BE IT

FURTHER RESOLVED that appropriate posters of said Clean-Up, Paint-Up, 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

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

WHEREAS, C.I.R. Electrical Construction Corporation has submitted Requisition No. 10 in the amount of \$12,235.00 representing the retention for Electrical Work covered by the Contract Documents pertaining to the Senior Citizens Center, and

WHEREAS, Frederick D. Marzak, Architects, PC has reviewed and approved said Contractor's application for final payment, date of acceptance for work completed, Contractor's Affidavit of Release of Liens, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby authorizes final payment of \$12,235.00 to C.I.R. Electrical Construction Corporation, 1067 Harlem Road, Buffalo, New York 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. 19 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga will sponsor a Polish-American Arts Festival August 19th to August 21st in Cheektowaga Town Park, and

WHEREAS, the Festival is being held in recognition of the achievements and contributions of Polish-Americans to this nation's cultural and artistic

Item No. 19 cont'd

enrichment, and

WHEREAS, the Town of Cheektowaga wishes to engage the services of various performing artists to present performances during the Festival, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign all agreements, on behalf of the Town of Cheektowaga, necessary to secure the services of various performing artists for the Polish-American Arts Festival in accordance with the Polish Festival line Item No. 01-007550-4-0-4374-001, of the approved 1983 Town Budget.

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 Idylwoods Monarchs, a senior citizen and pre-retirement club have chosen May 21 and 22, 1983 as the weekend to sponsor an Ethnic Festival at the Idylwoods Apartments Complex at 101 Slate Creek Drive in the Town, and

WHEREAS, the Idylwoods Monarchs, as part of their Ethnic Festival will be sponsoring a parade, commencing at 10:00 A.M., on Saturday, May 21st, and

WHEREAS, the parade route will begin at the parking lot of the Garden Village Plaza, proceed east on French Road and end at the Idylwoods Apartment Complex, NOW, THEREFORE, BE IT

RESOLVED that for purposes of pedestrian and vehicular safety, the Chief of Police is hereby authorized and directed to arrange for necessary traffic safety and escort services for the aforesaid parade and, to insure compliance with the Vehicle and Traffic Law, provide conspicuous detour signs to prevent traffic delay on French 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. 21 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town Board of the Town of Cheektowaga has previously adopted a Zoning Ordinance and amendments thereto wherein business and other identification signs are regulated within the boundaries of the Town, and

WHEREAS, the Town Board is interested in receiving comments and recommendations from the Cheektowaga business community concerning the Town's present sign regulations, with a view towards making the Town's sign regulations comprehensive yet fair to the business community, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby requests the Cheektowaga Chamber of Commerce to review the various provisions of the Zoning Ordinance of the Town of Cheektowaga pertaining to signs and to make any and all recommendations to the Town Board that they feel would be fair to the businesses of the Town and to the community as a whole.

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 Johnson, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga and the Villages of Sloan, Depew and Williamsville are eligible to receive \$1,019,000.00 in Community Development Block Grant Funds for fiscal year 1983-84, and

WHEREAS, a public hearing regarding use of said funds was held on February 7, 1983 and where the concensus expressed was that said Community Development Block Grant funds be utilized for basic community needs, those including continued neighborhood and housing improvements, industrial development to spur new job development and flood relief projects in the Town's and Villages' designated Neighborhood Improvement Areas, and

WHEREAS, such use of Community Development Block Grant funds, as proposed in the 1983-84 Community Development Block Grant Application, will serve to principally benefit low and moderate income residents pursuant to the goals of the Housing and Community Development Act of 1974, as amended, and its governing Rules and Regulations by eliminating neighborhood housing and infrastructure deterioration, revitalizing neighborhoods occupied principally by low and moderate income households and creating new job opportunities for area residents, NOW, THEREFORE, BE IT

RESOLVED that the proposed 1983-84 Community Development Block Grant Application for \$1,019,000, which incorporates the attached project allocation of Community Development Block Grant funds, be and hereby is approved and authorization hereby given to the Town Supervisor to submit said Application to the U.S. Department of Housing and Urban Development.

* NOTE - Copy of project allocation of Community Development Block Grant funds on next page.

TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
1983-84

<u>Target Area/Activity</u>	<u>Amount</u>
Cedargrove Heights	\$ 291,000
Beach Road	181,000
Walden Avenue	60,000
Industrial Development	125,000
Housing Rehabilitation	90,000
Supplementary Activities	34,500
(Housing Assistance Center, In-Home Support Services, Weatherization)	
Village of Depew	111,738
Village of Sloan	31,830
Administration	38,000
Planning	25,000
Contingency	30,932
TOTAL	<u>\$1,019,000</u>

Item No. 22 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. 23 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, a resolution was passed by the Town Board, its February 7, 1983 Board meeting approving Change Order No. 3 for the Beach Road, Phase II project in the amount of \$12,598.92, representing an addition of \$13,481.74 for sanitary sewer work associated with said project and a deduct of \$884.82 for the Beach Road, Phase II project, and

WHEREAS, the Beach Road, Phase II project is funded with Community Development Block Grant funds, and

WHEREAS, it is more appropriate to authorize payment for work on sanitary sewers to the appropriate sanitary sewer district budget, NOW, THEREFORE, BE IT

RESOLVED that the Resolution passed by the Town Board at its February 7, 1983 Board Meeting approving Change Order No. 3 for the Beach Road Project, Phase II, be and hereby is amended to approve a deduct to the Beach Road, Phase II project contract with Knab Brothers, Inc. in the amount of \$884.82, and BE IT FURTHER

RESOLVED that payment in the amount of \$13,481.74 for sanitary sewer work performed in relation to the Beach Road, Phase II project be and hereby is authorized from the WWFR Remedial Program line item of the Sewer District No. 5 budget (Account No. 02-508125-4-0-4543-001).

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 Johnson, seconded by Councilman Dux

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

WHEREAS, the Town Community Development Director has received applications for assistance under said program and has determined that the owner(s) 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 amount(s) listed below, are hereby approved for the owner(s) of the property listed below:

295 River Street - \$425.00
Depew

and BE IT FURTHER

Item No. 24 cont'd

RESOLVED that Community Development Housing Rehabilitation grant funds, in the amount listed below, are hereby authorized for the owner of the property listed below:

2 Shelby Drive - \$2,000.00

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: 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 connect five (5) lumen post-top high pressure sodium fixtures at an energy and lamp rate of \$3.45 each, on Thornwood Drive in the Town of Cheektowaga, for an annual increase in the Town's General Lighting District of \$157.25, and BE IT FURTHER

RESOLVED that the fixtures, 18-foot standards and conductors which have been supplied and installed by the developer shall be owned and maintained by the Town of Cheektowaga; and the connections, energy and lamp bulb replacements shall be supplied, owned, and maintained by New York State Electric & Gas Corporation, and BE IT FURTHER

RESOLVED that above said authorization shall be in accordance with the attached proposal which is hereby made a part of this resolution.

* See next two (2) pages for proposal.

April 14, 1983

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
COATESWORTH SUBDIVISION, PART 10, PHASE II

THORNWOOD DRIVE

Connect 5 - 5200 lumen post top high pressure sodium

Energy & lamp bulb rate @ \$31.45 ea.....\$157.25

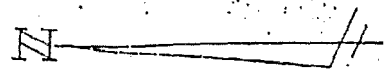
(see attached sketch)

TOTAL ANNUAL INCREASE \$157.25

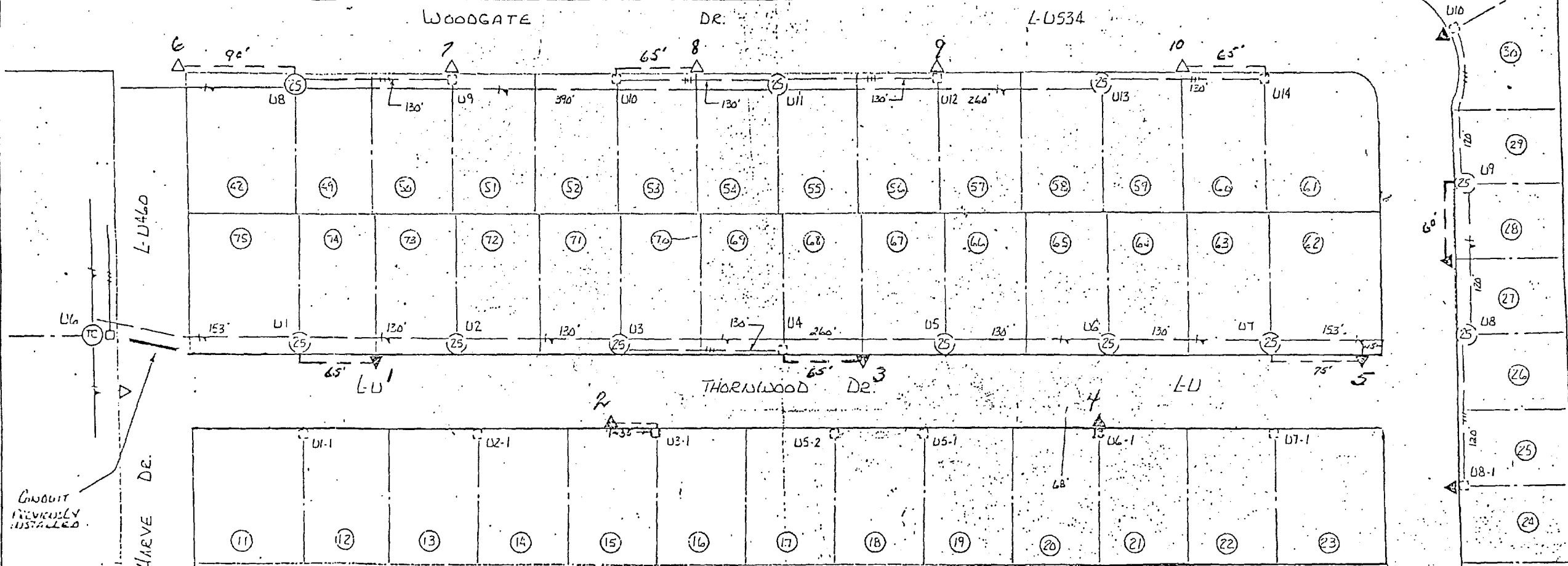
Fixtures, 18-ft. standards, and conductors have been supplied and installed by developer; to be owned and maintained by the Town of Cheektowaga

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

NEW YORK STATE ELECTRIC & GAS CORPORATION



- ⊙ TRANSFORMER
- HANDHOLE
- △ STREET LIGHT PROPOSED IN PHASE I (PROPOSAL DATED 10/2/79)
- ▲ PROPOSED STREET LIGHT
- PROPOSED UNDERGROUND STREET LIGHT CONDUIT



NEW YORK STATE ELECTRIC & GAS CORP.

CORTESWORTH SUBDIVISION PHASE II
 WOODGATE AND THORNWOOD DRS.
 CHEETOWN, TN
 STREET LIGHT LAYOUT
 DR. DRE. IN. CK.

REV. NO.	DATE	DESCRIPTION	MADE BY	CK. BY	APP. BY	SCALE	DATE	FILE NO.
						5' = 10' R.A.		D.

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 W.P. Rogowski

BE IT RESOLVED that New York State Electric & Gas Corporation be
nad hereby is authorized to install 1 - 24700 lumen high pressure sodium light
and 1 - 22' bracket on Harlem Road, Pole No. 28, in the Town of Cheektowaga, at
an annual increase to the General Lighting District of \$142,65, in accordance
with the attached proposal which is hereby made a part of this Resolution.

* See next page for Proposal

April 14, 1983

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

HARLEM ROAD

Install 1 - 24700 lumen HPS light @ \$125.65-----\$125.65
(P-28)

Install 1 - 22' bracket @\$17.00 ea.----- 17.00

TOTAL ANNUAL INCREASE----- \$142.65

Light to be installed to the east which will put the light about
15' west of the west curb of Stradtman Street

NEW YORK STATE ELECTRIC & GAS CORPORATION

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.

GENERAL FUND

From: 1640.4447 (Central Garage-Collision Repairs)	\$ 700.00
To: 1640.2304 (Central Garage-Pick-Up Truck)	700.00

SPECIAL DISTRICT FUND

From: 508125.4543 (S.D. No. 5-WWFR Remedial)	\$ 6,000.00
To: 548135.4546 (Plant No. 5-Demolition)	6,000.00

HIGHWAY FUND

From: 055141-1203 (Highway-Working Foreman)	\$21,000.00
To: 055141-1201 (Highway-General Foreman)	21,000.00

FEDERAL REVENUE SHARING FUND

From: 8540.4009 (Federal Revenue Sharing-Drainage)	\$ 3,000.00
To: 8540.4584 (Transit Rd.-Drainage Tributary Improve.)	3,000.00

COMMUNITY DEVELOPMENT FUND

From: 1982-83 (Contingency)	33.00
To: 1982-83 (Industrial Development)	33.00
From: 1982-83 (Architectural Barriers-Depew)	5,000.00
To: 1982-83 (Drainage Study-Depew)	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. 28 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 18, 1983 are hereby approved and the Supervisor is ordered to pay said warrants.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$120,644.97
SPECIAL DIST. FUND	50,646.48
HIGHWAY FUND	29,185.18
FEDERAL REVENUE SHARING FUND	300.00
TRUST AND AGENCY FUND	6,971.29
PART TONW FUND	621.60
SPECIAL ASSESSMENT FUND	955.35
DEBT SERVICE FUND	496,731.25
HUD REHABILITATION FUNDS	9,168.17

Item No. 28 cont'd

CAPITAL FUND

\$ 79,044.00

\$794,268.29

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 29 Dr. Louis A. Vendetti, Town Health Officer - Health report for
March, 1983
Received and Filed.

Item No. 30 Cheektowaga Public Library Board - Minutes of March, 1983 meeting
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 31 Town of Hamburg: Copy of resolution regarding support for creation
of County side rating agency
Copies were sent to: Kenneth J. Meyers, Supervisor; Council
Secretary; William Wielinski, Accounting, James Kirisits, Town
Attorney.
Received and Filed.

Item No. 32 Cheektowaga Baseball, Inc., Board of Directors: Request to speak
regarding assistance for Youth.
Copies were sent to: Kenneth J. Meyers, Supervisor, Council
Secretary; Mike Miecznikowski, Recreation Director.
Received and Filed.

Item No. 33 Notice of Claim - Gregory & Donna Yungbluth vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits,
Town Attorney; E.T. Clauss, Insurance Carrier; Thomas Johnson,
Councilman; Alfred Wnek, Highway Superintendent.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Johnson, seconded by Councilman J.V. 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. 34 Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, by resolution dated November 1, 1982 this Town Board
requested the New York State Legislature to draft and approve home rule legislation
which would permit municipalities collecting taxes for the County of Erie to retain
all interest earned on the collections of such real property taxes received for
the County, and

Item No. 34 cont'd

WHEREAS, on November 18, 1982, the Erie County Legislature adopted a similar resolution, and

WHEREAS, members of the Western New York State Legislature have responded to these requests by introducing legislation, known as S.2717 and A.3515, which reads as follows:

"The People of the State of New York, represented in Senate and Assembly do enact as follows:

Section 1. Notwithstanding any inconsistent provision of law, receivers of taxes and assessments in towns in the county of Erie who deposit county taxes in interest bearing accounts shall be entitled to transfer the interest attributable to the deposit of such county taxes to the Town general fund for use for Town purposes.

§ 2. This act shall take effect immediately."

NOW, THEREFORE, BE IT RESOLVED that the Town of Cheektowaga hereby memorializes the New York State Legislature to enact Senate Bill 2717 and Assembly Bill 3515 entitled:

"An ACT in relation to authorizing receivers of taxes and assessments in towns in Erie County to retain interest earned on deposits of County taxes."

and BE IT FURTHER

RESOLVED that certified copies of this resolution be forwarded to State Senator Dale Volker and Assemblyman Dennis Gorski and to the Chairman of the Erie County Legislature.

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 Supervisor Meyers

WHEREAS, the Cheektowaga Community Development Corporation has been established for the purpose of carrying out strategies to attract new industrial development in the Town of Cheektowaga, thereby creating new job opportunities for Town residents and expanding the Town's tax base, and

WHEREAS, the President of the Cheektowaga Community Development Corporation has made a request to the Town's Community Development Director for a modest grant of \$1,000 to be used for operational expenses, and

WHEREAS, the Community Development Director has informed the Town Board that funds may be made available for such purposes and has recommended approval of said request for \$1,000.00, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to enter into agreement with the Cheektowaga Community Development Corporation for purposes of providing said Corporation with a grant of \$1,000.00 of Community Development Block Grant funds, AND BE IT FURTHER

RESOLVED that the sum of \$1,000 be transferred from the 1981-82 Community Development Block Grant Contingency account to the 1981-82 C.D.B.G. Economic Development Account for the purpose of disbursing said 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. 36 Motion by Councilman J.V. Rogowski, seconded by Councilman Jaworowicz to adjourn the meeting until Wednesday, April 20, 1983 at 6:00 P.M., for three (3) items; in memory of Democratic Town Committman, Edward H. Simmons.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 20th day of April, 1983 at 6:00 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT: Councilman Frank E. Swiatek

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; and Alfred Wnek, Highway Superintendent.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Dux, seconded by Supervisor Meyers

RESOLVED that the Supervisor is hereby authorized to execute the attached agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said agreement representing the 1983-85 contract between both parties.

*SEE NEXT PAGES FOR COPY OF AGREEMENT.

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA EMPLOYEES' ASSOCIATION

In order to establish a successor agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association, for the contract period January 1, 1983 through December 31, 1985, the parties agree to adopt the existing agreement between the parties, except for the following modifications:

- 1) Article 3 shall be amended by adding
Section 3.06 - Job Security to read as follows:

"The Board agrees that for the life of this agreement, permanent employees covered by this agreement will not decrease below 235 employees."

- 2) Amend Article 5, Section 5.02 - Work Week,
by adding to Paragraph d) the following:

". . . Which permits their shifts to

end after a minimum of four (4) hours
with the completion of their assigned
routes or districts."

3) Amend Article 5, Section 5.04 - Work Day,
as follows:

Add "Scheduled" between consecutive and
hours.

4) Amend Article 6, Section 6.01 - Holidays
Observed and Recognized as follows:

Delete: December 31

Add: January 2

"A lieu day for January 2, 1983 is
agreed upon between the parties."

5) Amend Article 8, by adding Section 8.04 -
Sick Bank to read as follows:

"The Town will agree to add the above
section into the Collective Bargaining Agree-
ment. The Sick Bank will be non-contributory
by the Town of Cheektowaga and will be con-
trolled solely by the Association. Participat-
ing employees may contribute up to two (2) days
per year."

6) Amend Article 14, Health Insurance, by
adding a new Paragraph (g) as follows:

"Beginning January 1, 1983, the Town will
provide, at no cost to the employee, Blue Cross

and Blue Shield Rider #16, and an Optical Plan known as Blue Cross/Blue Shield HSI-Option 2 to become effective upon ratification. Effective January 1, 1984, the Town will provide Blue Cross Rider #14."

7) Amend Article 14 by adding a new Paragraph (h) to read as follows:

"The Town will have the right to eliminate duplicate coverage on the same plans commonly known as 82-83. The Town will provide riders provided in Article 14 provided that such riders are not duplicate."

8) Amend Article 15, Section 15.01(a) to read as follows:

"The wage schedule in Appendix "B" and "D" shall be increased as follows:

1983 - \$700.00

1984 - 5%

1985 - 5%"

9) Amend Article 15 - Wages, by deleting Section 15.01(c).

10) Amend Article 17, Section 17.02 - Probationary Employees, as follows:

Delete: ". . . six (6) months . . ."

Add: "Ninety (90) days."

11) Amend Article 18, Section 18.01 - Promotions,
by adding a new Paragraph (i) to read as follows:

"The job classification "General Mechanic"
in the Facilities Department and "Sewer Maintenance"
in the Sewer Department do not constitute
a promotional opportunity under this Article."

12) Amend Article 23 - Contracting-Sub-Contracting
of Public Work, to read as follows:

"During the term of this agreement, the
Board shall not contract or sub-contract any
public work performed by employees covered by
this Agreement."

13) Add a new Article entitled Health and Welfare
Fund, to read as follows:

"The Town shall contribute the amount of
\$6,000.00 to the Association's Health and Wel-
fare Fund in 1983, 1984, and 1985. This money
shall be paid within 30 days of the ratification
of this agreement and in the month of January
in the years of 1984, and 1985."

14) Amend Article 28 - Termination and Modifi-
cation, to read as follows:


"This agreement shall become effective
the first day of January, 1983 and continue
in full force and effect until midnight Decem-
ber 31, 1985, and from year to year thereafter
unless on or before July 1st prior to any ex-
piration date either party shall notify the
other in writing of its intent to negotiate
for the succeeding year. The parties shall
meet no later than fifteen (15) days after
such notice is given."

15) Delete Section 25.03.

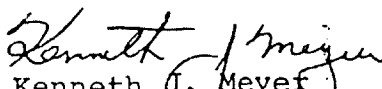
IT IS AGREED BY AND BETWEEN THE PARTIES THAT ANY PROVISION OF THIS AGREEMENT REQUIRING LEGISLATIVE ACTION TO PERMIT ITS IMPLEMENTATION BY AMENDMENT OF LAW OR BY PROVIDING THE ADDITIONAL FUNDS THEREFORE, SHALL NOT BECOME EFFECTIVE UNTIL THE APPROPRIATE LEGISLATIVE BODY HAS GIVEN APPROVAL.

IN WITNESS WHEREOF, the parties have set their hands this 15th day of April, 1983.

Town of Cheektowaga Employees' Association


s/ Edward A. Kowal
President

Town of Cheektowaga


s/ Kenneth J. Meyer
Town Supervisor

KJM

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA EMPLOYEES' ASSOCIATION

It is agreed between the Board and the Association that on the ratification of the attached agreement, that the posting of one (1) Maintenance Man, and one (1) General Mechanic, the jobs will be filled according to Article 18.

It is also understood between the parties that upon the retirement of the Clerk Typist in the Building Inspector's office, the position will be eliminated.

It is also understood between the parties that upon the ratification of the attached agreement the Sub Contracting-Contract in the Senior Citizens' Center will be terminated.

It is also agreed that the Association will withdraw any court proceedings against the Town, dealing with

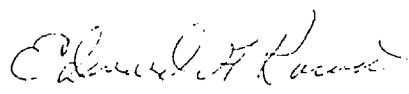
No. 10

No. 11

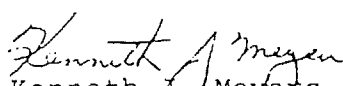
No. 12

part-time, seasonal and temporary employees with prejudice.

Town of Cheektowaga Employees'
Association


s/ Edward A. Kowal
President

Town of Cheektowaga


s/ Kenneth J. Meyers
Town Supervisor

Item No. 2 Cont'd.

Upon roll call.....

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

Item No. 3 Motion by Supervisor Meyers, seconded by Councilman W. P. Rogowski

RESOLVED that the following individuals are hereby hired as Seasonal Trainees at the rate of \$3.10 per hour in various departments, as needed:

FACILITIES

Ronald Kasprzak
John Wiercioch
Eugene L. Pierce
Harry Rogalski
Steven Dranger
Anthony Wiles
John S. Grandillo
Timothy Szarpa
Joseph M. Spina
Steven P. Greene
Wayne Jendrasik
John Slisz
David Wyzykowski
David M. Stevens
John A. Domino, Jr.
Paul Pysikiewicz
John Fenske
Lawrence Poturalski
Joseph Ruhlmann
Daniel Mahoney
Alan Glogowski

SEWER MAINTENANCE

John Kremblas
Richard Majtyka
Norman Anderson
Michael J. Haas
Donald E. Szalasny

SANITATION

Jack Szczepanik
Vincent Lume
Robert Karalus
Richard Cycon
Richard C. Slisz
Bernard J. Wojtkowiak

LIGHTING

Eugene Ruczkowski
Gary Garbacz

Upon roll call.....

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

Item No. 4 Motion by Supervisor Meyers, seconded by Councilman J. V. Rogowski

WHEREAS, the Erie County Department of Personnel has, based on the request of the Cheektowaga Police Department, scheduled Lieutenants' Promotional Examinations every two years since 1976, and

WHEREAS, a Lieutenants Promotional Examination (#76-370) was held on October 16, 1982, and the Erie County Department of Personnel established the list for this exam on January 18, 1983, and

WHEREAS, the Erie County Department of Personnel, contrary to past practice and also contrary to Section 56 of the Civil Service Law of the State of New York, has declared that the 1980 list (#70-240) will supercede the newer 1983 list (#76-370), and

WHEREAS, the Town of Cheektowaga as a means to ensure that the most capable persons are promoted to lieutenant, feels that the most recent list, the 1982 list, should supercede the older outdated 1980 list, NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney's Office be and hereby is authorized to take whatever action it deems necessary to convince the Erie County Department of Personnel to certify and use the 1982 list for the purpose of filling the position of Lieutenant.

Upon roll call.....

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

NAYES: 0

ABSENT: Councilman Swiatek

Item No. 5 Motion by Councilman J. V. Rogowski, seconded by Councilman Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of May, 1983 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; Al Thrun, Representative of Cheektowaga Traffic Safety Commission; Louis A. Vendetti, M.D., Town's Health Officer; Alfred Wnek, Highway Superintendent; Patricia Wojcik, Recreation Supervisor, Senior Citizens; Bernard Wojtkowiak, Mayor of Sloan; and Ronald Zoeller, Foreman, Sanitation Department.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Johnson, 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 16th day of May, 1983 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 5th day of May, 1983; 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 Cheektowaga on the 16th day of May, 1983, at 7:00 P.M., Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 103 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations as specified.

B. Standing prohibited in designated areas:

CRESTWOOD PLACE

-

west side from the north curb-
line of Genesee Street to a
point 140 feet northerly there-
from

Item No. 2 Cont'd.

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

RICHARD M. MOLESKI
Town Clerk

* * * * *

Upon roll call.....

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

*SEE AFFIDAVIT ON NEXT PAGE.

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

Mildred C. Williams, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Office Manager of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication May 5, 1983;
last publication May 5, 1983;
and that no more than six days intervened be-
tween publications.

Mildred C. Williams

Sworn to before me this 6

day of May, 1983

George F. Pfeiffer

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

GEORGE F. PFEIFFER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

LEGAL NOTICE

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Cheektowaga on the 16th day of May 1983 at 7:00 P.M. Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping
Section 103 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations as specified.

B. Standing prohibited in designated areas:

CRESTWOOD PLACE: west side from the north curbline of Genesee Street to a point 140 feet northerly therefrom.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: May 5, 1983

Item No. 3 Motion by Councilman J. V. Rogowski, seconded by Supervisor Meyers

WHEREAS, the Cheektowaga Town Board has retained the firm of Frederick D. Marzak, PC through previous resolution to prepare plans and specifications for construction of a Library Director's Office, and

WHEREAS, said Library Director's Office is to be constructed at the Reinstein Library, 2580 Harlem Road, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish an Invitation to Bid for the construction of a Library Director's Office as per the following item:

General Construction Work

and BE IT FURTHER

RESOLVED that the Project Manual, including Specifications and Drawings may be examined and copies thereof may be obtained at the office of Frederick D. Marzak, Architects, P.C. 3371 Genesee Street, Cheektowaga, New York 14225, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 16th day of May, 1983 at 11:00 A.M., Eastern Daylight Saving Time at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* * * * *

INVITATION TO BID

LIBRARY DIRECTORS OFFICE

ANNA M. REINSTEIN LIBRARY

You are invited to bid on the following contract for construction of a Library Directors Office at the Anna M. Reinstein Library on Harlem Road in the Town of Cheektowaga, New York, described in general as follows:

General Construction Work

The Owner shall receive sealed proposals from qualified bidders for the above named Contract, until:

11:00 A.M. Local Time
Monday, May 16, 1983

at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, at which time said proposals shall be publicly opened and read aloud.

The proposed Contract Documents may be examined at the office of Frederick D. Marzak Architects, 3374 Genesee Street, Cheektowaga, New York 14225.

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 \$10.00 deposit, which is completely refundable if returned to the Architect within fifteen days after bid opening.
2. Non-bidders deposit shall be forfeited.

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

The maximum amount budgeted for this project is \$8,600.00.

RICHARD M. MOLESKI
Town Clerk

* * * * *

Item No. 3 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.

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

Roseline C. Williams, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Office Manager of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....May 5, 1983.....;
last publication.....May 5, 1983.....;
and that no more than six days intervened be-
tween publications.

Roseline C. Williams

Sworn to before me this 5.....

day of May, 1983

George F. Pfeiffer

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

GEORGE F. PFEIFFER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

**LEGAL NOTICE
INVITATION TO BID
LIBRARY DIRECTORS
OFFICE
ANNA M. REINSTEIN
LIBRARY**

You are invited to bid on the following contract for construction of a Library Directors Office at the Anna M. Reinstein Library on Harlem Road in the Town of Cheektowaga, New York, described in general as follows:
General Construction Work

The Owner shall receive sealed proposals from qualified bidders for the above named Contract, until: 11:00 A.M. Local Time Monday, May 16, 1983 at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, at which time said proposals shall be publicly opened and read aloud.

The proposed Contract Documents may be examined at the office of Frederick D. Marzak Architects, 3374 Genesee Street, Cheektowaga, New York 14225.

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 \$10.00 deposit, which is completely refundable if returned to the Architect within fifteen days after bid opening.

2. Non-bidders deposit shall be forfeited.

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

The maximum amount budgeted for this project is \$8,600.00

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: May 5, 1983

Item No. 4 Motion by Councilman Swiatek, seconded by Councilman Dux

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 May 5, 1983 issue of the TIMES

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 11:00 a.m. on Monday, May 16, 1983, and

BE IT FURTHER

RESOLVED, that the Cheektowaga Town Clerk is hereby designated to publicly open and read said sealed bid proposals at 11:00 a.m. on Monday, May 16, 1983.

* * * * *

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 11:00 a.m. Eastern Daylight Savings Time, on Monday, May 16, 1983, for the furnishing of Dimensional Lumber for the Town of Cheektowaga for the year 1983.

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

* * * * *

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.

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

Mardine C. Williams, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Office Manager of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication May 5, 1983 ;
last publication May 5, 1983 ;
and that no more than six days intervened be-
tween publications.

Mardine C. Williams

Sworn to before me this 6

day of May, 1983

George F. Pfeiffer

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

GEORGE F. PFEIFFER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

LEGAL NOTICE

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 11:00 a.m. Eastern Daylight Savings Time, on Monday, May 16, 1983, for the furnishing of Dimensional Lumber for the Town of Cheektowaga for the year 1983.

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

PUBLISHED: May 5, 1983

Item No. 5 Motion by Councilman Swiatek, seconded by Councilman W. P. Rogowski

WHEREAS, the Town of Cheektowaga is sponsoring a summer day camp for handicapped children ("Camp Crabapple") at the Cheektowaga Town Park from July 5, 1983 to August 12, 1983, and

WHEREAS, it is necessary that bus transportation be provided to transport these handicapped children to and from Camp Crabapple, 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 5, 1983 to August 12, 1983; said Notice shall be published in the May 5, 1983 issue of the CHEEKTOWAGA TIMES, 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 11:00 a.m. on Monday, May 16, 1983, and BE IT FURTHER

RESOLVED, that the Cheektowaga Town Clerk is hereby designated to publicly open and read said sealed bid proposals at 11:00 a.m. on Monday, May 16, 1983.

* * * * *

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 11:00 a.m. Eastern Daylight Time, on Monday, May 16, 1983, 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 (5) 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 5th, 1983 through August 12th, 1983, excluding Saturdays and Sundays.

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.

DATED: May 2, 1983

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.

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

Hardine C. Williams, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Office Manager of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....May 5, 1983.....;
last publication.....May 5, 1983.....;
and that no more than six days intervened be-
tween publications.

Hardine C. Williams

Sworn to before me this 6.....

day of May....., 1983

George F. Pfeiffer

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

GEORGE F. PFEIFFER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1984

**LEGAL NOTICE
NOTICE TO BIDDERS
PROPOSALS**

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York, until 11:00 a.m. Eastern Daylight Time, on Monday, May 16, 1983, 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 (5) 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 5th, 1983 through August 12th, 1983, excluding Saturdays and Sundays.

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: May 2, 1983
PUBLISHED: May 5, 1983

Item No. 6 Motion by Supervisor Meyers, seconded by Councilman W. P. Rogowski

WHEREAS, bids were received and opened on April 18, 1983, at 11:00 A.M. for the St. Stanislaus Cemetery Sanitary Sewer Relocation, AND

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

WHEREAS, said analysis, tabulation and report is submitted from the Town Engineer dated May 2, 1983 and is attached and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the St. Stanislaus Cemetery Sanitary Sewer Relocation Project be and hereby is awarded to Castricone Contractors, Inc., 105 Wagner Street, Sloan, New York 14212, at the total bid price for Bid Section A plus Bid Section B of \$109,582.00

*SEE NEXT TWO (2) PAGES FOR LETTER FROM TOWN ENGINEER CONTAINING ANALYSIS, TABULATION AND REPORT.



Town of Cheektowaga

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

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

May 2, 1983

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: St. Stanislaus Cemetery
Sanitary Sewer Relocation

Gentlemen:

On April 18, 1983 bids were received and opened at 11:00 A.M. by the Town Clerk for the re-routing of a Sanitary Sewer District No. 5 trunk sewer outside of the St. Stanislaus Cemetery property. This sewer will run south along Eggert Road and then easterly along the north side of the Kensington Expressway land.

Seventeen (17) bids were received and opened with the results being as follows:

	<u>Bid</u> <u>Section "A"</u>	<u>Bid</u> <u>Section "B"</u>	<u>Total</u>
Castricone Contractors, Inc.	\$ 64,658.00	\$ 45,789.00	\$110,447.00
Marin Excavating, Inc.	\$ 77,383.00	\$ 49,655.00	\$127,038.00
Seacoast Const. Corp.	\$ 83,292.50	\$ 59,400.00	\$142,692.50
Lebis Contracting, Inc.	\$ 83,637.00	\$ 62,784.00	\$146,421.00
H.T.J. and J. Const., Inc.	\$ 88,305.75	\$ 59,746.50	\$148,052.25
R. Caldwell Trenching & Excavating, Inc.	\$ 90,208.00	\$ 61,970.00	\$152,178.00
Accadia Enterprises, Inc.	\$ 89,424.00*	\$ 64,540.00	\$153,964.00*
Knab Brothers, Inc.	\$ 93,647.00	\$ 71,190.00	\$164,837.00
L.C.P. Construction Corp.	\$ 89,972.80	\$ 78,514.00	\$168,486.80
Site Contractors, Inc.	\$ 99,411.00	\$ 70,778.00	\$170,189.00
Cimato Brothers, Inc.	\$ 99,825.50	\$ 71,172.50	\$170,998.00
M.C. Morgan Contr., Inc.	\$113,536.70	\$ 59,935.40*	\$173,472.10*
Eval Earth Boring, Inc.	\$103,733.00	\$ 76,840.00	\$180,573.00
Beeline Construction, Inc.	\$111,272.50	\$ 73,221.00*	\$184,493.50*
Copece Contracting, Inc.	\$111,770.00	\$ 77,240.00	\$189,010.00
Freeway Contr. Co., Inc.	\$138,499.50	\$105,150.50	\$243,650.00
C.M.H. Co., Inc.	\$161,369.00	\$ 94,936.00	\$256,305.00
Engineer's Estimate	\$ 99,888.00	\$ 72,629.00	\$172,517.00

*Represents corrected figure

Town Board Members

May 2, 1983

Castricone Contractors do not have a history of performing sewer construction work. We met with the owners and were advised that they have the necessary construction equipment and manpower to perform this work. We have no basis for not awarding the contract to Castricone Contractors. As a condition of being awarded this contract, we are requiring that the contractor utilize lazer beam equipment for this pipe laying operation. The design grade is critical and we must have this type of control and assurance. The contractor does not own such equipment but will be required to either rent or purchase this type of equipment.

We are submitting a resolution for Town Board approval to award the contract to Castricone Contractors, Inc. as the lowest bidder and meeting the requirements of the specifications. It should be noted that the bid is being awarded in the amount of \$109,582.00. This is less than the total of separate bid items "A" and "B" since by awarding the contract for both "A" and "B" there is a deduction for work that is not needed if a job is awarded in its entirety instead of a separate contract.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

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 J. V. Rogowski, seconded by Councilman Jaworowicz

WHEREAS, bids were received and opened on April 18, 1983 at 11:00 A.M.
for electrical modifications at our Plant #5 site on Central Boulevard, AND

WHEREAS, the bids were referred to the Town Engineer for analysis, ta-
bulation and report, AND

WHEREAS, said analysis, tabulation and report is noted in a letter from
the Town Engineer dated April 28, 1983 and is attached and considered part of this re-
solution, NOW, THEREFORE, BE IT

RESOLVED, that the contract for electrical modifications at Plant #5
be awarded to Zablotny Electric, Inc., 1311 Walden Avenue, Cheektowaga, New York 14211
for submitting the lowest responsible bid in the total amount of \$16,940.00.

*SEE NEXT PAGE FOR LETTER FROM TOWN ENGINEER CONTAINING ANALYSIS, TABULATION AND REPORT.



Town of Cheektowaga

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

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

April 28, 1983

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

As part of our plan to demolish old structures and to improve facilities at Plant #5, bids were received and opened on April 18th for electrical modifications. The bid estimate for doing this work was \$25,000. Four (4) bids were received as follows:

<u>BIDDER</u>	<u>TOTAL BID</u>
Zablotny Electric, Inc.	\$16,940.00
Grand Island Electric	\$17,299.00.
Buffalo Electric	\$19,230.00
R. Spoth Electric	\$19,407.00

As part of this bid submission, the bidder was required to submit a deduct for salvaging of all electrical equipment in the old pump house. This was Bid Item #2 and included removal of controls, motors, transformers, switchgear, copper cable and any other salvageable electrical equipment. The three (3) lowest bidders allowed zero (0) credit for salvage. Obviously, the cost of removal of the electrical equipment would be greater than any salvage value. Since this equipment has no value, we intend to bury it in the rubble at such time that the old pump station is bid for demolition.

It is recommended that the bid be awarded to Zablotny Electric, Inc. for their bid price of \$16,940.00. This was the lowest bid, including salvage rights, meeting the requirements of our specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

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

CLB:dms

Item No. 7 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. 8 Motion by Supervisor Meyers, seconded by Councilman J. V. Rogowski

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of the position of "Senior Clerk Typist" in the Facilities Department, and

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

RESOLVED that the position of "Senior Clerk Typist" in the Facilities Department, 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. 9 Motion by Supervisor Meyers, seconded by Councilman J. V. Rogowski

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

WHEREAS, Marilyn E. Lew has had experience as a law clerk in the Town Attorney's Office in the past, NOW, THEREFORE, BE IT

RESOLVED, that Marilyn E. Lew of 78 Victoria Boulevard, Cheektowaga, New York, be and hereby is hired to work as a Law Clerk in the Town Attorney's Office at the rate of \$5.00 per hour, and BE IT FURTHER

RESOLVED, that the aforementioned hiring shall become effective May 31, 1983.

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 Swiatek

RESOLVED that the following individuals are hereby hired as Seasonal Trainees at the rate of \$3.10 per hour in various departments, as needed:

FACILITIES
Harry Rogalski
Stanley J. Olek
Willard F. Kratzke
Richard Floss

Steven Dranger
Anthony Wiles
Eric B. Burgess
Anthony Notaro

Item No. 10 Cont'd.

SANITATION

William Higley
Michael Walsh
Joseph James Fredricks

SEWER MAINTENANCE

Edward Hamerski
Paul Hockwater
David H. Myszka

CLERICAL - POLICE DEPARTMENT

Barbara Comfort

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 Swiatek

WHEREAS, Mr. Robert Sosnowski, employed in the Cheektowaga Facilities Department is enrolled in the United States Air Force Reserve, 914th Civil Engineering Flight Unit, AND

WHEREAS, Mr. Sosnowski has received order to report for Active Duty Training effective May 14, 1983 through May 28, 1983, AND

WHEREAS, employees are eligible for benefits under Sections 242 and 243 of the Military Law of the State of New York; are guaranteed such benefits in full accordance with the law, BE IT

RESOLVED, that the Cheektowaga Town Board approves said Military Leave for Mr. Robert Sosnowski, Cheektowaga, New York, 14211, for the period of May 14, 1983 through May 28, 1983.

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 Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga and the Cheektowaga Police Club, Inc., have tentatively agreed to amend the existing contract between the two parties regarding accumulated sick time upon retirement, NOW, THEREFORE, BE IT

RESOLVED that the amended language shall read as follows:

"It is agreed, between the Town of Cheektowaga and the Cheektowaga Police Club, Inc., that in addition to any other payments, between the parties, that insofar as accumulated sick leave or other accumulated time, standing to an officer's credit during the last sixteen months of employment, a police officer may elect to be reimbursed as follows:

1. An officer who intends to retire may notify the Town, in writing, of his intention to do so, at least sixteen months prior to retirement.

2. The salary of such officer, during the last fifteen months of employment, will be increased by a sum equal to the value of all such accumulated time, but not more than 20% over the salary he was paid during the year in which he declares his intention. The maximum increase of 20% shall be computed by excluding any salary increase granted under the collective bargaining agreement between the parties.

Item No. 12 Cont'd.

3. There shall be debited, from the officer's said accumulated time, first from accumulated sick leave and then from accumulated vacation (but not more than 42 days) and then from other accumulated time, standing to the officer's credit, a sufficient number of days, at the rate then provided, to equal the amount of salary increase which is granted, but not including any salary increase which has been granted under the collective bargaining agreement.

4. After such debit, all other accumulated time, standing to the officer's credit, shall be credited or paid pursuant to the collective bargaining agreement.

5. However, during the time that the above salary increase is in effect, all earned overtime-pay, court-pay, holiday-pay and training-pay shall be computed at the salary rate the Officer is entitled to receive under the collective bargaining agreement and shall not include the increase granted under this agreement.

6. In the event the intention or application to retire is withdrawn, the affected officer will give, immediately, written notice to the Town and will return to the Town a sum of money equal to the salary increase provided herein. Upon return of said sum of money all accumulated time, which has been debited, shall be credited to the officer and his salary will revert to the rate provided in the collective bargaining agreement.

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 Supervisor Meyers, seconded by Councilman J. V. Rogowski

WHEREAS, the Town of Cheektowaga, by resolution dated August 4, 1975, entered into an Agreement with the Erie County Department of Central Police Services for the provision of all data necessary to effective law enforcement made available to the Department of Central Police Services, and

WHEREAS, the Erie County Department of Central Police Services has recently agreed to lease to the Town computer equipment and to provide support services necessary for the Town to assess law enforcement data maintained or made available to the Department of Central Police Services in exchange for payment by the Town of charges for such services, and

WHEREAS, an Agreement concerning the use of computer equipment and the provision of support services by the Department of Central Police Services has been sent to the Town, and

WHEREAS, the Chief of Police of the Town of Cheektowaga has reviewed the aforesaid Agreement and finds such Agreement satisfactory, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute the attached Agreement between the Erie County Department of Central Police Services and the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to sign the attached Agreement on behalf of the Cheektowaga Police Department.

*SEE NEXT SIX (6) PAGES FOR COPY OF AGREEMENT.

RECEIVED

Richard M. Malacki Town Clerk

AGREEMENT FOR LEASE OF COMPUTER EQUIPMENT MAY 17 1983
AND SUPPORT SERVICES BETWEEN ERIE COUNTY A.M. P.M.
DEPARTMENT OF CENTRAL POLICE SERVICES AND 4/5/6
PARTICIPATING AGENCIES.

County of Erie, acting by and through the Erie County Department of Central Police Services hereinafter called "CPS", agrees to lease to the Town of Cheektowaga, hereinafter referred to as the "User Agency", computer equipment and to provide support services necessary for the User Agency to access all types of record data for law enforcement purposes including criminal offender record information as is available in the New York State Police Information Network (NYSPIN) and New York State Division of Criminal Justice Services (DCJS) files, and such computerized criminal history data as may become available through the National Crime Information Center (NCIC) and all other data necessary to effectuate law enforcement made available to CPS. It is understood by the parties hereto that this Agreement provides only for the furnishing by CPS to the User Agency of such computer equipment and support services as will enable the User Agency to access law enforcement record data maintained or made available to CPS and for the payment to CPS by the User Agency of the agreed upon charges for such computer equipment and support services. It is further understood that CPS will not

provide such data to the User Agency, and the User Agency shall have no right to access such data through CPS, unless and until the parties hereto have entered into a separate "Use and Dissemination Agreement" relating to the security, privacy, use and dissemination of such data.

I. Term of Agreement

This Agreement shall become effective when fully executed by both parties hereto and shall continue in force until and unless terminated in accordance with Section VIII of this Agreement.

II. Equipment and Support Services Provided

CPS agrees to provide the User Agency for its exclusive use, one (1) Video UTS 400 Slave Station or equivalent. It is understood by the parties hereto that, as between CPS and the User Agency, title to the equipment is and at all times shall remain with CPS. CPS further agrees to provide necessary support services including maintenance service, user documentation, training, equipment supplies, and computer related telephone lines and linkage to the CPS computer.

III. Charges for Equipment and Support Services

CPS agrees to invoice, and the User Agency agrees to pay all charges on a quarterly basis commencing upon the

installation of the equipment. During the first year of this Agreement following installation, the User Agency agrees to pay CPS the sum of One Thousand Five Hundred Dollars (\$1,500.00) for equipment and services. CPS agrees to notify the User Agency in writing of any increase in charges at least sixty (60) days prior to the effective date of such increase.

IV. Executory Clause

It is understood by and between the parties hereto that this Agreement shall be deemed executory to the extent of the monies available to the County and no liability on account thereof shall be incurred by the County beyond monies available for the purpose thereof.

V. Defense and Indemnification

The User Agency agrees to defend, hold harmless, and indemnify the County of Erie, its departments, agents, officers and employees from and against any and all costs, expenses and claims arising from work performed, material handled, and services rendered.

VI. Repair and Replacement

The User Agency agrees to provide for the repair or replacement of the equipment referred to herein in the event the said equipment is lost, destroyed or damaged while

possessed or used by the said User Agency. Possession by the said Agency shall include delivery by the County to the freight carrier and shall end with return delivery to and acceptance by the County.

VII. Employees of User Agencies

In connection with use by Central Police Services of any officers or employees of the User Agency either full or part time, or of any persons subject to the primary direction of the User Agency, to assist in providing of services to the User Agency, these persons shall be regarded as employees of the User Agency for all purposes including but not limited to workmen's compensation claims or other claims or benefits incidental to employment. Also, such described personnel of the User Agency attending or performing duties in connection with courses of training offered by Central Police Services shall continue to be regarded as employees of the User Agency.

VIII. Termination of Agreement

Either CPS or the User Agency may terminate this Agreement by giving the other party at least thirty (30) days prior written notice stating the termination date. Nothing herein shall be construed to impair the right of CPS to immediately suspend the provision of law enforcement record data to the User Agency in the event that either the

security and privacy or use and dissemination requirements, as contained in a separate "Use and Dissemination Agreement" between the parties hereto, are violated. CPS may remove the equipment at any time after the termination of this Agreement.

COUNTY OF ERIE

By Edward J. Rutkowski 5/16/83
Edward J. Rutkowski, Erie County Executive Date

Kenneth J. Meyer May 5, 1983
(Supervisor, Town of Cheektowaga) Date

APPROVED BY:

Stanley M. Bolas 5/9/83
Stanley M. Bolas, Commissioner Date
Erie County Department of Central Police Services

(to be signed if
user agency is a
police department) David McGovern 5/5/83
Date

POLICE CHIEF OF Town of Cheektowaga

APPROVED AS TO FORM:

George J. Linger 5-9-83
Assistant County Attorney Date

DOCUMENT No. 83-659-CP
DATE 5-9-83

AUTHORIZED BY ERIE COUNTY LEGISLATURE:

Item No. 12, Resolve No. 4; Meeting No. 12; Date: May 27, 1975

(Following to be completed if applicable and refers to date of resolution)

Authorized by Governing Body of Town of Cheektowaga 5/2/83
(Municipality) Date

*Please attach certified copy of Town Board Resolution.

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 Supervisor Meyers, seconded by Councilman J. V. Rogowski

WHEREAS, the County of Erie has submitted to the Town of Cheektowaga a snow and ice removal contract covering various highways in the Town for the 1982-83 season, and

WHEREAS, under said contract, the County has agreed to reimburse the Town for its costs in removing snow and ice from the various County highways at an annual rate of \$900.00 per lane mile, and

WHEREAS, the Town Superintendent of Highways and the Town Attorney's Office has reviewed the afore-mentioned contract and finds it to be acceptable to the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached contract between the Town and the County on behalf of the Town.

*SEE NEXT SEVEN (7) PAGES FOR COPY OF SNOW AND ICE REMOVAL CONTRACT.

THIS AGREEMENT, made and entered into as of the 1st day of November, 1982, by and between the COUNTY OF ERIE, a municipal corporation organized under the Laws of the State of New York, maintaining its offices at 95 Franklin Street, Buffalo, New York, and the TOWN OF CHEEKTOWAGA, a municipal corporation of the State of New York in Erie County hereinafter referred to as MUNICIPALITY.

W I T N E S S E T H :

COUNTY OF ERIE — DEPARTMENT OF LAW

FIRST: The Municipality hereby agrees to remove snow, to sand, and to control ice and snow on certain County Roads, hereinafter defined; and, in implementing such removal and control, to erect and remove its own snow fences where it deems desirable, all at an annual rate and for the agreed consideration of NINE HUNDRED DOLLARS (\$900.00) per Lane Mile.

SECOND: A "Lane Mile" hereunder is defined as a portion of any County Road identified on Exhibits A and B, attached hereto and hereby made a part hereof, which is one mile long and of sufficient width to allow the safe passage of an automobile. Shoulders, median strips and short widened sections designed for intersection turning lanes shall not be considered in the calculation of the number of Lane Miles to be maintained under this Agreement. All County Roads shall be considered to be at least two lanes wide for such purposes. The number of Lane Miles for which

compensation shall be paid hereunder is as set forth on Exhibit A.

THIRD: The schedule and map of County Roads which are affected by this Agreement are attached hereto and marked Exhibit A and Exhibit B respectively.

FOURTH: The Municipality hereby agrees to indemnify and hold harmless the County of Erie from all claims, demands, suits and judgments for personal injury or property damage arising out of the performance of the Municipality's obligations under this Agreement. The Municipality further agrees to maintain insurance coverage during the term of this Agreement and submit certificates of insurance in accordance with Exhibit C attached hereto. In lieu thereof, the Municipality may furnish satisfactory evidence of self-insurance plan acceptable to the Erie County Director of Insurance and the Erie County Attorney.

FIFTH: The term of this Agreement shall be for a period beginning on the 1st day of November, 1982 through August 31, 1983, and shall include the entire 1982-1983 winter season.

SIXTH: This Agreement is made pursuant to resolution of the Erie County Legislature adopted January 6, 1983, being Item Resolution , Resolve of the 1983 Legislative Proceedings, and pursuant to a resolution of the Legislative Board of the undersigned municipality, adopted at a Meeting of said Board on May 2, 1983 .

THIS AGREEMENT, made and entered into as of the 1st day of November, 1982, by and between the COUNTY OF ERIE, a municipal corporation organized under the Laws of the State of New York, maintaining its offices at 95 Franklin Street, Buffalo, New York, and the TOWN OF CHEEKTOWAGA, a municipal corporation of the State of New York in Erie County hereinafter referred to as MUNICIPALITY.

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compensation shall be paid hereunder is as set forth on Exhibit A.

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W I T N E S S E T H :

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SECOND: A "Lane Mile" hereunder is defined as a portion of any County Road identified on Exhibits A and B, attached hereto and hereby made a part hereof, which is one mile long and of sufficient width to allow the safe passage of an automobile. Shoulders, median strips and short widened sections designed for intersection turning lanes shall not be considered in the calculation of the number of Lane Miles to be maintained under this Agreement. All County Roads shall be considered to be at least two lanes wide for such purposes. The number of Lane Miles for which

compensation shall be paid hereunder is as set forth on Exhibit A.

THIRD: The schedule and map of County Roads which are affected by this Agreement are attached hereto and marked Exhibit A and Exhibit B respectively.

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FIFTH: The term of this Agreement shall be for a period beginning on the 1st day of November, 1982 through August 31, 1983, and shall include the entire 1982-1983 winter season.

SIXTH: This Agreement is made pursuant to resolution of the Erie County Legislature adopted January 6, 1983, being Item Resolution , Resolve of the 1983 Legislative Proceedings, and pursuant to a resolution of the Legislative Board of the undersigned municipality, adopted at a Meeting of said Board on May 2, 1983 .

COUNTY OF ERIE — DEPARTMENT OF LAW

*Has been OK'd
just awaiting signatures
from Erie County
2/3/84*

COUNTY OF ERIE

By _____
EDWARD J. RUTKOWSKI
Erie County Executive

TOWN OF CHEEKTOWAGA

By *Dermuth J. Meyer*
Its Supervisor

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Deputy Commissioner-Highways
Erie County Dept. of
Public Works

Assistant County Attorney
DATE:
DOC. NO.: 83-124-PW

EXHIBIT "A"

TOWN OF CHEEKTOWAGA

SNOW REMOVAL ON COUNTY ROADS

<u>R. No.</u>	<u>Name</u>	<u>Miles</u>	<u>Lane Miles</u>
21	Losson	2.91	5.82
153	Bennett	0.76	1.52
153A	Rowley	1.32	2.64
165	Cayuga Creek	1.59	3.18
193	Delavan	0.34	0.68
194	Maryvale	0.57	1.14
311	Sugar	0.48	0.96
315	Dingens	0.71	2.84
316	George Urban	0.79	1.58
316	George Urban	2.87	11.48
317	Dick	1.50	6.00
319	Indian	0.07	0.14
321	French	2.97	11.88
322	Borden	2.65	5.30
532	Como Park	2.94	5.88
M201	Eggert	0.58	1.16
Total Miles		<u>23.05</u>	<u>62.20</u>

EXHIBIT "B"

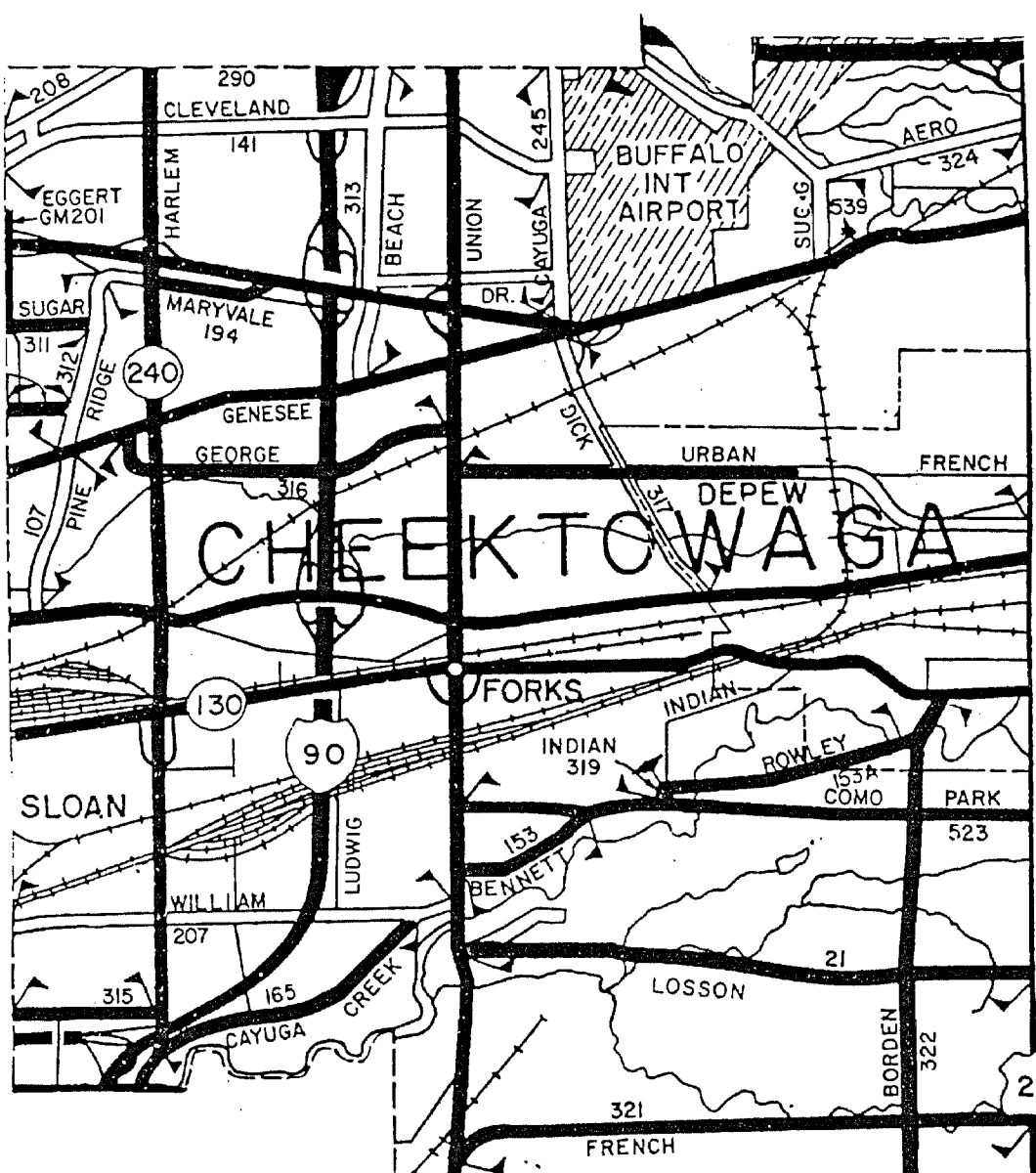




EXHIBIT IC
Rev. 1-83

EXHIBIT C
Erie County Standard Insurance Certificate



This certificate does not amend, extend or alter the coverages afforded by the standard form policies listed below.

I Insured: Name <u>Town of Cheektowaga</u> Address <u>Broadway and Union Road</u> Zip <u>Cheektowaga, New York 14227</u> Phone No. <u>686 3434</u>		III Companies Affording Coverages <u>A Northern Insurance Co. of New York</u> <u>B</u> <u>C</u> <u>D</u>
II Issuing Agency: Name <u>Joseph J. Naples and Assoc., Inc.</u> Address <u>490 Delaware Avenue</u> Zip <u>Buffalo, New York 14202</u> Phone No. <u>882 6909</u>		

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

Indicate Type of Insurance By Checking the Box		Policy Number	Expiration Date	Limits of Liability in Thousands				
				Check The Box	Each Occurrence	Aggregate		
COMPANY LETTER from III above A	1. General Liability <input checked="" type="checkbox"/> Comprehensive Form <input checked="" type="checkbox"/> Premises and Operations <input checked="" type="checkbox"/> Products/Completed Operations <input checked="" type="checkbox"/> Independent Contractors <input checked="" type="checkbox"/> Contractual <input checked="" type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Broad Form Property Damage <input checked="" type="checkbox"/> Explosion, Collapse <input checked="" type="checkbox"/> Underground Hazard	CB57802037	3-30-84	<input checked="" type="checkbox"/> Bodily Injury Property Damage OR <input type="checkbox"/> Combined Single Limit *Additional Limits in Umbrella.	\$500 250*	\$500 250*		
	2. Automobile Liability <input type="checkbox"/> Comprehensive Form OR <input type="checkbox"/> Schedule Form <input type="checkbox"/> owned <input type="checkbox"/> hired <input type="checkbox"/> non-owned			<input type="checkbox"/> Bodily Injury Property Damage OR <input type="checkbox"/> Combined Single Limit				
	3. Excess Liability <input type="checkbox"/> Umbrella Form OR other than umbrella <input type="checkbox"/> auto <input type="checkbox"/> general <input type="checkbox"/> both			Bodily Injury & Property Damage Combined \$ _____ Self Insured Retention \$ _____				
	4. Worker's Compensation & Employer's Liability Disability Benefits			*	*	Statutory * Statutory		
	5. Other					*Town is approved Self-Insurer (Copy of approval sent to County of Erie 6-13-80).		

Erie County is included as an additional insured under the following Policy numbers: CB57802037

Description of Operations: It is understood that this coverage on behalf of the insured is for all locations in the County of Erie, State of New York

ACKNOWLEDGEMENT: Insurance companies providing these coverages acknowledge that the named insured is entering into a contract with the County of Erie, in which the named insured agrees to defend, hold harmless and indemnify the County, its officials, employees and volunteers against all claims resulting from work performed, material handled and services rendered. The Contractual Liability coverage evidenced above covers the liability assumed under the County - Contractor agreement.

Prior to non-renewal or cancellation of these policies, at least forty-five (45) days advance written notice shall be given to the Director of Insurance and the County Department requesting this Certificate, before such change shall be effective.

Name and Address of Certificate Holder & Recipient of Notice
County of Erie
Director of Insurance
95 Franklin Street - Room 1275
Buffalo, New York 14202
(716) 846-8340

Date Issued 4-28-83 mk

Auth. Representative Joseph J. Naples

Firm Name & Address JOSEPH J. NAPLES & ASSOCIATES, INC.
490 Delaware Avenue, Buffalo, New York 14202

FOR COUNTY USE ONLY: Name of County Dept. Requesting Certificate Senior Services & Public Works
Purchase Order or Contract Number _____
Vendor Insurance Classification A

EXHIBIT IC
Rev. 1-83

Erie County Standard Insurance Certificate

This certificate does not amend, extend or alter the coverages afforded by the standard form policies listed below.

I Insured: Name: Town of Cheektowaga Address: Broadway & Union Road Zip: Cheektowaga, New York 14222 Phone No. 716 686 3400	III Companies Affording Coverages
	A Insurance Company of North America
	B Pacific Employers Insurance Company
	C
II Insuring Agency: Name: E. T. Clauss & Co., Inc. Address: 735 Delaware Avenue Zip: Buffalo, New York 14209 Phone No. 716 886 6600	D

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

Indicate Type of Insurance By Checking the Box	Policy Number	Expiration Date	Limits of Liability in Thousands		
			Check The Box	Each Occurrence	Aggregate
COMPANY LETTER from III above 1. General Liability <input type="checkbox"/> Comprehensive Form <input type="checkbox"/> Premises and Operations <input type="checkbox"/> Products/Completed Operations <input type="checkbox"/> Independent Contractors <input type="checkbox"/> Contractual <input type="checkbox"/> Personal Injury <input type="checkbox"/> Broad Form Property Damage <input type="checkbox"/> Explosion, Collapse <input type="checkbox"/> Underground Hazard			<input type="checkbox"/> Bodily Injury Property Damage OR <input type="checkbox"/> Combined Single Limit		
A 2. Automobile Liability <input checked="" type="checkbox"/> Comprehensive Form OR <input type="checkbox"/> Schedule Form <input type="checkbox"/> owned <input type="checkbox"/> hired <input type="checkbox"/> non-owned	CAL-467245	3/30/84	<input type="checkbox"/> Bodily Injury Property Damage OR <input checked="" type="checkbox"/> Combined Single Limit	1,000	
B 3. Excess Liability <input checked="" type="checkbox"/> Umbrella Form OR other than umbrella <input type="checkbox"/> auto <input type="checkbox"/> general <input type="checkbox"/> both	XMO-010443	3/30/84	Bodily Injury & Property Damage Combined \$ 2,000 Self Insured Retention \$ 10		
4. Worker's Compensation & Employer's Liability Disability Benefits	Town if approved self-insurer		Statutory Statutory		
5. Other					

Erie County is included as an additional insured under the following Policy numbers: Indemnification per 4/30/83 letter for snow removal contract and nutrition contract.

Description of Operations: It is understood that this coverage on behalf of the Insured is for all locations in the County of Erie, State of New York

ACKNOWLEDGEMENT: Insurance companies providing these coverages acknowledge that the named insured is entering into a contract with the County of Erie, in which the named insured agrees to defend, hold harmless and indemnify the County, its officials, employees and volunteers against all claims resulting from work performed, material handled and services rendered. The Contractual Liability coverage evidenced above covers the liability assumed under the County - Contractor agreement.

Prior to non-renewal or cancellation of these policies, at least forty-five (45) days advance written notice shall be given to the Director of Insurance and the County Department requesting this Certificate, before such change shall be effective.

Name and Address of Certificate Holder & Recipient of Notice
County of Erie
Director of Insurance
95 Franklin Street - Room 1275
Buffalo, New York 14202
(716) 846-8340

Date Issued 5/3/83 BG
Auth. Representative [Signature]
Firm Name & Address E. T. Clauss & Co., Inc.
735 Delaware Ave., Buffalo, N. Y. 14209

FOR COUNTY USE ONLY: Name of County Dept. Requesting Certificate _____
Purchase Order or Contract Number _____
Vendor Insurance Classification _____

AGREEMENT

between

COUNTY OF ERIE

and

TOWN OF CHEEKTOWAGA

DATED: November 1, 1982

EUGENE F. PIGOTT, JR.
ATTORNEY FOR COUNTY OF ERIE
69 DELAWARE AVENUE - SUITE 300
BUFFALO, NEW YORK 14202

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 Johnson

WHEREAS, Cheektowaga Cablevision, Inc. d/b/a/ International Cable has made application to the Town of Cheektowaga for renewal of its existing cable television franchise, and

WHEREAS, after reasonable notice to the public and International Cable, a public hearing concerning the aforesaid franchise renewal was duly held on the 18th day of April, 1983, at which time all interested parties were afforded the opportunity to be heard and participate in the hearing and did so, and

WHEREAS, after further review of the technical ability, financial condition, character, qualifications and performance of International Cable, the Town Board of the Town of Cheektowaga has determined that it would be in the best interests of the Town and its residents to grant International Cable a renewal of its franchise, and

WHEREAS, the Town and International Cable have negotiated a non-exclusive Franchise Agreement which is both advantageous and fair to the Town, and

WHEREAS, such Franchise Agreement complies fully with Section 595.1 of Subtitle R of the New York Code of Rules and Regulations concerning cable television and otherwise fulfills the needs of the Town with respect to cable television, NOW, THEREFORE, BE IT

RESOLVED, that the attached Agreement known as the "Town of Cheektowaga Cable Television Franchise Agreement", be and hereby is approved by this Town Board, and BE IT FURTHER

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

*SEE NEXT EIGHTEEN (18) PAGES FOR COPY OF TOWN OF CHEEKTOWAGA CABLE TELEVISION FRANCHISE AGREEMENT.

RECEIVED
Richard M. Moleski, Town Clerk

MAY 9 1983
A.M. 6/7/8/9/10/11/12/1/2/3/4/5/6 P.M.

AGREEMENT

THIS AGREEMENT made and entered into as of this _____ day of _____, 1983 by and between the TOWN OF CHEEKTOWAGA, a municipal corporation duly organized under the laws of the State of New York having an office and place of business at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, County of Erie and State of New York, and CHEEKTOWAGA CABLEVISION, INC., d/b/a INTERNATIONAL CABLE, a corporation organized and existing under the laws of the State of New York with its principal office located at 789 Indian Church Road, West Seneca, New York, hereinafter referred to as the "Corporation".

W I T N E S S E T H:

WHEREAS, application has been duly made to the Town of Cheektowaga by said Corporation for renewal of its existing franchise agreement which grants the right to construct, operate and maintain towers, buildings, poles, wires and other apparatus constituting a cable television system on, through, along, under and over the streets and other public places of the said Town of Cheektowaga, New York; and

WHEREAS, the Corporation has fully performed and is in compliance with all of the terms, conditions and obligations of its present franchise agreement; and

WHEREAS, the Corporation has represented that it will rebuild its system to the extent necessary to enable it to continue to provide superior service to the residents of the Town; and

WHEREAS, the Town Board has duly convened and heard such application in a public proceeding affording due process and has concluded that the Corporation's technical ability, financial condition, and character are satisfactory and that its plans for rebuilding and operating the system are adequate and feasible.

WHEREAS, the Town of Cheektowaga through its Town Board has adopted a resolution on May 2, 1983 authorizing the execution of this Agreement,

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree as follows:

(a) That the Corporation is granted the nonexclusive right to construct on, through, along, under and over the streets, highways and other public places of the Town of Cheektowaga, New York, outside of the Villages of Sloan and Depew, a distribution system for the said cable television service which system is to include, but not necessarily to be limited to, a line or lines of wire, cables, or other conductors, together with all necessary feeders or service wires, poles and other attachments, devices or apparatus necessary to or usually used in connection with such a

system; to maintain and keep said system in proper condition after its construction; and to operate said system in the usual and customary manner.

(b) That this franchise includes the right for the Corporation to make such contracts as it deems necessary and proper and is able to negotiate with those public utilities and service corporations already holding franchises from and in the said Town of Cheektowaga, New York, permitting it to use the existing utility poles and facilities for its installation and to erect any necessary poles and facilities for its own exclusive use.

(c) That this franchise complies with the standards established by the New York State Commission on Cable Television.

(d) That this grant and privilege is made upon the terms and conditions hereinafter set forth.

SECTION 1 - SHORT TITLE

This franchise shall be known and may be cited as the "Town of Cheektowaga Cable Television Franchise."

SECTION 2 - DEFINITIONS

For the purpose of this franchise the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future;

words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(A) "Municipality" is the Town of Cheektowaga in Erie County in the State of New York.

(B) "Board" is the Town Board of the Town of Cheektowaga.

(C) "Town of Cheektowaga" shall mean the Town of Cheektowaga, excluding the Villages of Sloan and Depew.

(D) "Corporation" is the grantee of rights under this franchise and is known as Cheektowaga Cablevision, Inc. d/b/a International Cable.

(E) "FCC" is the Federal Communications Commission; Washington, D.C. 20554.

(F) "NYSCCT" is the New York State Commission on Cable Television, Albany, New York 12223.

(G) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

(H) "Cable television system" or "CATV system" shall mean a system of towers, antennas, waveguides, cables, wires or any other conductors, converters, equipment or facilities, designed and constructed for the purpose of producing, receiving, amplifying and distributing television and radio signals and other electronic impulses primarily by wire or cable to subscribing members of the public who pay for such service.

(I) "Basic service" shall consist of the signals of those television broadcast stations which are entitled to mandatory carriage on the cable television system pursuant to Rules and Regulations of the FCC.

(J) "Access channel" shall mean an individual channel containing locally generated educational and public service programming of interest to the community,

(K) "Premium channel(s)" shall mean specialized services such as Home Box Office and/or other premium entertainment services that may be made available by the Corporation.

(L) "Optional channel(s)" shall mean such other channel or channels, not included in basic service, which may be made available by the Corporation at an additional charge on an optional basis.

SECTION 3 - CONSTRUCTION STANDARDS

(A) All work performed in the construction, operation, maintenance and repair of the system shall be performed in a safe, thorough and reliable manner using materials of good and durable quality. All construction, including installation, shall conform to all applicable federal and state laws and regulations, ordinances, local laws and regulations and the National Electric Safety Code. The Corporation shall provide to the Municipality, on

request, all maps, plans and specifications as to proposed installations and shall keep the Municipality informed as to any proposed changes or alterations in same.

(B) Any Municipal property damaged or destroyed by Corporation shall be repaired or replaced by Corporation and restored to serviceable condition to the reasonable satisfaction of the Municipality.

(C) The Corporation shall have the authority to trim trees, upon and overhanging all streets, alleys, easements, sidewalks and other public places so as to prevent the branches of such trees from coming into contact with the facilities of the Corporation.

(D) The Corporation shall, upon 72 hours advance written notice, from any Person holding an appropriate permit issued by the Municipality, temporarily raise or lower its lines to permit the moving of any building or structure. The actual expense of such temporary removal shall be paid by the person requesting the same and the Corporation shall have the right to require payment in advance for such temporary removal.

SECTION 4 - CONSTRUCTION SCHEDULE AND LINE EXTENSION POLICY

(A) Within three months of the effective date of the renewal of its franchise agreement the Corporation shall have commenced a comprehensive rehabilitation and upgrade of

its present cable television facilities to the extent necessary to ensure the continued delivery of high quality service. Such rebuild shall consist of approximately 85 miles of trunk cable and 170 miles of distribution cable passing 21,000 homes in the Town at an approximate cost of not less than \$2,000,000.00 and shall be completed as expeditiously as possible.

(B) The Corporation presently provides service throughout the Town of Cheektowaga as described in Attachment A hereto, which shall constitute the system's Primary Service Area and will continue to offer service pursuant to Section 595(b) of the Rules of the NYSCCT.

(C) The Corporation will make service available pursuant to the following line extension policy:

(1) Cable television service will be provided to all residents of the Town who are located within 150 feet of aerial feeder cable or who reside in an area containing at least 35 homes per linear mile of cable and the installation charge for such subscriber shall not exceed that specified in this agreement.

(2) Service will be provided to residents in areas with less than 35 homes per linear mile who are willing to contribute to the cost of construction in accordance with the following formula:

$$\frac{C}{LE} - \frac{CA}{P} = SC$$

Where C equals cost of construction of new plant;

CA equals the average cost of construction per mile in the primary service area;

P equals 35 homes per mile;

LE equals number of dwelling units requesting service in the line extension area; and

SC equals subscriber contribution in aid of construction outside basic service area.

(3) This formula shall be used for each line extension outside the basic service area for a period of five years from the date of completion of the particular line extension. During the five year period a pro-rata refund shall be paid to previous subscribers as new subscribers are added to the particular line extension; the refunds shall be determined by recomputation of the formula each time a new subscriber is added. The refunds shall be paid annually to subscribers, or former subscribers, entitled to receive them. If, within five years from the date of completion of the line extension the number of homes passed equals or exceeds 35 homes per linear mile, all installation funds collected in excess of the installation

charged in the basic service area shall be returned to each subscriber who has made a contribution in aid of construction in the affected line extension area.

SECTION 5 - LOCAL PROGRAMMING

(A) As required by Section 595.4 of the Rules of the NYSCCT, the Corporation shall provide suitable channel capacity and facilities to the State of New York, the Town of Cheektowaga, local educational institutions and members of the general public for educational and public services programming, municipal services and local expression.

(B) One channel shall be made available for access programming and a studio with such facilities as may reasonably be necessary to record and transmit television programming will be made available; such facilities to be located within the geographic area served by the cable television system. No charge shall be made for channel time utilized to provide access programming.

(C) The Corporation shall be responsible for the operation and administration of the access channel and facilities and shall establish appropriate rules regarding access channel use.

(D) The Corporation shall provide notice to each subscriber, at intervals of not less than one year, as to

the availability of the access channel and studio facility and shall provide the name, address and telephone number of the appropriate person to be contacted.

SECTION 6 - EDUCATIONAL INSTALLATIONS

A single outlet for basic service will be furnished free of charge, upon request, for each public school designated by the Municipality which is within 150 feet of energized cable plant and can be reached by a normal subscriber drop. Additional outlets will be billed at the regular rates. The cost of nonstandard installations as described in the Corporation's schedule of rates and charges will be quoted prior to installation and shall not exceed limits established by the NYSCCT.

SECTION 7 - INDEMNIFICATION AND INSURANCE

The Corporation shall at all times defend, indemnify and save harmless the said Town of Cheektowaga, New York and members of the Town Board, the Superintendent of Highways, and their officers and employees from and against any and all actions, suits, damages, costs, charges and expenses by reason of the location, maintenance and operation of the said system in any of the Town streets, highways or other public places, or by reason of any act done or omitted to be done in connection with the operations in the Town of Cheektowaga by the Corporation.

The Corporation shall at all times maintain in continuous effect the following minimum insurance:

<u>Coverages Required</u>	<u>Limits Required</u>
A. 1. Workers' Compensation 2. Employer's Liability	New York Statutory \$100,000 Each Accident
B. Comprehensive General Liability, including Personal Injury, Products-Completed Operations and Contractual Liability Bodily Injury and Personal Injury Property Damage (Explosion, Collapse and Underground Hazard exclusions shall be deleted)	\$1,000,000 Each Occur/ Aggregate \$ 500,000 Each Occur/ Aggregate
C. Automobile Liability for all Owned, Non-owned and Hired Autos Bodily Injury and Property Damage Combined	 \$1,000,000 Each Occurrence
D. Libel and Allied Torts Liability for Cable TV Operators	\$1,000,000 Aggregate

The Town of Cheektowaga, its public officials, and employees are to be included as Additional Insureds in Coverages B, C, and D above.

A Certificate for the above required Coverages and Limits shall be submitted to the Supervisor's Office, Insurance Department, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, upon the execution of this Agreement and prior to the expiration date of any insurance.

The Certificates shall provide at least thirty (30) days advance written notice of cancellation, reduction, or non-renewal of coverage.

The Municipality reserves the right to increase the above-stated insurance coverage requirements, as it deems necessary based on changes in insurance laws, regulations and local conditions; provided however, that such action by the Municipality shall be reasonable.

SECTION 8 - FRANCHISE FEE

The Corporation shall remit semi-annually to the said Town of Cheektowaga two and three-quarters per cent (2-3/4%) of its gross revenues, excluding installation charges, per semi-annual period attributable to its operations in the Town of Cheektowaga.

The aforesaid payments shall be made to the Town of Cheektowaga, without demand, on the 15th day of January and the 15th day of July of each year. The Corporation shall keep an accurate record of its gross revenues during the six-month period preceding the aforesaid payments and submit said record to the Town of Cheektowaga along with its payment.

The Corporation shall at all times keep its books and records open for inspection, upon reasonable notice, to the duly authorized officials or agents of the Town of Cheektowaga.

SECTION 9 - RATES AND CHARGES

(A) A schedule of the rates and charges currently imposed by the Corporation is set forth in Attachment B to

this agreement and is incorporated herein by reference.

(B) The Corporation shall not, except under extraordinary circumstances, apply for an increase in basic service rates for a period of two years from the effective date of this agreement. Thereafter, if the Corporation desires an increase in basic service rates, it shall submit its proposed increased rate schedule to the Town Board for its approval.

(C) Although rates and charges for most Premium and Optional channels cannot currently be regulated by the Town, should the Federal or State government or the courts decide, in the future, that the Town may regulate the rates or charges for such channels, the Corporation shall request permission from the Town Board to increase its rates for such channels.

SECTION 10 - COMPLAINT PROCEDURES

The Corporation shall maintain a business office or agent in the local area, reachable by a toll-free telephone call, for the purpose of receiving and resolving all complaints regarding the quality of service, equipment malfunctions and similar matters. The Corporation shall give notice to each subscriber at the time of initial installation and at least once each year thereafter of the established complaint procedures, that is, the address and telephone number of the person or persons to who inquiries or complaints are to be addressed.

The Municipality appoints its Building Inspector as responsible for implementation of the complaint procedures and continuing administration of the franchise.

SECTION 11 - DISCRIMINATION PROHIBITED

The Corporation shall not refuse to hire or employ, nor bar or discharge from employment, nor discriminate against any person in compensation or in terms, conditions or privileges of employment because of age, race, creed, color, national origin or sex.

SECTION 12 - ABANDONMENT OF SERVICE

The Corporation shall not abandon any service or any portion thereof without the written consent of the Municipality.

SECTION 13 - BOOKS AND RECORDS

The Municipality reserves the right to inspect all pertinent books, records, maps, plans, financial statements and other like materials of the Corporation, upon reasonable notice and during regular business hours.

SECTION 14 - RESERVATION OF RIGHTS

The Municipality reserves the right to adopt, in addition to the provisions contained in the franchise agreement and existing applicable ordinances, such additional regulations as it shall find necessary in the exer-

No. 11

No. 12

cise of its police power; provided, however, that such regulations shall be reasonable and not materially in conflict with the rights and privileges granted in the franchise.

SECTION 15 - ADDITIONAL APPROVALS

The terms of this franchise agreement are subject to the approval of the NYSCCT. The Corporation shall submit its application for all necessary operating authorization within 60 days of the effective date of this renewal agreement.

SECTION 16 - DURATION AND RENEWAL

This agreement shall remain in full force and effect for a period of eleven (11) years from the effective date hereof and shall thereafter be subject to renewal in accordance with the rules and procedures of the NYSCCT.

SECTION 17 - SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this franchise agreement is for any reason held invalid by any court or agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the franchise agreement.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their duly authorized officers on the date first herein written above.

TOWN OF CHEEKTOWAGA

By: Kenneth J. Meyer
Supervisor

CHEEKTOWAGA CABLEVISION, INC.

By: W. H. Field
President

ATTACHMENT A

Map of Service Area .

On File in Town Clerk's Office

No. 11

No. 12

ATTACHMENT B

Rate Schedule

A) Standard Installation Charges:

1st set, with HBO	\$25.00
1st set, with SUPERCABLE	\$40.00
Senior Citizens	No Charge
Additional Sets	\$10.00

Non-Standard Installations: Cost plus 10%

B) Monthly Cable Service:

Domestic	\$ 8.50
Commercial	\$17.00
Each Additional Outlet	\$ 1.50

C) Reconnect Charge: \$15.00

D) Premium Services, Monthly (For Informational Purposes only)

Home Box Office	\$12.00
SUPERCABLE Descrambler/Decoder	\$ 3.50
The Movie Channel	\$10.00
Cinemax	\$ 7.50
The Adult Connection	\$ 7.00
The Sports Connection	\$ 2.00
The Family Connection	\$ 2.00

E) Studio Production:

Color	\$75.00 per hour
Black and White	\$50.00 per hour

The above charges include International Cable's equipment and personnel

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 Johnson

WHEREAS, South Line Fire Company, Inc. will be holding its annual Fireman's Memorial Communion Breakfast on Sunday, May 15, 1983 at St. Phillip's Roman Catholic Church on Losson Road in the Town, and

WHEREAS, South Line Fire Company, Inc., prior to such breakfast, will be sponsoring a small parade commencing at 8:30 a.m. at John C. Stiglmeier Park and ending at St. Phillip's Roman Catholic Church, and

WHEREAS, South Line Fire Company, Inc. has requested permission from the Town Board to use a portion of John C. Stiglmeier Park from 7:00 a.m. to 12:00 p.m. on May 15, 1983 for purposes of assembling the aforesaid parade and for possible parking of Fire Department apparatus, and

WHEREAS, South Line Fire Company, Inc. has also requested permission to use the Stiglmeier Park Community Center from 7:00 a.m. to 8:30 a.m. for the purpose of providing coffee, etc. to the participants in the parade, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby grants permission to the South Line Fire Company, Inc. to use a portion of John C. Stiglmeier Park for assembling their parade and for parking their apparatus, provided they do not interfere with other residents using the park, and BE IT FURTHER

RESOLVED, that the South Line Fire Company, Inc. be and hereby is authorized to use the Stiglmeier Park Community Center for serving coffee, etc. to the participants in the parade, and BE IT FURTHER

RESOLVED, that for purposes of pedestrian and vehicular safety, the Chief of Police be authorized and directed to arrange for necessary traffic safety and escort services for the aforesaid parade and, to insure compliance with the Vehicle and Traffic Law, provide conspicuous detour signs to prevent traffic delay on 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. 17 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on property located to the South end of parking lot at 3755 Union Road, Cheektowaga, New York S.B.L. # 102.02-2-1 & S.B.L. # 102.02-2-2 and according to the Assessor's Office is owned by Aero Drive-In Incorporated, 3755 Union Road, Cheektowaga, New York 14225

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 and all costs incurred be assessed against the landowner hereinbefore described.

Item No. 17 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. 18 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:	8540.4009 (Erosion Control and Drainage)	\$3,000.00
To:	8540.4585 (Scajaquada Creek Erosion Control)	\$3,000.00

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

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 Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to May 2nd, 1983 are hereby approved and the SUPERVISOR is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	\$ 78,515.23
SPECIAL DISTRICT FUND	105,990.27
HIGHWAY FUND	17,206.94
FEDERAL REVENUE SHARING FUND	768.00
TRUST AND AGENCY FUND	6,208.79
PART TOWN FUND	1,259.84
CAPITAL FUND	34,298.80
HUD-CDBG FUND	2,458.64
HUD-NPP	1,460.00
HUD REHABILITATION FUND	1,560.00
	<u>\$ 249,726.51</u>

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. 20 Building Permits
Received and filed.

Item No. 21 Cheektowaga Planning Board: Minutes of March meeting.
Received and filed.

III. GENERAL COMMUNICATIONS

Item No. 22 Mrs. Judy Miranda: Request to speak regarding conditions at Kelly Park.
Received and filed.

Item No. 23 Notice of Claim: Carol A. Grohmann vs. Town of Cheektowaga.
Received and filed.

Item No. 24 Notice of Claim: Mr. and Mrs. Frank Colangelo vs. Town of Cheektowaga.
Received and filed.

Item No. 25 Notice of Claim: Sentry Insurance vs. Town of Cheektowaga.
Received and filed.

Item No. 26 Notice of Claim: Raymond J. Wachowiak vs. Town of Cheektowaga.
Received and filed.

* * * * *

Motion by Councilman J. V. Rogowski, seconded by Councilman Johnson 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

* * * * *

IV. SUSPENSION OF RULES

Item No. 27 Approval of Change Order No. 6 for Electrical and Instrumentation Con-
tracts 3E and 3F for Sewer District No. 5 Main Pump Station Project.

Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, there is need to extend contracts 3E and 3F for the Sewer Dis-
trict No. 5 Main Pump Station Project, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 6 of the Electrical and Instrumentation
Contracts 3E and 3F of Ferguson Electric Construction Co., Inc., 333 Ellicott Street,
Buffalo, New York 14203, as an extension of the contract to June 30, 1983 at no addition-
al cost in order to complete punch list items as noted in the letter of the Town Engineer
dated May 2, 1983 be approved and, BE IT FURTHER

RESOLVED, that this Town Board, acting as the Board of Managers of Sewer
District No. 5, directs and authorizes the Supervisor to sign said Change Order No. 6
on behalf of Sewer District No. 5.

*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

May 2, 1983

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Main Pump Station
Change Order - Electrical Contract

Gentlemen:

We are submitting for Town Board approval Change Order No. 6 for Contracts No. 3E and 3F (Electrical and Instrumentation) on our Main Pump Station Project.

This change, at no additional cost, calls for approval of a time extension to Ferguson Electric Construction Co., Inc. from November 30, 1982 to June 30, 1983.

The additional contract time is needed to correct an electrical equipment problem in the main distribution panel. More time is also needed for submittal and review of drawings and details of equipment for the Operation and Maintenance Manual. This added time will enable us to finalize and close out this contract.

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

No. 11

No. 12

Item No. 27 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. 28 Motion by Councilman J. V. Rogowski, seconded by Councilman Jaworowicz
to adjourn the meeting in memory of Supervisor Barbara Wicks of Hamburg, New York.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 16th day of May, 1983 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; James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; Julia Reinstein, Town Historian; Michael Miecznikowski, Recreation Director; Dr. Louis Vendetti, Town Health Officer; Ron Zoeller, Working Foreman in Sanitation Department; Chester Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; Pat Wojcik, Recreation Supervisor-Senior Citizens; Ron Marten, Building and Plumbing Inspector; Don Wegner, Chairman of the Zoning Board of Appeals; Ken Kopacz, Executive Director of Youth Bureau.

I. PUBLIC HEARING

Item No. 2 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 103 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations as specified.

B. Standing prohibited in designated areas:

CRESTWOOD PLACE - west side from the north curbline
of Genesee Street to a point 140
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.

II. RESOLUTIONS

Item No. 3 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has been notified by the United States Department of Housing and Urban Development that it is eligible to receive approximately \$219,000 under the Appropriations Act, commonly known as the Jobs Bill, and

WHEREAS, said funds will be administered through the 1983-84 Community Development Block Grant Program by the Department of Housing and Urban Development, and

WHEREAS, the basic objectives of this additional allocation of funds are to provide productive employment for jobless Americans; hasten or initiate Federal projects and construction; and provide humanitarian assistance to the indigent, and

WHEREAS, these basic objectives may be achieved through activities normally eligible under the existing Community Development Block Grant Program, and

WHEREAS, a public hearing must be held for the purpose of providing the public with information regarding eligible uses of said funds and to receive the views of Town residents regarding community development needs in the Town of Cheektowaga and the Villages of Depew and Sloan, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on Monday, June 6, 1983 at 6:30 P.M., in the Council Chambers at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, for the purpose of presenting information regarding the use of Appropriations Act funds which the Town is eligible to receive and to receive the views of Town residents regarding community development needs for which said funds may be used, and BE IT FURTHER

RESOLVED that the Town Clerk's Office hereby is directed to publish a notice of said hearing in the CHEEKTOWAGA TIMES on Thursday, May 26, 1983.

* * * * *

ATTENTION TOWN OF CHEEKTOWAGA RESIDENTS

PUBLIC HEARING

A public hearing regarding the use of Federal Community Development Block Grant funds in the Town of Cheektowaga and the Villages of Depew and Sloan will be held on Monday, June 6, 1983 at 6:30 P.M. at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

The Town of Cheektowaga, including the Villages of Depew and Sloan, is eligible to receive approximately \$219,000 under the Appropriations Act (commonly known as the Jobs Bill), which will be administered through the Department of Housing and Urban Development during the 1983-84 Community Development Block Grant Program year. Since these funds will be governed by the Community Development Block Grant regulations and requirements, each activity assisted with these funds must be an eligible activity under the Community Development program.

The purpose of the hearing is to present the public with information regarding the range of activities eligible for funding under the Community Development Block Grant Program and to provide Town residents with the opportunity to express their views on Housing and Community Development needs in the Town of Cheektowaga and the Villages of Sloan and Depew.

Jerome J. Gabryszak
Community Development Director
Published: May 26, 1983

* * * * *

Item No. 3 cont'd

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

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

Ann E. Mika....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....May 26, 1983.....;
last publication.....May 26, 1983.....;
and that no more than six days intervened be-
tween publications.

Ann E. Mika.....

Sworn to before me this27th.....

day ofMay....., 1983.....

.....Naidine C. Williams.....

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1985

**LEGAL NOTICE
ATTENTION TOWN OF
CHEEKTOWAGA RESIDENTS
PUBLIC HEARING**

A public hearing regarding the use of Federal Community Development Block Grant funds in the Town of Cheektowaga and the Villages of Depew and Sloan will be held on Monday, June 6, 1983 at 6:30 P.M. at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

The Town of Cheektowaga, including the Villages of Depew Sloan, is eligible to receive approximately \$219,000 under the Appropriations Act (commonly known as the Jobs Bill), which will be administered through the Department of Housing and Urban Development during the 1983-84 Community Development Block Grant Program year. Since these funds will be governed by the Community Development Block Grant regulations and requirements, each activity assisted with these funds must be an eligible activity under the Community Development program.

The purpose for the hearing is to present the public with information regarding the range of activities eligible for funding under the Community Development Block Grant Program and to provide Town residents with the opportunity to express their views on Housing and Community Development Needs in the Town of Cheektowaga and the Villages of Sloan and Depew.

**Jerome J. Gabryszak
Community Development
Director**

PUBLISHED: May 26, 1983

Item No. 4 Motion by Councilman Jaworowicz, seconded by Councilman J.V. 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 6th day of June, 1983 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 19th day of May, 1983; said amendment being set forth in the Notice of Hearing.

* * * * *

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 6th day of June, 1983 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 intersection designated shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CAMPBELL ROAD	East-west	Cut-through between Tudor Road and Campbell Road	Northbound	S.E. Corner

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CAMPBELL ROAD	East-west	Oak Road	Northbound	S.E. Corner
TUDOR ROAD	East-West	Oak Road	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations.

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

A. No parking this side or one side parking

BISMARCK STREET	South side	from the west curbline of Meadowbrook Parkway to the east curbline of Shanley Street
OAK ROAD	West side	from the south curbline of Campbell Road to the north curbline of Tudor Road.

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

RICHARD M. MOLESKI, Town Clerk

* * * * *

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

AFFIDAVIT - NEXT PAGE

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

Anne E. Mika, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication May 19, 1983 ;
last publication May 19, 1983 ;
and that no more than six days intervened be-
tween publications.

Anne E. Mika

Sworn to before me this 20th

day of May, 1983

Naidine C. Williams

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1985

**LEGAL NOTICE
NOTICE OF HEARING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 6th day of June, 1983, 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 intersection designated shall be amended by deleting therefrom the following:

Street: CAMPBELL ROAD;
Direction: East-West; Entrance Street: Cut-through between Tudor Road and Campbell Road; Traffic Stops: Northbound; Sign Location: S.E. Corner

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

Street: CAMPBELL ROAD;
Direction: East-west; Entrance Street: Oak Road; Traffic Stops: Northbound; Sign Location: S.E. Corner

Street: TUDOR ROAD; Direction: East-west; Entrance Street: Oak Road; Traffic Stops: Southbound; Sign Location: N.W. Corner

ARTICLE X

Parking, Standing and Stopping
Section 102. Parking prohibited in designated locations.

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

A. No parking this side or one side parking

BISMARCK STREET, South side, from the west curbline of Meadowbrook Parkway to the east curbline of Shanley Street.

OAK ROAD, West side, from the south curbline of Campbell Road to the north curbline of Tudor Road.

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

RICHARD M. MOLESKI
Town Clerk
PUBLISHED: May 19, 1983

Item No. 5 Motion by Councilman W.P. Rogowski, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a public bid opening held on May 2, 1983 for the purchase of a 1976 Caterpillar, D-3, Model WX-3000, Serial #2695, for use in the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed,
NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to the following bidder; said bidder being the lowest responsible bidder meeting specifications:

Alden Trucks, Ltd., 2731 Townline Rd., Alden, N.Y.
One (1) used Caterpillar D-3:

Price of Caterpillar D-3	\$16,000.00
Trade In, Used Allis-Chalmers	<u>- 3,000.00</u>
Total	\$13,000.00

Upon Roll Call....

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

Item No. 6 Motion by Councilman W.P. Rogowski, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a public bid opening held on April 5th and April 18th, 1983, respectively, for the purchase of various road materials for use in the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed,
NOW, THEREFORE, BE IT

RESOLVED that the bids be awarded to those bidders stated in the letter and tabulations from the Superintendent of Highways attached hereto and made a part thereof; said bidders being the lowest responsible bidders meeting specifications.

See next ten (10) pages for letter and tabulations.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

May 12, 1983

HONORABLE KENNETH J. MEYERS, SUPERVISOR
HONORABLE MEMBERS OF THE TOWN BOARD
TOWN OF CHEEKTOWAGA, ny 14227

Re: Award for bids for Road Materials

Gentlemen:

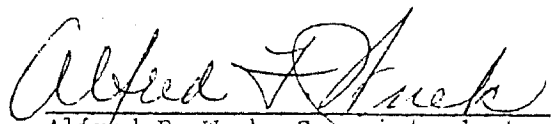
Bids for road materials were received by the Honorable Body on April 5th and 18th, and after reviewing and tabulating same, I recommend that the bids be awarded to the following lowest responsible bidders:

Buffalo Slag Co., Inc., 2544 Clinton St., West Seneca, NY 14224
Lancaster Stone Prod. Corp., 5833 Main St., Williamsville, NY 14221
Buffalo Crushed Stone Inc., 8615 Wehrle Dr., Williamsville, NY 14221
Buffalo Block Co., Inc. 242 Hopkins St., Buffalo, NY 14220
Frey Concrete Inc., 561 Pavement Rd., Lancaster, NY 14086
Scranton's Thruway Builders, 3360 Walden Ave., Depew, NY 14043
Krantz Asphalt Co., Inc., 701 Elk St., Buffalo, NY 14210

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"



	Buffalo Slag 2544 Clinton St. P.O.710 (14224)	Bflo.Cr.Stone Inc. 8615 Wehrle Dr. Wmsv. 14221 633-4600	Lanc.StoneProd.Corp. 5833 Main St. Wmsv. 14221 to 4/5/84	Cty.LineStone Co. County Line Road Akron NY 14001	
Ready Mixes					
#1 - Fine Binder	Type 3-Binder \$21.00 Ton	Type 3-Binder \$21.00 Ton	\$22.50 Ton	\$22.25 Ton	
#2 Coarse Binder	Type 1 - Base \$21.00 Ton	Type 1-Base \$21.00 Ton	\$21.50 Ton	\$21.25 Ton	
#3 Dense Binder			\$22.75		
1AC Top Armour Coat	Type 7 - Top \$24.00 Ton	Type 7-Top \$24.00	\$25.45	\$25.50 Ton	
1A Top					
1B Top	\$24.50 Ton	\$24.50	\$23.50	\$26.50	
Stockpile (Winter Mix)	Fiber Patch \$38.50 Ton Cold Patch \$30.00 Ton	Fiber Patch \$38.50 Cold Patch \$30.00	Erie Coat - Top \$23.75 Winter - Mix \$30.00	Winter-Mix \$29.50	
Extra Find Top Fine 1AC			\$23.40		
Sand Sheet Asphalt	Type 8 \$25.00 Ton	Type 8 \$25.00	Lanc. Stone Kote \$25.00	Ex.Fine Top \$27.00 Ton	
Item 59W (Bituminous Stabilized Materials)	\$19.00 Ton	No Bid	\$19.00	\$19.50 Ton	
Recycled Bituminous Asphalt		Type1Base 17.49 Type3Bind.17.89 Type 6 Top19.99	Type 1 - \$17.95 Type 3-Bind.18.95 Type 6 Top 21.95		

Page 2
Stone

	Buffalo Slag	Bflo.Cr.Stone Inc.	Lanc.StoneProd.Corp.	Cty.LineStone Co.	
#0 Stone Screenings	No Bid	No Bid	\$6.25 Ton	\$6.00 Ton	
#1 Crushed Stone	\$4.95 Ton	\$4.95 Ton	\$5.50 Ton	\$4.80 Ton	
#1A Crushed Stone	\$6.10 Ton	\$6.10 Ton	\$6.10 Ton	\$5.75 Ton	
#2	\$4.60 Ton	\$4.60 Ton	\$5.00 Ton	\$4.50 Ton	
#2S	No Bid	\$4.95 Ton	No Bid	\$4.50 Ton	
# 1 & 2 Mixed	\$4.70 Ton	\$4.70 Ton	\$5.25 Ton	\$4.65 Ton	
#3	\$4.85 Ton	\$4.85 Ton	\$4.85 Ton	\$4.50 Ton	
#4	No Bid	\$4.75 Ton	\$4.85 Ton	\$4.50 Ton	
#4A	No Bid	\$4.85 Ton	\$4.85 Ton	\$4.50 Ton	
Bank Run Screenings	No Bid	\$5.00 Ton	\$5.00 Ton	\$4.25 Ton	
Fine Quarry Run	Sec.Surge Pile \$5.10 Ton	No Bid	\$4.75 Ton	\$4.35 Ton	
Crusher # 1 # 2 # 3	#2 \$4.50 #3 3.70	#2 \$3.50 #3 3.50	#2 \$3.90 #3 3.90	#2 \$3.85 #3 3.75	

	Lanc. Stone 2544 Clinton	Bflo.Crushed Stone	Lanc.Stone 5833 Main St.	Custom Topsoil 320 Losson Rd. Cheek. 14227 668-4444	Ct.LineStone	Rammer Nursery 5634 Genesee St. Lancaster 14086	Regent Black 3839 Walden Lanc. 14086	F-E Topsoil S5991 Fairway Ct. Lakeview 14085 627-2500
Oiling Stone 1'As	No Bid	No Bid	\$5.30 Ton		\$5.10 Ton			
Crusher Run 6"	No Bid	\$3.50 Ton	No Bid		\$3.75 Ton			
6" Crusher Screenings (Surge Pile)	\$3.70 Ton	\$3.50 Ton	No Bid		\$3.75 Ton			
Slag Bank Run			No Bid					
Rip Rap Unselected	\$5.00 Ton	\$5.00 Ton	\$5.00 Ton		\$4.35 Ton			
Crusher Screenings	No Bid	1" \$4.45 Ton	\$3.75 Ton		\$3.85 Ton			
Sand			No Bid					
Pea Gravel			No Bid					
Washed Gravel (Various Sizes)	No Bid		No Bid					
Top Soil Regular			Deliv.\$7.00 Pickup 3.50	No Bid		Deliv. \$7.75 No Pick-up	Deliv. \$5.38 Pickup \$5.00	Deliv. \$8.00 Pickup \$6.00
Screened			No Bid	No Bid		Not Available	Deliv. \$9.63 Pickup \$8.70	Deliv. \$10.00 Pickup 6.50
Shredded			No Bid	\$10.00 Picked up		Deliv. \$9.88 Pickup 7.15	Deliv. \$9.68 Pickup 8.75	Deliv. \$10.00 Pickup 6.50
Grit(Icy Pavement Control)	\$5.15 Ton Picked up					All prices per cubic yard		Topsoil is located in Orchard Park.

Page 4 Concrete Blocks - per cube	Pine Hill Conc.Mix 2255 Bailey Ave. (14211)	Bflo.Block Co., Inc. 242 Hopkins St., 14220	Scranton's Thry.Bldrs. 3360 Walden Ave., 14043	Frey Concrete Inc. 561 Pavement Rd. 14086	Edway Cons. 190 Oliver N. Tona.
6" standard, hollow 100/cube		$\frac{115}{\text{cube}}$.46ea. 52.90 cu.	.65 ea. 65.00 cu.		
6" 1/2 block, hollow 200/cube		.28ea. 56.00 cu.	.41 ea. 82.00 cu.		
8" standard, hollow 90/cube		.63 ea. 56.70 cu.	.89ea. 80.10 cu.		
8" 1/2 block, hollow 140/cube		$\frac{120}{\text{cube}}$.36ea. 43.20 cu.	.53 ea. 74.20 cu.		
10" standard, hollow 65/cube		$\frac{67}{\text{cube}}$.77ea. 51.59 cu.	1.08 ea. 70.20 cu.		
10" 1/2 block, hollow 120/cube		$\frac{134}{\text{cube}}$.43ea. 57.62 cu.	.61 ea. 73.20 cu.		
Concrete brick standard 784/cube		$\frac{720}{\text{cube}}$ 139.50M 100.44cu.	.225ea. 176.40 cu.		
Fine Aggregate for Concrete	\$5.00 ton F.O.B. Pit Pavement Rd. Lancaster				
Cement - Item 15 - Portland	No Bid		\$5.38 Bag (Type 1 (94 lb.))		
Class A Concrete, Aggregate Only	No Bid				
Class B Concrete Aggregate w/Possolith	No Bid				
Concrete Mix	6# Bags \$48.25			6# Bags \$48.00	6# \$50.50 :
1 - 2 - 3 Mix	\$47.25 cu. yd. Heated \$6.00 yd.			\$47.00 cu.yd. Heated 6.00 yd. 11/1 to 4/30	\$49.50 cu.yd.
1 - 2 - 3 Mix w/Calcium	\$47.25 cu. yd.			\$47.00 cu. yd. plus following	as below
Calcium	1% = .08 per bag 1 1/2% = .12 " " 2% = .16 " "		\$15.00 pallet chg. Credit on return	1 1/2% = .55 per yd. 1 3/4% = 1.10 " " 2% = 1.60 " "	1 1/2% = .25 yd. 1 3/4% = .50 yd. 2% = 1.00 yd.

Page 5

<u>Cubic Yards (Short Load Charges)</u>	Pine Hill Conc.Mix Corp. 2255 Bailey Ave. (14211)	Frey Concrete Inc. 561 Pavement Rd. Lancaster 14086
1/4	\$ 59.31	\$ 61.75
1/2	68.63	73.50
3/4	77.94	85.25
1	87.25	87.00
1 1/4	96.56	98.75
1 1/2	105.88	110.50
1 3/4	115.19	122.25
2	124.50	124.00
2 1/4	133.81	135.75
2 1/2	143.13	147.50
2 3/4	152.44	159.25
3	161.75	161.00
3 1/4	171.06	172.75
3 1/2	180.38	184.50
3 3/4	189.69	196.25
4	199.00	198.00
4 1/4	208.31	209.75
4 1/2	217.63	221.50
4 3/4	226.94	233.25
5	236.25	235.00

Page 6	Pine Hill Concrete	Frey Concrete Inc.	
Cubic Yards (Short Load Charges)	\$	\$	
5 1/4	\$248.06	\$246.75	
5 1/2	259.88	258.50	
5 3/4	271.69	270.25	
6	283.50	282.00	
6 1/4	295.31	293.75	
6 1/2	307.13	305.50	
6 3/4	318.94	317.25	
7	330.75	329.00	
7 1/4	342.56	340.75	
7 1/2	354.38	352.50	
7 3/4	366.19	364.25	
8	378.00	376.00	
8 1/4	389.81	387.75	
8 1/2	401.63	399.50	
8 3/4	413.44	411.25	
9	425.25	423.00	
9 1/4	437.06	434.75	
9 1/2	448.88	446.50	
9 3/4	460.69	458.25	
10	472.50	470.00	

FREY CONCRETE, INC.

SHORT LOAD CHARGES - Sidewalk Mix - (Pea Gravel or Aggregate)
 (6 BAG MIX ONLY) \$48.00/CU.YD. PLUS SMALL LOAD
 CHARGE FOR LESS THAN 5 CU.YDS.

CUBIC YARD	TOTAL COST TO US
1/4	\$62.00
1/2	74.00
3/4	86.00
1	88.00
1 1/4	100.00
1 1/2	112.00
1 3/4	124.00
2	126.00
2 1/4	138.00
2 1/2	150.00
2 3/4	162.00
3	164.00
3 1/4	176.00
3 1/2	188.00
3 3/4	200.00
4	202.00
4 1/4	214.00
4 1/2	226.00
4 3/4	238.00
5	240.00

CUBIC YARD	TOTAL COST TO US
5 1/4	\$ 252.00
5 1/2	264.00
5 3/4	276.00
6	288.00
6 1/4	300.00
6 1/2	312.00
6 3/4	324.00
7	336.00
7 1/4	348.00
7 1/2	360.00
7 3/4	372.00
8	384.00
8 1/4	396.00
8 1/2	408.00
8 3/4	420.00
9	432.00
9 1/4	444.00
9 1/2	456.00
9 3/4	468.00
10	480.00

2nd bid
 5/1/83

Pine Hill lists in reg. bid
 48.25 - 6 lb. bags

Page 7	Krantz Asphalt Co.	Bflo. Block Co., Inc.	Scranton's	
Road Oil	701 Elk St.		Thruway Bldrs.	
AC	Buffalo 14210			
Item 6.P - Asphalt for Penetration Construction	\$.93 gal.			
MC				
Item 67B MCO Heavy Duty Layer Cold Application	1.30 gal.			
RC				
Item 70B Surface Treatment Asphalt Emulsion	.8175 gal.			
RC				
Item 70B Grace C Surface Treatment Asphalt Emulsion	.8175 gal.			
MC-1				
Penetrating Oil	1.30 gal.			
Road Tars				
Cement		4.70 Bag	\$5.38 94#Bag	
Mortar		3.90 Bag	Type 1-Portland	
			Type N -\$4.36 Bag 70#	
GRAVEL 1 1/2 "				
Grit NYS DOT Spec.				
	*See additional sheet for products as per N.Y. specs.			

Krantz Asphalt Co., Inc.

ALL TYPES OF ROAD ASPHALT APPLIED

PHONE: 822-7143

701 ELK STREET
BUFFALO, N. Y. 14210

March 30 1983

Town of Cheektowaga
Town Hall & Town Clerk
Broadway & Union Roads
Cheektowaga, New York 14227

Attention; Mr. Fredrick Wenck Superintendent of Highways

Gentlemen;

Ref: Your request for bids for Liquid Bituminous Materials

Bid Opening: Date April 5 1983 Time 11:00AM

Gentlemen:

We are pleased to quote you the following prices on Liquid Bituminous Materials for the upcoming season. All materials meet current New York State specifications and will be hauled, heated and applied under your supervision and specifications.

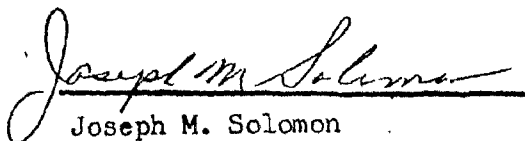
Item	Price per gallon
Asphalt Emulsions:	
RS - 1	<u>.8175</u>
RS - 2	<u>.8175</u>
CRS - 1	<u>.8175</u>
CRS - 2	<u>.8175</u>
Medium Curing Asphalts (MC's), All grades	<u>\$1.30</u>
Asphalt Binder, AC - 5 (64-P)	<u>.93</u>
NYS Crack & Joint Filler	<u>\$1.20</u>

We carry full insurance coverage and N.Y.S. Workmen's Compensation. Certificate of Insurance will be furnished upon request.

Above prices are subject to the New York State Adjustment Clause of the NYS DOT Materials letting for 1983.

Krantz Asphalt Company, Inc.

Incl: Non Collusive Bidding Certification
Corporate Resolution


Joseph M. Solomon
Sales Rep.

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 Councilman W.P. Rogowski

WHEREAS, the County of Erie, by and through its Department of Health, will be sponsoring free rabies inoculation clinics throughout Erie County in later September and early October of this year, and

WHEREAS, the aforesaid clinics will be located at several sites (at least five) in Erie County, and

WHEREAS, according to an enumeration conducted in 1982 by the Town Clerk, there are approximately 16,499 dogs in the Town of Cheektowaga, and

WHEREAS, there are a great number of senior citizens and unemployed residents in the Town who are unable to afford the approximately \$15.00 fee for rabies vaccinations for their dogs, and

WHEREAS, the Town of Cheektowaga would be a prime location for a site for one of the free rabies inoculation clinics because of the aforementioned dog population and the great numbers of senior citizens and unemployed people residing in the Town, and

WHEREAS, none of the County free rabies inoculation clinics were located in the Town in 1982, and

WHEREAS, the Town Superintendent of Highways has stated that he will make the Town Highway Garage available for the aforesaid clinic, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby memorializes the Erie County Legislature and the Erie County Department of Health to schedule one of their free rabies inoculation clinics in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to send certified copies of this resolution to Erie County Legislator Richard A. Slisz, 25 Delaware Avenue, Buffalo, New York 14202 and to Dr. Donald Thomas, Commissioner of the Erie County Department of Health, 95 Franklin Street, Buffalo, New York 14202.

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 Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the Union Road Sanitary Pump Station is over forty (40) years old and where over the years the pumping capacity has been exceeded during wet weather conditions with resultant sewer surcharging and basement flooding, and

WHEREAS, Town Sewer Maintenance Personnel are required to provide and maintain portable pumps near the Union Road Pump Station so as to relieve the sewer system during storm conditions, and

WHEREAS, such excessive flows caused the pumps to cycle on and off too frequently thereby adversely affecting the life and reliability of the equipment, and

WHEREAS, there is need for modernization of this facility to add additional wet well capacity, new pumps and provisions for emergency power, and

Item No. 8 cont'd

WHEREAS, no State or Federal aid is available for this work, and

WHEREAS, it is in the best interest of Sanitary Sewer District No. 5 to provide for reliability and capacity at the Union Road Pump Station site with funds being available to do such modifications, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, on behalf of Sanitary Sewer District No. 5, approves and authorizes this work in accordance with the proposal of Nussbaumer & Clarke, Inc. to the Town Engineer dated May 12, 1983, and BE IT FURTHER

RESOLVED that the Supervisor is authorized and directed to sign the agreement with Nussbaumer & Clarke, Inc. for the design of said improvements to the Union Road Pump Station, and BE IT FURTHER

RESOLVED that the costs are to be chargeable to 508125.4543, cost not to exceed \$14,500.00.

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: 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 Swiatek

BE IT RESOLVED that the following sponsors be permitted to conduct the following softball tournaments for a fee of \$100.00 each during the indicated days.

"Fifth Annual Charitable Slow-Pitch Tournament" sponsored by Al Brownsey to be held May 28, 29, 30, 1983.

"11th Annual International All-Police Slo-Pitch Tournament" sponsored by N.F.P.A.A. to be held on June 25, 1983.

"Women's Slo-Pitch Tournament" sponsored by the Cheektowaga Patriotic Commission to be held June 18, 19, 1983.

"12th Annual County-Wide Champion of Champions Slo-Pitch Tournament" sponsored by the Erie County Parks & Recreation Department to be held on September 10, 11, 1983.

Upon Roll Call....

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

Item No. 10a Motion by Councilman W.P. Rogowski, seconded by Councilman Johnson

WHEREAS, the Kennel Club of Buffalo, Inc. has requested permission from the Cheektowaga Recreation Department to utilize John C. Stiglmeier Park located on Losson Road, Cheektowaga, New York to conduct a professional "Dog Show" and

WHEREAS, the Kennel Club of Buffalo, Inc. has requested the date of June 5, 1983, and

WHEREAS, the intent and purpose of the Kennel Club of Buffalo, Inc. and the Town of Cheektowaga is to reserve the area known as Diamond Number One, located within the John C. Stiglmeier Park, and

Item No. 10a cont'd

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

WHEREAS, the Kennel Club of Buffalo, Inc. has submitted a certificate of Insurance from the Agency of Gerstman & Gerstman, 235 North Street, Buffalo, New York agent for the Zurich Insurance Company, to insure: General Liability to include Bodily Injury Liability in the amount of \$500,000 each occurrence and Property Liability in the amount of \$100,000 each occurrence, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grants to the Kennel Club of Buffalo, Inc. exclusive use of the area known as Diamond Number One (1), Two (2) and Three (3); the Losson Community Center at John C. Stiglmeier Park on June 5, 1983, between the hours of 10:00 A.M. and 6:00 P.M. under the guidelines set forth within said resolution, and BE IT FURTHER

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

Upon Roll Call....

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

Item No. 10b Motion by Councilman W.P. Rogowski, seconded by Councilman Johnson

WHEREAS, through prior Town Board resolution, permission has been granted to the Kennel Club of Buffalo, Inc. to conduct a "Dog Show" at John C. Stiglmeier Park on June 5, 1983 between the hours of 10:00 a.m. and 6:00 p.m., and

WHEREAS, the code of the Town of Cheektowaga, Article 48-8, "Domestic Animals Prohibited from Parks and Park Approaches", states "No domestic animals shall be permitted in a park or park approach", and

WHEREAS, only duly authorized Kennel Club of Buffalo, Inc. members and registered entrants shall be allowed to occupy the grounds of the John C. Stiglmeier Park during such times as stated within said resolution, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board permit a waiver of Article 48-8 of the Code of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that said waiver be extended to the Kennel Club of Buffalo, Inc., its membership and registrants on June 5, 1983, between the hours of 10:00 A.M. and 6:00 P.M., and BE IT FURTHER

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

RESOLVED that the Kennel Club of Buffalo, Inc., its membership and registrants shall comply with the Code of the Town of Cheektowaga, Article 21-1. Applicability; Article 21-2. Seizure of Unleashed Dogs Off Owner's Premises; Article 21-3. Muzzling or Fastening of Dogs on Owner's Premises; Article 21-4. Noise by Dogs; and Article 21-5. Penalties for Offenses, and BE IT FURTHER

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

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located on Harlem Road in front of the Buffalo Drive-In Complex, Cheektowaga, New York, S.B.L. 91.00-2-1, and according to the Assessor's Office is owned by John J. Nasca, 405 Walbridge Building, Buffalo, New York, 14202, 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 and all costs incurred be assessed against the landowner herinbefore 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. 12 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, John Zeis, et al. have 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 year 1982-83, 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 Petitioners, 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 proceeding, and

WHEREAS, special counsel to the Town and the Assessor have recommended the settlement agreement, a copy of which is attached hereto approved by this Town Board, NOW, THEREFORE, BE IT

RESOLVED that the settlement as described in the attached settlement agreement be and hereby is approved, and BE IT FURTHER

RESOLVED that special counsel to the Town be and hereby is authorized to sign any and all legal documents necessary to effectuate such settlement.

* See next thirteen (13) pages for settlement agreement

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

IN THE MATTER OF THE APPLICATION FOR A REVIEW
UNDER ARTICLE 7 OF THE REAL PROPERTY TAX LAW
BY JOHN ZEIS, HENRY J. WEIGLER, THERESA M.
TAGGERT, JOHN SCHMIDT, FLORENCE SOWA, KUMAO SAKO,
BERNARD L. RUSINIAK, WILLIAM H. REYNOLDS,
RICHARD J. POINTEK, RICHARD OWEN, ADELBERT M SLOW,
ANTHONY J. MERRITT, EUGENE J. MAZURKIEWICZ,
NORBERT LORTZ, MILDRED A. LINDSAY, FREDERICK LEO,
GERALD J. GRIFFIN, DANA E. FREEMAN, ROBERT EIGEMAN,
JERRY DI GIACOMO, PEARL BRZOSTOWSKI, MARK A. ZYCH,
EDWARD A. BENNETT, JR., RICHARD F. MANN,
JUDITH A. RIVERS, JOHN A. FOSTER, JOSEPH D'AMICO,
EDWARD A. MANK, JOHN E. THYRET, T. P. DEVELOPMENT
CORP., RICHARD T. GORZYNSKI, RICHARD P. WIECZOREK,
JOHN MORDENO, RICHARD H. METZER, ELIZABETH HOCHWARTER,
STEPHEN KRASINSKI and OLIVIO LEO, individually and as
members of the CEDAR GROVE CITIZENS ALLIANCE/
NEW YORK PUBLIC INTEREST GROUP

Petitioners,

against

ASSESSOR OF THE TOWN OF CHEEKTOWAGA
AND THE TOWN OF CHEEKTOWAGA
BOARD OF ASSESSMENT REVIEW

STIPULATION
OF SETTLEMENT
AND DISCONTINUANCE

WHEREAS the Petitioners in the above-captioned proceeding have brought this proceeding under Article Seven of the Real Property Tax Law for the review of the tax assessments of certain parcels as set forth in Schedule A, attached hereto, for properties located in the Town of Cheektowaga for the taxable year 1982-83, and

WHEREAS the parties hereto, after due consideration of all material facts, having agreed to resolve their differences without further litigation and terminate said proceedings in accordance with the following

terms and conditions, it is agreed as follows:

1. The assessments of Petitioners' parcels of real property for taxable year 1982-83 will be reduced as shown on Schedule A attached to and made a part of this Stipulation.

2. The parties and their attorneys will enter into this stipulation settling and discontinuing the within proceeding, which executed Stipulation will be held in escrow by the Attorney for the Petitioners in accordance with the further provisions of this agreement.

3. Respondents will pay to Petitioners refunds on the amount paid by Petitioners in excess of the amounts which would have been paid had the assessments been made as corrected and reduced to the amounts contained in Schedule A as set forth in Section 726 Real Property Tax Law, except that Petitioners waive their rights to interest thereon.

4. Petitioners will not commence proceedings under Article 7 of the Real Property Tax Law to review their assessments for the purpose of real property taxation for the 1983-84, 1984-85 and 1985-86 tax assessment years provided the assessments for the properties which are subject to this Stipulation are not raised above assessments agreed upon in this Stipulation, with the understanding that,

(a) This covenant not to sue is personal to the present owners and is not binding on owners of properties sold after the date of this Stipulation.

(b) This covenant will become null and void if, during the above-described three year period, the assessments are changed as a result of significant substantive and/or

procedural changes made in the manner of valuation and assessment due to constitutional amendment, legislation, municipal procedure or County revaluation programs.

- (c) The covenant applies only with regard to assessments based on the land and improvements as they exist on this date. Modification of the within agreed assessments will be made upon the removal or addition of improvements.

5. If the assessments are corrected as agreed, this stipulation settling and discontinuing these proceedings and the Order of the Court pursuant to this Stipulation will be filed in the Erie County Clerk's Office thereafter.

6. If the agreed assessments are not reduced as provided herein, the Petitioners will be permitted to pursue all remedies available to them under the Real Property Tax Law or other applicable statutes and resume their prosecution of the within matters.

7. A final Order will be made and entered herein incorporating the terms of this agreement which final Order will direct the officials of the Town of Cheektowaga, the officials of the sanitary sewer district, the school district and any other applicable municipal official to correct said assessments on said rolls for 1982-83 and to pay any refunds to Petitioners by check payable to Willard A. Genrich, Jr. as Attorney, except that Petitioners waive their rights to statutory interest on said refunds.

8. The filing of the Order herein will occur no later than

4/30
April 30, 1983.

9. In the event that this Order is not filed by March 15, 1983, this Stipulation becomes null and void.

10. It is further understood and agreed by all the parties that this agreement is made only for the purpose of resolving pending litigation in order to avoid the expenses of litigation and for such other reasons as the individual parties deem material.

11. This Stipulation is binding only on the properties owned by the members of the Cedar Grove Citizens' Alliance/New York Public Interest Group which are parties to this action and in no manner effects other property owners and/or members who subsequently initiate actions for reductions of assessments.

12. This Stipulation constitutes the entire agreement and understanding among the parties. Nothing contained herein will be deemed to bind either party beyond the taxable periods indicated.

DATED:

DATED:

January 25th, 1983

DATED:

JOHN ZEIS

THERESA M. TAGGART

JOSEPH G. SACCO

Attorney for Respondents

WILLARD A. GENALICH, JR.

Attorney for Petitioners

KENNETH SHERMAN, Regional Director

New York Public Interest Research Group

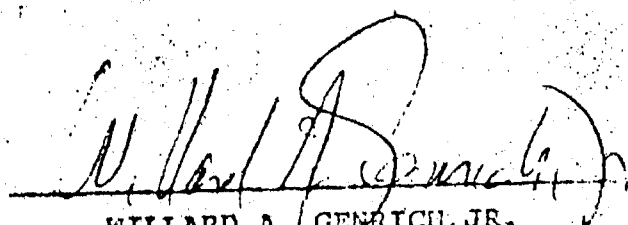
HENRY J. WEIGLER

JOHN SCHMIDT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:

On this 4th day of March, 1983 before me personally came
John Zeis, Henry J. Weigler, Theresa M. Taggart, John Schmidt, Florence
Sowa, Kumao Sako, Bernard L. Rusiniak, William H. Reynolds, Richard J.
Pointek, Richard Owen, Adelbert Moslow, Anthony J. Merritt, Eugene
J. Mazurkiewicz, Norbert Lorts, Mildred A. Lindsay, Frederick Leo,
Gerald J. Griffin, Dana E. Freeman, Robert Eigeman, Jerry DiGiacomo,
Pearl Brzostowski, Mark Zych, Edward A. Bennett, Jr., Richard F. Mann,
Judith A. Rivers, John A. Foster, Joseph D'Amico, Edward A. Mank, John
E. Thyret, Richard T. Gorzynski, Richard P. Wleczorek, John Mordeno,
Richard H. Metzger, Elizabeth Hochwarter, Stephen Krasinski, and
Olivio Leo to me known to be the individuals described in, and who
executed the foregoing instrument, and acknowledged that he/she exe-
cuted the same.

*Except signatures on dates
designated next to same or by
powers of attorney attached
hereto.


WILLARD A. GENRICH, JR.
Notary Public

WILLARD A. GENRICH, Jr.
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 1985

STATE OF NEW YORK)
COUNTY OF ERIE) SS:

On this 4th day of March, 1983 before me personally came
Timothy Fuld to me known, who, being by me
duly sworn, did depose and say that deponent resides at 403 Chrysler Lane
North, Canton, New York
and that deponent is President of T. P. Development

Florence L. Sowa

FLORENCE SOWA

*Admitted to practice
of Attorney in April 11, 1983*

BERNARD L. RUSINIAK

Richard J. Lontek

RICHARD J. LONTEK 3/11/83

Adelbert Maslow

ADELBERT MASLOW

Eugene M. Marwick

EUGENE MARWICK

MILDRED A. LINDSAY

Mildred A. Lindsay

CHAS. J. GRIFFIN

*Gerald J. Griffin
Beatrice Griffin*

ROBERT G. EIGENMANN

BEA W. BRZOSTOWSKI

*Admitted to practice
of Attorney in April 11, 1983*

RICHARD E. MANN

Kumao Sako

KUMAO SAKO 3/11/83

William H. Reynolds

WILLIAM H. REYNOLDS

Richard Owen

RICHARD OWEN

Anthony J. Merritt

ANTHONY J. MERRITT

Norbert Lortz

NORBERT LORTZ

Fred Leo

FRED LEO 3/11/83

Dana E. Freeman

DANA E. FREEMAN

Jerry DiGiacomo

JERRY DIGIACOMO

Edward Bennett, Jr.

EDWARD BENNETT, JR.

Judith A. Rivers

JUDITH A. RIVERS

Mark A. Zych 3-4-83

MARK A. ZYCH

Joseph D. Amico

JOSEPH D'AMICO 3-9-83 6/11/83

William K. Gononch, Sr. under
over a 1000 sq ft on April 11, 1983

JOHN E. THYRET

RICHARD WIECZOREK

Richard Wieczorek

RICHARD METZGER

Richard H. Metzger
Boss S. Metzger

STEPHEN KRASINSKI

Stephen Krasinski

517 Canyon St. N.E.

T. P. DEVELOPMENT CORPORATION

Dan Krasinski

Stephen Krasinski

5/4/83

John A. Foster

3/16/82

JOHN A. FOSTER

Charllette E. Mank <sup>surviving tenant by
entirety</sup>

EDWARD A. MANK deceased 9/3/82

Richard G. Gorynski

RICHARD GORYNSKI

John Mordeno

JOHN MORDENO

Elizabeth Hochwarter

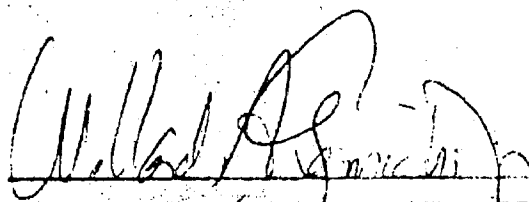
ELIZABETH HOCHWARTER

Elizabeth Hochwarter

OLIVIO LEO

Olivio Leo 3/14/83

Corp., the Corporation described in and which executed the foregoing instrument; deponent knows the seal of said Corporation; that the seal affixed to said instrument is such corporate seal; that it was affixed by order of the Board of Directors of said Corporation; deponent signed his name thereto by like order.

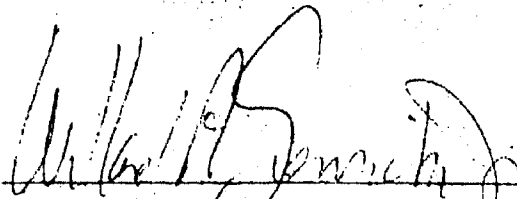


WILLARD A. GENRICH, JR.
Notary Public

*My Commission Expires on 3/30/85
Qualified in Erie County*

STATE OF NEW YORK) SS:
COUNTY OF ERIE)

On this 11th day of April, 1983 before me personally came Kenneth Sherman to me known, who, being by me duly sworn, did depose and say that deponent resides at 283 Leroy Ave., Buffalo, New York and that deponent is Regional Director of New York Public Interest Research Group, Inc., the Corporation described in and which executed the foregoing instrument; deponent knows the seal of said Corporation; that the seal affixed to said instrument is such corporate seal; that it was affixed by order of the Board of Directors of said Corporation; deponent signed his name thereto by like order.



WILLARD A. GENRICH, JR.
Notary Public

Notice: The powers granted by this document are broad and sweeping. They are defined in New York General Obligations Law, sections 5-1502A through 5-1503, which expressly permits the use of any other or different form of power of attorney desired by the parties concerned.

Know All Men by These Presents, which are intended to constitute a GENERAL POWER OF ATTORNEY pursuant to Article 5, Title 15 of the New York General Obligations Law:

That I, BERNARD L. RUBINIAK
(Insert name and address of the principal)

do hereby appoint WILLARD A. GENRICH, JR.
(Insert name and address of the agent, or each agent, if more than one is designated)

my attorney(s)-in-fact TO ACT

(a) If more than one agent is designated and the principal wishes each agent alone to be able to exercise the power conferred, insert in this blank the word "severally". Failure to make any insertion or the insertion of the word "jointly" will require the agents to act jointly.

First: in my name, place and stead in any way which I myself could do, if I were personally present, with respect to the following matters as each of them is defined in Title 15 of Article 5 of the New York General Obligations Law to the extent that I am permitted by law to act through an agent:

(Strike out and initial in the opposite box any one or more of the subdivisions as to which the principal does NOT desire to give the agent authority. Such elimination of any one or more of subdivisions (A) to (L), inclusive, shall automatically constitute an elimination also of subdivision (M).)

To strike out any subdivision the principal must draw a line through the text of that subdivision AND write his initials in the box opposite.

- (A) ~~real estate transactions~~
- (B) ~~chattel and goods transactions~~
- (C) ~~bond, share and commodity transactions~~
- (D) ~~banking transactions~~
- (E) ~~business operating transactions~~
- (F) ~~insurance transactions~~
- (G) ~~estate transactions~~
- (H) ~~claims and litigation~~
- (I) ~~personal relationships and affairs~~
- (J) ~~benefits from military service~~
- (K) ~~records, reports and statements~~
- (L) ~~all other matters~~
- (M) ~~all other matters~~

Power specifically given to sign a Stipulation settling John Zeiz, et al.,
Citizen's Alliance vs. Assessor, Town of Cheektowaga

Second: This Power of Attorney shall not be affected by the subsequent disability or incompetence of the principal.

IN WITNESS WHEREOF I have hereunto signed my name and affixed my seal this 6th day of April, 19 83.

Bernard L. Rusiniak (L.S.)
Bernard L. Rusiniak

STATE OF ~~NEW YORK~~ FLORIDA | ss.
County of ~~NEW YORK~~

On this 6th day of April, 19 83, before me personally appeared BERNARD L. RUSINIAK to me known and known to me to be the person described in and who executed the foregoing power of attorney and he duly acknowledged to me that he executed the same.

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES 12/16/1984

Virginia M. Marvel

Power of
STATUT

Exe

ARD L.

ARD A.

APPL

Notice: The powers granted by this document are broad and sweeping. They are defined in New York General Obligations Law, Article 5, sections 5-1502A through 5-1503, which expressly permits the use of any other or different form of power of attorney desired by the parties concerned.

Know All Men by These Presents, which are intended to constitute a GENERAL POWER OF ATTORNEY pursuant to Article 5, Title 15 of the New York General Obligations Law:

That I, PEARL BRZOSTOWSKI, ...Getzville, NY...14068.....
(Insert name and address of the principal)

do hereby appoint WILLARD A. GENRICH, JR., ESQ.
(Insert name and address of the agent, or each agent, if more than one is designated)

my attorney(s)-in-fact TO ACT

(a) If more than one agent is designated and the principal wishes each agent alone to be able to exercise the power conferred, insert in this blank the word "severally". Failure to make any insertion or the insertion of the word "jointly" will require the agents to act jointly.

First: in my name, place and stead in any way which I myself could do, if I were personally present, with respect to the following matters as each of them is defined in Title 15 of Article 5 of the New York General Obligations Law to the extent that I am permitted by law to act through an agent:

(Strike out and initial in the opposite box any one or more of the subdivisions as to which the principal does NOT desire to give the agent authority. Such elimination of any one or more of subdivisions (A) to (L), inclusive, shall automatically constitute an elimination also of subdivision (M).)

To strike out any subdivision the principal must draw a line through the text of that subdivision AND write his initials in the box opposite.

- | | |
|--|-----|
| (A) real estate transactions; | () |
| (B) chattel and goods transactions; | () |
| (C) bond, share and commodity transactions; | () |
| (D) banking transactions; | () |
| (E) business operating transactions; | () |
| (F) insurance transactions; | () |
| (G) estate transactions; | () |
| (H) claims and litigation; | () |
| (I) personal relationships and affairs; | () |
| (J) benefits from military service; | () |
| (K) records, reports and statements; | () |
| (L) full and unqualified authority to my attorney(s) in fact to delegate any or all of the foregoing powers to any person or persons whom my attorney(s) in fact shall select; | () |
| (M) all other matters; | () |

JOHN ZEIS ET AL/CEDAR GROVE CITIZENS' ALLIANCE

VS. ASSESSOR, TOWN OF CHEEKTOWAGA

Second: This Power of Attorney shall not be affected by the subsequent disability or incompetence of the principal.

IN WITNESS WHEREOF I have hereunto signed my name and affixed my seal this 17th day of March, 19 83

Pearl Brzostowski (L.S.)

STATE OF NEW YORK |
County of PALM BEACH | FLORIDA | ss.

On this 17th day of March, 19 83, before me personally appeared

..... to me known and known to me to be the person described in and who executed the foregoing power of attorney and he duly acknowledged to me that he executed the same.

Notary Public, State of Florida

My Commission Expires June 10, 1985

Susan S. McCall

SCHEDULE "A"

Property Address	Tax Acc't. Number	Property Owner	Present Assessment	Amount of Reduction	Corrected and Reduced
1 Simpson Dr.	34-629	John Zeis	\$ 4,000.	\$ 800.	\$ 3,200.
10 Simpson Dr.	34-628	John Zeis	4,000.	800.	3,200.
48 Glenwood	35-67	Henry J. Weigler	4,000.	800.	3,200.
20 Glenwood	34-84	Theresa M. Taggart	4,000.	800.	3,200.
11 Elkins	35-104	John Schmidt	4,000.	800.	3,200.
57 Glenwood	35-102	John Schmidt	4,000.	800.	3,200.
21 Sierra Dr.	34-638	Florence Sowa	4,000.	800.	3,200.
2 Nugget Dr.	35-122	Kumao Sako	4,000.	800.	3,200.
35 Shelby	34-649	Bernard L. Rusiniak	4,000.	800.	3,200.
45 Glenwood	35-99	William H. Reynolds	4,000.	800.	3,200.
5 Springfield	35-112	Richard J. Pointek	4,000.	800.	3,200.
40 Windwood	34-581	Richard Owen	4,000.	800.	3,200.
44 Windwood	34-583	Adelbert Moslow	4,000.	800.	3,200.
26 Glenwood	35-82	Anthony J. Merritt	4,000.	800.	3,200.
32 Glenwood	35-73	Eugene Mazurkiewicz	4,000.	800.	3,200.
24 Windwood	34-577	Norbert Lortz	4,000.	800.	3,200.
68 Windwood	34-601	Norbert Lortz	3,000.	600.	2,400.
4 Glenwood	35-54	Mildred A. Lindsay	4,000.	800.	3,200.
68 Windwood	34-591	Fred Leo	4,000.	800.	3,200.
5 Sierra	34-637	Gerald J. Griffin	4,000.	800.	3,200.
3 Windwood	34-625	Dana E. Freeman	5,000.	1,000.	4,000.
83 Windwood	34-603	Robert G. Eiger	5,000.	1,000.	4,000.
75 Windwood	34-606	Jerry DiGiacomo	5,000.	1,000.	4,000.
8 Trent Sq.	34-642	Pearl Brzostowski	5,000.	800.	4,200.
16 Glenwood	35-86	Edward Bennett, Jr.	4,000.	800.	3,200.
19 Windwood	34-619	Richard F. Mann	4,000.	800.	3,200.
2 Springfield	35-116	Judith A. Rivers	4,000.	800.	3,200.
29 Glenwood	35-93	Mark A. Zych	4,000.	800.	3,200.
79 Windwood	34-604	John A. Foster	4,000.	800.	3,200.
57 Windwood	34-605	Joseph D'Amico	4,000.	800.	3,200.
53 Sandstone	35-125	Edward A. Mark	4,000.	800.	3,200.
53 Glenwood Ct.	35-101	Edward A. Mark	4,000.	800.	3,200.
7 Trent Sq.	34-643	T.P. Develoy, Corp.	4,000.	800.	3,200.
15 Windwood	34-621	Richard Wozniak	4,000.	800.	3,200.
80 Windwood	34-596	Richard Wozniak	4,000.	800.	3,200.
49 Glenwood	35-100	John E. Thynat	4,000.	800.	3,200.

LARD

JOH

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SCHEDULE "A". (Continued)

<u>Property Address</u>	<u>Tax Acc't. Number</u>	<u>Property Owner</u>	<u>Present Assessment</u>	<u>Amount of Reduction</u>	<u>Corrected and Reduced</u>
6 Springfield	35-115	John Mordeno	\$ 4,000.	\$ 800.	\$ 3,200.
16 Trent Sq.	34-640	John Mordeno	4,000.	800.	3,200.
12 Glenwood	35-88	Richard Metzger	4,000.	800.	3,200.
8 Windwood	34-573	Elizabeth Hochwarter	4,000.	800.	3,200.
84 Windwood	34-599	Stephen Krasinski	4,000.	800.	3,200.
25 Glenwood	35-92	Olivio Leo	4,000.	800.	3,200.

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 Supervisor Meyers, seconded by Councilman Dux

RESOLVED that the following individuals employed as seasonal trainees
are hereby terminated, effective the dates listed:

Joseph Cukierski 4/29/83

Gary Wazny 4/29/83

Wayne Cummings 5/13/83

Paul Pyzikiewicz 5/16/83

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 J.V. Rogowski

RESOLVED that the following individuals are hereby hired as Seasonal
Trainees at the rate of \$3.10 per hour in various Departments, as needed:

Town Clerk's Office

Mary Jane Kaczmarek
Nancy Streicher

Sanitation Department

Scott Slade

Sewer Maintenance Dept.

Thaddeus F. Brudz
Daniel S. Andrzejewski
Gary Klosko
Richard Pagano
David Uhl

Facilities Department

Thomas Kolbert
William Schultz
Robert Guest
Martin J. Leszczynski

Clerical

Caterina Babbi
Valerie Ann Kaminski

Sewer Treatment Plant #5

William A. Rieck
Scott Charles Press
Daniel William Russell
David Michael Stevens

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 Jaworowicz, seconded by Councilman J.V. Rogowski

WHEREAS, Sharon A. Styborski, Clerk-Stenographer, has requested a maternity leave of absence from her position in the Town Clerk's Office for a period of approximately three (3) months, commencing on June 1, 1983, NOW, THEREFORE, BE IT

RESOLVED that Sharon A. Styborski be and hereby is granted a maternity leave of absence in accordance with the applicable maternity leave laws.

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 vacancy for the position of "Clerk Typist" exists in the Assessor's Office, and

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

WHEREAS, the Erie County Civil Service Eligible list for the position of Clerk Typist - Permanent Appointment, has been properly canvassed and interviews conducted, NOW, THEREFORE, BE IT

RESOLVED that Kristine Young of , Cheektowaga, New York, whose name appears on the current Erie County Civil Service List of Eligibles, be and hereby is appointed to the permanent position of Clerk Typist in the Assessor's Office; said appointment effective immediately, at a starting salary of \$13,098.09.

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 Dux

WHEREAS, the Bureau for Municipal Police is sponsoring an advanced Juvenile Officer Training Seminar to be held June 20 - 24, 1983, in Syracuse, New York, and

WHEREAS, room and board will be furnished by the Bureau for Municipal Police and the only cost to the Town will be travel expenses to and from Syracuse, and

WHEREAS, Chief of Police Theodore DeFedericis has requested authorization for Police Officer Christine Ziemba to attend this Training Seminar, NOW, THEREFORE, BE IT

RESOLVED that Officer Christine Ziemba be and hereby is authorized to attend the Juvenile Officer Training Seminar, June 20 - 24, 1983, in Syracuse, New York, and BE IT FURTHER

Item No. 17 cont'd

RESOLVED that Officer Ziemba shall be reimbursed for any travel expenses incurred, and shall be granted the use of a Town vehicle for travel to and from Syracuse.

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 Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the below listed individuals be hired as Trainee Supervisors in the Youth Bureau's Cheektowaga Conservation Corps (C.C.C.) Program - 7310.1811 - at a salary rates and levels prescribed below, effective for the period of June 20, 1983 to September 9, 1983:

Level I - \$5.50 per hour

--Joseph Bernal

Sloan, New York 14212

--Jack Hornung

Cheektowaga, New York 14225

--Robert Off

Cheektowaga, New York 14225

Level II - \$5.00 per hour

--David Herweg

Cheektowaga, New York 14215

--Jim Hornung

Cheektowaga, New York 14225

--Martin Snyder

Depew, New York 14043

and BE IT FURTHER

RESOLVED that the below listed individuals be hired as alternates for the above position and in the case of a vacancy, they be elevated to the position of a Trainee Supervisor, (Level II - \$5.00 per hour):

--David Croglia

--Mark Vedella

Cheektowaga, New York 14225

Cheektowaga, New York 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. 19 Motion by Councilman Jaworowicz, seconded by Councilman W.P. Rogowski

WHEREAS, Kathleen M. Reese has made application and requested the rezoning of property located at 1420 Harlem Road from R-Residential to C-Retail Business District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

Item No. 19 cont'd

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 6, 1983 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

No. 12

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

Ann E. Mita, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks;
first publication.....May 19, 1983.....;
last publication.....May 19, 1983.....;
and that no more than six days intervened be-
tween publications.

Ann E. Mita
Sworn to before me this20th.....
day ofMay....., 1983.
Naidine C. Williams

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1985

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 6th day of June 1983, at 6:30 o'clock P.M. Eastern Daylight Savings Time of said day for the purpose of considering the application of Kathleen Reese to Rezone from R-Residential District to C-Retail Business District on property located at 1420 Harlem Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 72, Township 10, Range 7 of the Buffalo Creek Reservation and according to map filed in Erie County Clerk's Office under Cover No. 311, are known and distinguished as subdivision lots number twenty-seven (27) and twenty-eight (28) in Block 4.

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

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers
Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: May 19, 1983

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

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

GENERAL FUND

From:	1625.4451 (Building and Grounds Maintenance)	\$ 500.00
	7110.4491 (Parks-Special Events)	1,000.00
	7110.4451 (Parks-Building and Grounds Maint.)	500.00
To:	7110.1374 (Facilities-Clerk-Typist)	2,000.00

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. 21 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 16th, 1983 are hereby approved and the Supervisor is ordered to pay said warrants.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$156,133.38
SPECIAL DISTRICT FUND	73,171.92
HIGHWAY FUND	20,277.20
TRUST AND AGENCY FUND	15,645.25
PART TOWN FUND	1,708.37
CAPITAL FUND	108,016.69
HUD-CDBG FUND	2,493.40
HUD REHABILITATION FUND	1,785.00
	<u>\$379,303.21</u>

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. 22 Supervisor's Statement of Funds from October 1982 to February, 1983.
Received and Filed.

Item No. 23 Health report for April, 1983
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 24 E.C. Department of Public Works - letter regarding traffic study at Cleveland Drive and Century
Copies were sent to: Chester Bryan, Town Engineer; Council Secretary.
Received and Filed.

Item No. 25 COMPLAINT - Patricia Smith as parent of Timothy Smith vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Councilman; Mike Miecznikowski, Recreation Director; E.T. Clauss, Insurance Company.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Dux, seconded by Councilman J.V. Rogowski 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

Item No. 26 Appointment of appraiser regarding extension of John C. Stiglmeier Park

Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the Town, on March 31, 1982, purchased real property to extend the boundaries of John C. Stiglmeier Park (formerly Losson Road Park), and

WHEREAS, the Town has applied to the State of New York for reimbursement of approximately 50% of the purchase price of said land, and

WHEREAS, the State of New York has requested that updated appraisals be provided for the real property purchased for park lands before they can release any funds to the Town, and

WHEREAS, said property was previously appraised in 1975 by John D. Kocieniewski, Appraiser and in 1977 by John F. Kreitner, Appraiser, NOW, THEREFORE, BE IT

RESOLVED that said John D. Kocieniewski, with offices located at West Seneca, New York 14224 and John F. Kreitner, Appraiser, with offices located at 10365 Main Street, Clarence, New York 14031, be and hereby are appointed to update their appraisals of the real property purchased from Universal Marian Corporation and Withen Realty Corporation on March 31, 1982 for the extension of John D. Stiglmeier Park (formerly Losson Road Park), and BE IT FURTHER

RESOLVED that the reasonable and necessary fees of said appraisers shall be paid by the Town.

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 J.V. Rogowski, seconded by Councilman Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 6th day of June, 1983 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: Councilman Frank E. Swiatek

Also present were: Richard M. Moleski, Town Clerk; Joseph Schoelkoph, Deputy Town Attorney; Al Thrun, Traffic Safety Commission; Sal LaGreca, Employment and Training Services Director II; Theodore DeFedericis, Chief of Police; Chester Bryan, Town Engineer; Ron Marten, Building and Plumbing Inspector; Dr. Louis Vendetti, Town Health Officer; Julia Reinstein, Town Historian; Earl Loader, Natural Disaster Services Coordinator; Pat Wojcik, Recreation Supervisor-Senior Citizens; Mike Miecznikowski, Recreation Director; Ron Zoeller, Working Foreman in the Sanitation Department.

I. PUBLIC HEARING

Item No. 2 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 intersection designated shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CAMPBELL ROAD	East-West	Cut-through between Tudor Road and Camp- bell Road	Northbound	S.E. Corner

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CAMPBELL ROAD	East-West	Oak Road	Northbound	S.E. Corner
TUDOR ROAD	East-West	Oak Road	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations.

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

A. No parking this side or one side parking

BISMARCK STREET South side from the west curbline of Meadowbrook Parkway
to the east curbline of Shanley Street

OAK ROAD West side from the south curbline of Campbell Road
to the north curbline of Tudor Road

* * * * *

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

II. RESOLUTIONS

Item No. 3a Decision on Rezoning - 3440 Genesee Street
This item was withdrawn.

Item No. 3b Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, S & Z Volkswagen Service, Inc. has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District, of property owned by it and located at 3517 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of July, 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 denial thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has cited potential impacts on the environment, and has requested the applicant to submit a draft Environmental Impact Statement, and

WHEREAS, the applicant has not submitted the draft Environmental Impact Statement and, as such, the processing of applicant's request for rezoning has ceased,

NOW, THEREFORE, BE IT RESOLVED that the application of S & Z Volkswagen Service, Inc. for the rezoning from C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby denied.

* See next page for legal description.

This Indenture,

Between

June, made the 12th
Nineteen Hundred and Seventy-eight

day of

S&Z VW Service, Inc.

1917 Union Rd

Cheektowaga, New York 14225

a corporation organized under the laws of the State of New York

party of the first part, and

Peter Zoerner and
Abdulmuhsen Sallaj
as tenants in common

3917 Union Road

Cheektowaga, New York 14225

parties of the second part,

Witnesseth, that the party of the first part, in consideration of

One and ^{no}more-----Dollar (\$1.00 & ^{no}more)
lawful money of the United States,
paid by the parties of the second part, does hereby grant and release unto the parties of the second
part, their heirs and assigns forever,

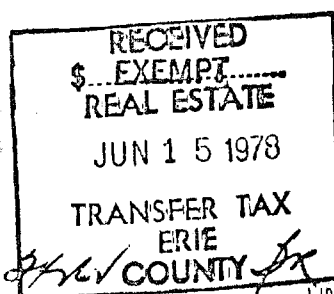
All that Tract or Parcel of Land, situate in the Town of
Cheektowaga, County of Erie, State of New York being part of Lot
Number eleven (11), Township eleven (11), Range seven (7) of the
Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a northwest corner of lands conveyed to
John M. Groell and Joseph J. Nazzarett by deed recorded in the Erie
County Clerk's Office in Liber 3113 of Deeds at page 327; running
thence southerly along the west line of said lands, two hundred
forty-six (246) feet; ~~running thence easterly parallel~~ with the north
line of said lands, nine hundred fifty-seven and sixty-six hundredths
(957.66) feet to the east line of said lands; running thence northerly
along the easterly line of said lands, two hundred forty-six (246) feet
to the northeast corner thereof; continuing thence northerly along a
line which is an extension northerly of the east line of said lands,
one hundred forty-seven (147) feet to the south line of Goering
Avenue; running thence westerly along the south line of Goering
Avenue, sixty (60) feet; running thence southerly parallel with the
east line of lands so conveyed to Groell and Nazzarett, as afore-
mentioned, as said east line is extended northerly, one hundred
forty-seven (147) feet to the north line of the said lands so conveyed
to Groell and Nazzarett running thence westerly along the north line
of said lands, eight hundred ninety-seven and sixty-six hundredths
(897.66) feet to the place of beginning.

Excepting and reserving therefrom the part lying within
the bounds of Union Road as now laid out.

Excepting therefrom a parcel hereof, being 100 feet front
by 300 feet in depth, previously conveyed by grantors to Privitera &
Co. P.C. by Deed recorded on February 26, 1976 in Liber 8367 of Deeds
at page 283, and EXCEPTING THEREFROM, if appropriate, those parts
appropriated by the State of New York for Highway purposes.

Subject to easements of record.



LIBER 8657 PAGE 43

Item No. 3b cont'd

Upon Roll Call....

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

Item No. 3c Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, John N. Michalik has petitioned for the rezoning from R-Residential District to RC-Restricted Business District and CM-General Commercial District of property owned by him and located on William Street between Starlite Avenue and Tamark Court, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of January, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended denial thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has cited potential impacts on the environment and has requested the applicant to submit a draft Environmental Impact Statement, and

WHEREAS, the applicant has not submitted the draft Environmental Impact Statement and, as such, the processing of applicant's request for rezoning has ceased,

NOW, THEREFORE, BE IT RESOLVED that the application of John N. Michalik for the rezoning from R-Residential District to RC-Restricted Business District and CM-General Commercial District of the property specified in the attached legal description be and the same is hereby denied.

* See next page for description.

This Indenture,

Made the 20th day of August, in

the year Nineteen Hundred and fifty-one

Between

LEONARD S. SKOCZYLAS and GERTRUDE P. SKOCZYLAS

his wife, residing at 64 Helen Street, Cheektowaga, New York

parties of the first part, and

JOHN MICHALIK and IRENE MICHALIK, his wife, residing at

, Buffalo, New York, as tenants by the entirety

parties of the second part,

Witnesseth, that the said parties of the first part, in consideration of

one and more ----- Dollars,

(\$ 1.00 and ^{more} /) lawful money of the United States,

paid by the parties of the second part, do hereby grant

and release unto the said parties of the second part, their heirs and assigns forever,

All that ~~Grant or Parcel of Land~~, situated in the Town of Cheektowaga, County of Erie and State of New York being part of Lot Number Twenty-three (23), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey bounded and described as follows:

Beginning at a point in the northerly line of William Street as a sixty-six (66) foot highway distant easterly fourteen hundred twenty-eight and ten hundredths (1428.10) feet from its intersection with the easterly line of Kennedy Street; running thence northerly along the west line of lands heretofore conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 2826 of Deeds at page 489 Eight hundred twenty (820) feet; running thence easterly on a line parallel with the said northerly line of William Street sixty (60) feet; running thence southerly and parallel to the aforesaid west line of land heretofore conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in

Item No. 3c cont'd

Upon Roll Call....

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

Item No. 3d Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, James D. and Christina Makarikas have petitioned for the rezoning from R-Residential District to RC-Restricted Business District of property owned by them and located at 1085 French Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of January, 1983 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 the conditions that petitioners comply with Section 10-10 of the Zoning Ordinance and restrict off-street parking to the rear of the building, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that the application of James D. and Christina Makarikas for the rezoning from Residential District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby granted, subject to the conditions that petitioners comply with Section 10-10 of the Zoning Ordinance and restrict off-street parking to the rear of the property, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

* See next page for description.

This Indenture,

Made the 17th day of November, Nineteen Hundred and Eighty-two

Between ROBERT E. DUNN and THELMA L. DUNN, his wife, residing at Cheektowaga, New York 14227

Grantor(s), and

JAMES D. MAKARIKAS and CHRISTINA MAKARIKAS, his wife, residing at Cheektowaga, New York 14227

Grantee(s).

Witnesseth, that the said Grantor(s), in consideration of

-----One and more-----Dollars (\$ 1.00 & more)
lawful money of the United States, paid by the Grantee(s), do hereby grant and release unto the Grantee(s),
their heirs and assigns forever.

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 51, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:-

BEGINNING at a point in the northerly line of said Lot No. 51, which is also the center line of French Road at a distant six hundred ninety-seven and ninety-five hundredths (697.95) feet easterly from the north-east corner of a fifteen (15) acres lot conveyed by Jacques Monnin and wife and Francis Lower and wife to Ettienne Lower by deed dated March 10, 1856 and recorded in Erie County Clerk's Office which point of beginning is also one thousand twenty-three (1023) feet westerly from the northeasterly corner of said Lot No. 51: thence westerly along the northerly line of said Lot No. 51, seventy-eight (78) feet; thence southerly parallel to the easterly line of lands so conveyed to Laverne Blosser and Gladys his wife by a deed dated and recorded March 27, 1949 in the Erie County Clerk's Office in Liber 4523 of Deeds at page 88, three hundred fifty (350) feet; thence easterly parallel to the northerly line of said Lot No. 51, seventy-eight (78) feet to the easterly line of Laverne Blosser and Gladys his wife, lands as described in last above mentioned deed; thence northerly along said easterly line of said lands three hundred fifty (350) feet to the place of beginning.

Excepting from the above described premises that portion of the above described premises conveyed to the County of Erie by Deed recorded in the Erie County Clerk's Office on January 26, 1965 in Liber 7079 of Deeds at page 121.

Item No. 3d cont'd

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Ann E. Mika, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication June 9, 1983 ;
last publication June 9, 1983 ;
and that no more than six days intervened be-
tween publications.

Ann E. Mika

Sworn to before me this 13th

day of June, 1983.

Naidine C. Williams

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1985

**LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 6th day of June, 1983 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

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

ABSENT:

Councilman Frank E. Swiatek
Motion by Supervisor Meyers
Seconded by Councilman Jaworowicz

WHEREAS, James D. and Christina Makarikas have petitioned for the rezoning from R-Residential District to RC-Restricted Business District of property owned by them and located at 1085 French Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of January, 1983 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 the conditions that petitioners comply with Section 10-10 of the Zoning Ordinance and restrict off-street parking to the rear of the building, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environ-

NOW, THEREFORE, BE IT RESOLVED, that the application of James D. and Christina Makarikas for the rezoning from Residential District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby granted, subject to the conditions that petitioners comply with Section 10-10 of the Zoning Ordinance and restrict off-street parking to the rear of the property, and

BE IT FURTHER RESOLVED that the Zoning Map and Ordinance be amended in accordance with the above.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 51, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

BEGINNING at a point in the northerly line of said Lot No. 51, which is also the center line of French Road at a distance six hundred ninety-seven and ninety-five hundredths (697.95) feet easterly from the northeast corner of a fifteen (15) acres lot conveyed by Jacques Monnin and wife and Francis Lower and wife to Etienne Lower by deed dated March 10, 1856 and recorded in Erie County Clerk's Office which point of beginning is also one thousand twenty-three (1023) feet westerly from the northeasterly corner of said Lot No. 51: thence westerly along the northerly line of said Lot No. 51, seventy-eight (78) feet; thence southerly parallel to the easterly line of lands so conveyed to Laverne Blosser and Gladys his wife by a deed dated and recorded March 27, 1949 in the Erie County Clerk's Office in Liber 4523 of Deeds at page 88, three hundred fifty (350) feet; thence easterly parallel to the northerly line of said Lot No. 51, seventy-eight (78) feet to the easterly line of Laverne Blosser

and Gladys his wife, lands as described in last above mentioned deed; thence northerly along said easterly line of said lands three hundred fifty (350) feet to the place of beginning.

Excepting from the above described premises that portion of the above described premises conveyed to the County of Erie by Deed recorded in the Erie County Clerk's Office on January 26, 1965 in Liber 7079 of Deeds at page 121. Upon roll call...

Supervisor	Meyers	Voting	AYE
Councilmen	Swiatek	Voting	ABSENT
	Johnson	Voting	AYE
	Dux	Voting	AYE
	W.P. Rogowski	Voting	AYE
	J.V. Rogowski	Voting	AYE
	Jaworowicz	Voting	AYE

AYES: 6

NAYES: 0

ABSENT: 1

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 6, 1983, 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. 3d, inclusive of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 6th day of June, 1983.

RICHARD M. MOLESKI
Town Clerk
PUBLISHED: June 9, 1983

Item No. 4

WHEREAS, this Town Board duly held a public hearing on the 16th day of May, 1983 at 7:00 Eastern Daylight Saving Time to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

ARTICLE X

Parking, Standing and Stopping

Section 103 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations as specified.

B. Standing prohibited in designated areas:

CRESTWOOD PLACE - west side from the north curbline
of Genesee Street to a point 140
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 TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon Roll Call....

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

NAYES: 0

ABSENT: Councilman Swiatek

AFFIDAVIT - NEXT PAGE

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

Anne E. Mika, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....June 9, 1983.....;
last publication.....June 9, 1983.....;
and that no more than six days intervened be-
tween publications.

Anne E. Mika
Sworn to before me this13th....
day ofJune....., 1983.
Naidine C. Williams

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1985

**LEGAL NOTICE
TRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD**

a regular meeting of the
n Board of the Town of
ktowaga, Erie County, New
held at the Town Hall, cor-
of Broadway and Union
s, in said Town on the 6th
of June, 1983 at 7:00 o'clock
Eastern Daylight Saving
e there were:

SENT:
pervisor Kenneth J. Meyers
ouncilmen:
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz

ENT:
ouncilman Frank E. Swiatek
otion by Councilman Johnson
nded by Councilman Dux
HEREAS, this Town Board
held a public hearing on the
day of May, 1983 at 7:00
ern Daylight Saving Time to
ider the advisability of adop-
of a proposed amendment to
Traffic Ordinance of the
n of Cheektowaga which was
ted on July 17, 1967, said
ing being held in accordance
Notice thereof which was du-
blished as required by law,
hich hearing an opportunity
e heard was afforded all per-
interested in the subject
eof.

OW, THEREFORE, BE IT
OLVED as follows:

ction 1. That this Town Board
rmine that it is in the public
rest to adopt the following
ndment to the Traffic Or-
ance of the Town of
ektowaga, County of Erie and
e of New York, and said
ndment is herewith adopted
enacted:

ARTICLE X

Parking, Standing and Stopping
Section 103 is amended by ad-
ding thereto the following:

The parking of vehicles is
hereby prohibited in any of the
following locations as specified.
B. Standing prohibited in
designated areas:

CRESTWOOD PLACE: west
side from the north curbline of
Genesee Street to a point 140 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 sub-
ject 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 Applica-
tion.

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 pub-
lished in The Cheektowaga
TIMES, a newspaper published
in this Town and affidavits of
such publication shall be filed
with the Town Clerk and the
Town Clerk shall likewise enter
in the Ordinance Book a copy of
this amendment specifying the
date of adoption thereof.

Upon roll call...
Supervisor

Meyers	Voting	AYE
Councilmen		
Swiatek	Voting	ABSENT
Johnson	Voting	AYE
Dux	Voting	AYE
W.P. Rogowski	Voting	AYE
J.V. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE

AYES: 6

NAYES: 0

ABSENT: 1

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 6
1983, and minutes of said meeting
have been duly recorded in the
Minute Book by me in accor-
dance with law for the purpose of
recording the minutes of
meetings of said Board, and such
minutes appear at item No. 4, in-
clusive, of said book.

2. I have compared the at-
tached 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 re-
ferred 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 at-
tended said meeting.

IN WITNESS WHEREOF, I
have hereunto set my hand and
have hereunto affixed the cor-
porate seal of said Town, this 6th
day of June, 1983.

RICHARD M. MOLESKI
Town Clerk
PUBLISHED: June 9, 1983

Item No. 5a Motion by Councilman W.P. Rogowski, seconded by Councilman Dux

WHEREAS, bids were received by this Town Board on May 16, 1983 for the construction of a Library Director's Office at the Reinstein Library, 2580 Harlem Road in the Town of Cheektowaga, and

WHEREAS, bids were referred to Frederick D. Marzak, Architects for analysis, tabulation and report, and

WHEREAS, said analysis, tabulation and report is noted in a letter dated June 1, 1983 and is attached and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of a Library Director's Office at the Reinstein Library be awarded to L.P.G. General Corporation, 5296 Sheridan Drive, Williamsville, New York 14211 for submitting the lowest responsible bid in the amount of \$8,347.00.

* See next page for letter

CHEEKTOWAGA PUBLIC LIBRARY
REINSTEIN BRANCH
2580 HARLEM ROAD
CHEEKTOWAGA, N. Y. 14225

June 1, 1983

Mr. Richard Moleski, Town Clerk
Cheektowaga Town Hall
Broadway & Union Road
Cheektowaga, New York 14225

Dear Dick:

Fred Marzak has checked the references of the L.P.G. General Corporation, the low bidder for the Director's office at the Reinstein Library. He recommends we award the bid to them.

Would you please write a resolution for the Town Council awarding the bid to L.P.G. General Corporation, 5296 Sheridan Drive, Williamsville, New York 14221. The Amount of the bid is \$8347.00.

Thank you for your assistance in this matter.

Sincerely,

Edward M. Kieczykowski

Edward M. Kieczykowski
Director
Cheektowaga Public Library

EMK/mjl

RECEIVED

Richard M. Moleski, Town Clerk

JUN 1 1983

A.M.

P.M.

6/7/8/9/10/11/12/1/2/3/4/5/6

Item No. 5a cont'd

Upon Roll Call....

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

Item No. 5b Motion by Councilman W.P. Rogowski, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a public bid opening held on April 5th for the purchase of topsoil for use in the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed
NOW, THEREFORE, BE IT

RESOLVED that the bid for topsoil be awarded to Custom Topsoil, Inc., 320 Losson Road, Cheektowaga, New York; said bidder being the lowest responsible bidder meeting specifications.

Upon Roll Call....

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

Item No. 5c Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, bids were received and opened by the Town Clerk at a bid opening on May 2, 1983 for the construction of new sidewalks anywhere in Town and the replacement of existing sidewalks primarily in the Walden Avenue area between the Buffalo City Line and Harlem Road, and

WHEREAS, said bids were reviewed and tabulated by the Engineering Department and an analysis, tabulation and report was submitted in the letter from the Town Engineer to the Town Board dated June 2, 1983, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of sidewalks including incidental piping and landscaping be and hereby is awarded to: Campobello Construction Co., Inc., 3170 Delaward Avenue, Buffalo, New York 14217, for their submission of the lowest responsible bid total of \$79,440.00 with the award being made at the following unit prices:

ITEM 1	4" thick sidewalk	\$ 1.52/sq. ft.
ITEM 2	6" thick sidewalk	\$ 1.90/sq. ft.
ITEM 3	Excess fill or excavation	\$ 5.00/cu. yd.
ITEM 4	4" diameter P.V.C. underdrain	\$ 0.75/lin. ft.
ITEM 5	6" sidewalk reinforced 6 x 6 x 10 mesh	\$ 1.95/sq. ft.
ITEM 6	Landscaping beyond Item #1	\$ 3.50/sq. yd.
ITEM 7	Fine asphalt mix beyond Item #1	\$ 7.00/sq. yd.
ITEM 8	6" reinforced driveway apron	\$ 2.00/sq. ft.
ITEM 9	Traffic Control	\$700.00

and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign the agreement with said contractor for the construction of the Walden Avenue area sidewalks and the related work, and BE IT FURTHER

RESOLVED that funding for this work is to be made under the Community Development Block Grant Program and any other funds as appropriated.

Item No. 5c cont'd

Upon Roll Call....

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

Item No. 5d Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, bids were duly received by the Cheektowaga Town Clerk and were publicly opened and read on May 16, 1983 for bus transportation to and from Camp Crabapple from July 5, 1983 to August 12, 1983, as a result of advertisement therefore, and

WHEREAS, such bids were referred to Bridget Lynch of the Cheektowaga Youth Bureau 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 COTTRELL BUS SERVICE, 2306 WALDEN AVENUE, BUFFALO, NEW YORK 14225, at a total bid price of \$4,213.90; said bidder being the lowest responsible bidder meeting specifications.

Upon Roll Call....

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

Item No. 5e Motion by Councilman Swiatek, seconded by Councilman W.P. Rogowski

WHEREAS, bids were duly received and opened by the Town Clerk on May 16, 1983 for the furnishing of dimensional lumber for the Town of Cheektowaga for the year 1983, and

WHEREAS, the Cheektowaga Youth Bureau has analyzed, tabulated and reported on said bid proposals,

NOW, THEREFORE, BE IT RESOLVED that the Cheektowaga Town Board award the following contracts for dimensional lumber as listed herein:

ITEM I - LUMBER

Forest Materials, Inc.
1665 Harlem Road
Cheektowaga, New York

ITEM II - PLYWOOD

Wicker Lumber Company, Inc.
3411 Highland Avenue
Niagara Falls, New York

ITEM III - NOVA & PARTICLE BOARD

Wicker Lumber Company, Inc.
3411 Highland Avenue
Niagara Falls, New York

ITEM IV - PRESSURE TREATED LUMBER

Forest Materials, Inc.
1665 Harlem Road
Cheektowaga, New York

Upon Roll Call....

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

Item No. 5f Motion by Supervisor Meyers, seconded by Councilman W.P. Rogowski

WHEREAS, bids were received and opened at a public meeting on May 2, 1983 for construction of improvements to Stiglmeier Park, Phase II, and

WHEREAS, said bids were referred to Stuart Alexander & Associates, Town Planning Consultant, for analysis and tabulation, and

Item No. 5f cont'd

WHEREAS, the results of said analysis and tabulation were referred to the Parks and Recreation Committee, which recommend the deletion of base bid item #20 (bleachers) and the addition of Alternate C (extension of ball diamonds), and

WHEREAS, based on said Parks and Recreation Committee recommendations, Stuart Alexander & Associates, in a letter dated June 3, 1983, recommended that the contract be awarded to M. Passucci General Construction, Inc., for the submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of improvements to Stiglmeier Park, Phase II, be and hereby is awarded to M. Passucci General Construction, Inc., 4499 Clinton Street, West Seneca, New York 14224 in the amount of \$216,165.35, said being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the Supervisor is directed to sign a contract with said M. Passucci General Construction, Inc. for said work.

Upon Roll Call....

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

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

WHEREAS, the Sewer Maintenance Department is in need of one (1) new Low Boy Dump Truck, and

WHEREAS, funds have been budgeted for this purpose, NOW, THEREFORE, BE IT

RESOLVED that the request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said vehicle, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 20th day of June, 1983 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 20, 1983 at 11:00 A.M., at the Town Hall, corner of Broadway and Union Roads, for the furnishing of one (1) 1983 Low Boy Dump Truck for the Sanitary Sewer Maintenance Department of the Town of Cheektowaga.

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

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and 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 6, 1983

* * * * *

6/6/83

Item No. 6 cont'd

Upon Roll Call.....

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

AFFIDAVIT - NEXT PAGE

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

Ann F. Mika, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....June 9, 1983.....;
last publication.....June 9, 1983.....;
and that no more than six days intervened be-
tween publications.

Ann F. Mika
Sworn to before me this13th.....
day ofJune....., 19..83..
Naidine C. Williams

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1985

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 20, 1983 at 11:00 A.M. at the Town Hall, corner of Broadway and Union Roads, for the furnishing of one (1) 1983 Low Boy Dump Truck for the Sanitary Sewer Maintenance Department of the Town of Cheektowaga.

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

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and 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 6, 1983

PUBLISHED: June 9, 1983

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

WHEREAS, the Town enters into various contract agreements with the County of Erie for the mutual benefit of the parties and their residents, and

WHEREAS, Erie County mandates insurance requirements that the Town defend and indemnify the County, its officials and employees for the County's own negligence and, also, name Erie County and its departments as Additional Insureds in the Town's Liability insurance policies, and

WHEREAS, the Town feels these County insurance requirements are unfair and detrimental to the Town and its taxpayers, and

WHEREAS, the Town's acceptance of these obligations could result in future increased insurance and self-insured loss costs by reason of payments or reserves caused by the negligence of Erie County or its employees, thus impacting on the taxpayers of the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the Erie County Legislature to adopt legislation that will treat local governments on an equal basis with Erie County by removing these insurance mandates and substitute therefor a policy permitting the Town and Erie County to each assume its own liabilities and insure then as it deems prudent, and BE IT FURTHER

RESOLVED that pending the adoption of such legislation, the Erie County Executive re-institute the insurance requirements which existed prior to current mandates which obligate the Town to defend Erie County and name it as an Additional Insured in its insurance policies, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to send certified copies of this resolution to the Erie County Legislature and to Mr. Richard A. Slisz, County Legislator.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga has filed an application with the Department of Housing and Urban Development for \$1,019,000 in Community Development Block Grant funds for Fiscal Year 1983-84, and

WHEREAS, the Town has been notified by the Department of Housing and Urban Development that the award of said funds has been approved, and

WHEREAS, it is necessary for the Town to enter into an Agreement with the Department of Housing and Urban Development for the receipt of said funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute the attached Grant Agreement with the Department of Housing and Urban Development on behalf of the Town of Cheektowaga for receipt of \$1,019,000 in Community Development Block Grant funds for Fiscal Year 1983-84.

* See next four (4) pages for agreement

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FUNDING APPROVAL UNDER TITLE I OF THE HOUSING AND COMMUNITY
DEVELOPMENT ACT OF 1974 (Public Law 93-383), AS AMENDED

1. NAME OF GRANTEE Town of Cheektowaga	2. GRANT NO. B-83-MC-36-0009
3. GRANTEE'S ADDRESS (Include Street, City, County, State and Zip Code) Mr. Kenneth Meyers Supervisor, Town of Cheektowaga Broadway and Union Roads Cheektowaga, NY 14227 (Erie County)	4. DATE OF SUBMISSION April 26, 1983
	5. DATE OF HUD RECEIPT OF SUBMISSION May 2, 1983
	6. <input checked="" type="checkbox"/> Original Funding Approval <input type="checkbox"/> Amendment. Amendment No. _____

All section references below are to the Housing and Community Development Act of 1974, as amended, unless otherwise indicated.

7. CATEGORY OF COMMUNITY DEVELOPMENT BLOCK GRANT FOR THIS FUNDING ACTION

(Check only one)

- a. ☒ Metropolitan Entitlement (Sec. 106)
b. ☐ Metropolitan Discretionary (Sec. 106)
c. ☐ Non-Metropolitan Entitlement (Sec. 106)
d. ☐ Non-Metropolitan Discretionary (Sec. 106)
e. ☐ Secretary's Discretionary (Sec. 107)
f. ☐ Categorical Program Settlement Grants (Sec. 103(b))

8. AMOUNT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS APPROVED

a. Amount of CDBG Funds Currently Reserved for this GRANTEE \$ 1,019,000
b. Amount of CDBG Funds Now Being Approved for this GRANTEE \$ 1,019,000
c. Amount of Reservation to be Cancelled (Line 8a minus 8b) \$ -0-

HUD ACCOUNTING USE ONLY

BATCH	TAC	PROGRAM	Y	A	REG	AREA	DOCUMENT NO.	PROJECT NUMBER	- \$
	1 5 3						7 0 8 2		
	1 7 6								
CATEGORY	AMOUNT 1	EFFECTIVE DATE	F	AMOUNT 2	SCHEDULE NO.				

DISTRIBUTION OF APPROVED COMMUNITY DEVELOPMENT BLOCK GRANT

a. Grant Amount Budgeted by Locality for Repayment of Urban Renewal Loans \$ -0-
b. Grant Amount Withheld for Payment of Principal and Interest on Loans Guaranteed Pursuant to Sec. 108 \$ -0-
c. Grant Amount Deducted by HUD to Settle Outstanding Urban Renewal Loans
(Sec. 112(a)(1)) \$ -0-
d. Sum of lines 9a, 9b, and 9c \$ 1,019,000
e. Amount of Approved CDBG Available for Disbursement (Line 8c minus 9d) \$

HUD-7062 (8-78)

AMOUNT OF SURPLUS URBAN RENEWAL FUNDS APPROVED AND BALANCE AVAILABLE (Sec 112(b))

a. Amount of Surplus U.R. Funds Reserved for this GRANTEE \$ 0
 b. Amount of Surplus U.R. Funds Now Being Approved \$ 0
 c. Balance of Surplus U.R. Funds Available for Future Use (Line 10a minus 10b) \$ 0

HUD ACCOUNTING USE ONLY

BATCH 1 2	TAC 153 176	PROGRAM 9	Y 12	A 12	REG 14	AREA 16	DOCUMENT NO. 7082	PROJECT NUMBER 23 30 35
CATEGORY 36	AMOUNT 1 41 45 50	EFFECTIVE DATE 54	F 60	AMOUNT 2 61 65 70	SCHEDULE NO. 74 79			

11. MAXIMUM AMOUNT OF LOAN GUARANTEE COMMITMENT AVAILABLE AND AMOUNT NOW BEING APPROVED

a. Grantee's Latest Entitlement Amount - \$ _____ x 3	\$ 0
b. Grant Amount Required by HUD to be Applied to Urban Renewal Loans	\$ 0
c. Amount of Outstanding Loans (Including Principal and Interest Thereon) Guaranteed Pursuant to Section 108	\$ 0
d. Amount of Outstanding Loan Guarantee Commitments Approved Pursuant to Section 108	\$ 0
e. Maximum Amount of Loan Guarantee Commitment Available (Line 11a minus 11b, 11c, and 11d)	\$ 0
f. Amount of Loan Guarantee Commitment Now Being Approved	\$ 0

12. RECIPIENT OF LOAN GUARANTEE (Check Applicable Box)

a. ☐ Grantee Identified in Block No. 1
 b. ☐ Public Agency Designated as Grantee to Receive Loan Guarantee (Name and Address)

N/A

13. SPECIAL CONDITIONS

SEE ATTACHED

13. SPECIAL CONDITIONS

a.

The funding assistance authorized hereunder shall not be obligated or utilized for any activities requiring a release of funds by HUD under the Environmental Review Procedures for the Community Development Block Grant Program at 24 CFR Part 58, until such release is issued in writing.

b.

The Grantee shall take all actions necessary to correct any inconsistencies with the requirements of HUD regulations implementing the Housing and Community Development Amendments of 1981 within 90 days of the effective date of such regulations.

GRANT AGREEMENT

This Grant Agreement is made by and between the Department of Housing and Urban Development (HUD) and the Town of Cheektowaga (the Grantee) pursuant to the authority of Title I of the Housing and Community Development Act of 1974 (Public Law 93-383), as amended. The Grantee's submissions for Title I assistance and the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), which are incorporated by reference, together with the certifications of the Grantee and the HUD funding Form 7082, which are hereto attached, constitute part of the Agreement.

In reliance upon and in consideration of the mutual representations and obligations hereunder, HUD and the Grantee agree as follows:

Subject to the provisions of this Grant Agreement, HUD will make the funding assistance for Fiscal Year 1983, specified in the attached HUD funding Form 7082 available to the Grantee upon execution of the Agreement by the parties. The obligation and utilization of the funding assistance provided is subject to the requirements of the regulations and any special conditions set forth in the HUD funding Form 7082. The Grantee further agrees to accept responsibility for adherence to the Agreement by subrecipient entities or designated public agencies to which it makes such funding assistance available.

THE DEPARTMENT OF HOUSING & URBAN DEVELOPMENT

BY: 

TITLE: Area Manager

DATE: MAY 18 1983

THE GRANTEE Town of Cheektowaga

BY: 

TITLE: Supervisor

DATE: June 6, 1983

Item No. 8 cont'd

Upon Roll Call....

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

Item No. 9 Motion by Supervisor Meyers, seconded by Councilman W.P. Rogowski

WHEREAS, the Board of Fire Commissioners of U-Crest Fire District on Evergreen Place, in the Town of Cheektowaga 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 governing 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 herewith, 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 performing work on the parking lot adjacent to the new U-Crest Fire Hall on Evergreen Place, on the terms and conditions specified in the communications of the Town Superintendent of Highways dated June 2, 1983 which are appended hereto and made a part hereof.

* See next two (2) pages for letters

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 2, 1983

Kenneth J. Meyers, Supervisor
Town Board
Cheektowaga Town Hall
Cheektowaga, NY 14425

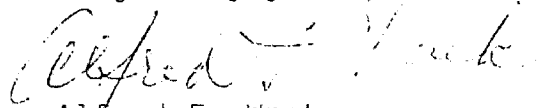
Gentlemen:

I am requesting permission to perform work on the parking lot adjacent to the new U-Crest Fire Hall located on Evergreen Place in our Town.

It has been agreed with the U-Crest Fire District that they will assume the cost of labor and materials and reimburse the Town of Cheektowaga. An agreement will follow that will provide a Certificate of Insurance for any liability incurred during construction of same.

I trust this will meet with your approval.

Very truly yours,


Alfred F. Wnek
Superintendent of Highways

AFW/ji

cc: Town Attorney
Town Clerk

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

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 2, 1983

Board of Fire Commissioners
U-Crest Fire District
235-239 Evergreen Place
Cheektowaga, NY 14225

Gentlemen:

As discussed and agreed upon, our department will be working on the parking lot adjacent to your new fire-hall.

As agreed with the Highway Superintendent, the U-Crest Fire District will assume the cost of labor and materials and reimburse the Town of Cheektowaga. In addition a Certificate of Insurance will be provided for any liability incurred during construction of same.

If the Board decides that the above is agreeable, I would appreciate your signing below so that this project can be started as soon as possible.

Very truly yours,

ALFRED F. WNEK
Superintendent of Highways

CHAIRMAN, BOARD OF FIRE
COMMISSIONERS
U-Crest Fire District #4

AFW/ji

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

Item No. 9 cont'd

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga, on April 17, 1978, adopted an "Official Drainage Systems Map for the Town of Cheektowaga," and

WHEREAS, said drainage systems map depicts a drainage ditch and appurtenances to be constructed near transit Road in the southeast section of the Town, and

WHEREAS, the Town is desirous of installing drainage pipes and appurtenances in this section of Town, and

WHEREAS, property owners of four lots along Transit Road have signed the attached easements giving the Town permission to operate and maintain a drainage ditch and appurtenances thereto, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts these easements and directs the Town's Engineering Department to proceed with the installation of the necessary pipes, etc. in this area, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to file these easements in the files as permanent records.

Upon Roll Call....

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

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

WHEREAS, the Erie County Water Authority is planning on constructing a new water main along the north side of Airport Road from Dean Road to Banko Drive, and

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

WHEREAS, the Board of Fire Commissioners of Hy-View Fire District No. 8 have requested that a new hydrant be constructed on the north side of Airport Road at the east edge of the parking lot, NOW, THEREFORE, BE IT

RESOLVED that this Town Board approve the request of the Board of Fire Commissioners of Hy-View Fire District No. 8 for the construction of a new hydrant, and BE IT FURTHER

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

Upon Roll Call....

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

Item No. 12a Motion by Councilman W.P. Rogowski, seconded by Councilman Johnson

BE IT RESOLVED that the following employees be terminated from the Recreation Department effective June 6, 1983:

Item No. 12a. cont'd

Mark Banaszak
Kim Bannister
Kevin Beback
Norman Bitterman
Samuel Burgio
Diane Catalfu
James Chojnicki
Mary Lou Czajka
Larry Darmstedter
Paul Dennis
Paul Eggert
Michael Ford
Joseph Fowlow
Mark Fuller
Jeffrey Garbacz
David Gasiewicz
Christopher Giambelluca
Deborah Healy
Keith Healy
Rae Marie Heckman
Gerald E. Hickson
Gerald J. Hickson
Paul Kasinski
T.R. Keller
John Koprevich
Robert Kowalewski
David Kowalewski
Nancy Kozma
Ronald Kozma
Richard Kulinski
Michelle Kunkel
Dean Lach
Robert Maue
Thomas Miranda
Lita Murawski
Daniel Nash
Joseph Nowak
Peter Odrobina
Charles Olday
Timothy Pawlak
Melissa Prorok
Chris Rogalski
Barbara Rusin
Denise Rutkowski
Karen Spaulding
Mary Ann Spaulding
Christopher Thoms
Albert Wingerter
Andrew Wlodarczyk
Lise Woolrich
Carol Yamarino
David Zack
Brian Ziemba

Upon Roll Call....

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

Item No. 12b Motion by Councilman Jaworowicz, seconded by Councilman Dux

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

Bannister, Bill
Ring, Kimberly

6/3/83
6/3/83

Item No. 12b cont'd

Upon Roll Call....

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

Item No. 12c Motion by Councilman W.P. Rogowski, seconded by Supervisor Meyers

BE IT RESOLVED that the below listed individuals be terminated
from the Youth Bureau payroll effective immediately:

--Administrative Intern Program
7310.1804

--Lisa Cieslik
--Barbara Mikler

--Adapted Recreation Program
7310.1803

--Michalene Mahoney

Upon Roll Call....

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

Item No. 13a Motion by Supervisor Meyers, seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following be hired to aid the Cheektowaga
Recreation Department in conducting its 1983 summer programs:

POOL DIRECTOR - \$2,500.00 - 9 weeks - A7180.1902

Brian Hansen

SPECIAL EVENTS SUPERVISOR - \$1,850.00 - 9 weeks - A7180.1902

John Hartman

POOL SUPERVISOR - \$1,600.00 - 9 weeks - A7180.1902 - Town Park Pool

Deborah Binner
Charles Olday, Jr.

POOL SUPERVISORS - \$1,500.00 - 9 weeks - A7180.1902 - Maryvale & Dingens

Thomas Gagola
Catherine Giles
Deborah Healy
Michelle Kunkel
Peggy Anne McDonnell

LIFEGUARDS - \$3.35 with WSI - \$3.10 without WSI - A7180.1903

Mark Angrisano
Jeanne Berst
Deborah Chimes
Scott Dibble
Karen Dixon
Frank Filipski
Sharon Gandy
Suzanne Gapik
Charles Geraci
Lynda Germann
Linda Glasser

Item No. 13a cont'd

Candace Gorzynski
Eileen Hanavan
Keith Healy
Robert Heary
Melinda Heath
Jill Horvatis
Susan Jagodzinski
Cheryl Jaworowicz
Gina Kellam
T.R. Keller
Paul Kmoitek
Anthony Kolasny
Ronald Kubiak
Joseph Kwiatkowski
Lisa Lageman
Kim Lennert
Paul Lewandowski
Mary Jo Lipowski
Mia Marsh
David McElligott
Catherine Mederski
Stephanie Michalski
Pamela Miller
Richard Mirando
Thomas Mohr
Suzan Nicholson
Alan Pawlowski
Gail Pleban
Brian Russ
Michael Schlager
Beth Selmensberger
Deborah Szeliga
Michael Thurnherr
Kimberly Van Gulik
Diane Zablotny
Gregory Zyga
Ronald Lyon
Holly Marvin
Kathleen Koeppel
Lynnette Mazurek
Diane Wild
Lisa Mirando
Susan Ippolito

LIFEGUARDS - Alternates

Peter Catalfu
Davie Crean
Roberta Epel
Robert Germann
Thomas Glasser
Sandra Gosciniak
Karen Healy
Michael Heath
Christine Kolasny
Daniel Lyons
Lynnette McNary
Kim Niedzielski
Scott Pleban
Lucy Vero

PLAYGROUND SUPERVISORS - \$1,400.00 - 8 weeks - A7140.1613

Richard Andrzejewski
Thomas Block
Diane Catalfu
Carl Giambelluca
Mark Kensy
Dean Lach

Item No. 13a cont'd

Peter Odrobina
Paul Ruda
Barbara Rusin
Joseph Wojcik

ARTS & CRAFTS SUPERVISORS - \$1,400.00 - 8 weeks - A7140.1613

Nancy Gryzbek
Barbara Majchrzak
Tina Monaco
Mary Anne Spaulding

TENNIS COURT SUPERVISORS - \$1,300.00 - 8 weeks - A7140.1613

Pat Hickey
Laura Lageman

TENNIS COURT INSTRUCTORS - \$1,000.00 - 8 weeks - A7140.1613

Susan Pella
Jeffrey Smith

CULTURAL CENTER SUPERVISOR - \$4.10 per/hr. - A7140.1613

David Gasiewicz

ASST. SOFTBALL COORDINATOR - \$4.10 per/hr. - A7140.1614

Helen Nikiel

SPECIAL EVENTS COORDINATOR - \$4.10 per/hr. - A7140.1613

Donald Levan

CHEERLEADING COORDINATORS - \$4.10 per/hr. - A7140.1614

Colleen Tonsoline
Carol Yamarino

SOCCER COORDINATOR - \$4.10 per/hour - A7140.1614

Mark Fuller

RECREATION LEADERS - \$4.00 per/hour - A7140.1614

Victor Horst
Ted Lina
Randall Sevilla
Joanna Viverto

RECREATION - Clerical - \$3.10 per/hour - A7140.1614

Lisa Szymkowiak

and BE IT FURTHER

RESOLVED that the above personnel be terminated effective
September 6, 1983.

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be and hereby are
hired as Seasonal Trainees at the rate of \$3.10 per hour in the various Departments
listed as needed:

FACILITIES DEPARTMENT

John Przybylak
Peter Ferraina
John Mueller
Dennis Lyons
Douglas Champagne
Gregory Kulka
Thomas Kroll
Sean Lizak
Matthew Cywinski
Martin Mahoney
Gary Dombrowski
Martin Lawler
Thomas Kozlowski
Jess Jozwiak
Michael Drabik
Randy Palmisano
David Fritz
Richard Coffta
Kenneth Kozminski
Gary Catanzaro
Raymond Zurowski
Timothy Obstarczyk
Paul Hojnacki
Keith Ackerman
William Maturski
John Zastempowski

STREET LIGHTING

Samuel Burgio
Carl Dettelis
Joseph Trzaska
James Horst
Kenneth Pawlowski
Ronald Jennings
Frank Vella
David Dudas
Alan Burke
William Duquette
Edward Lex
Steven Dunkowski
Mark Kraft
Darrin Kunold

SANITATION DEPARTMENT

James Bessing
Robert Kubiak
Michael Carlin
Douglas Curran
Gregory Stang
Fred Kaplan
Robert Ostempowski
John Choinski
John Mazurek, Jr.
Thomas Boris
Daniel Meyers
Michael Hubert

SEWER TREATMENT PLANT

Eric Forrest
John Kowalski
Timothy Dudek
Joseph Cukierski
Anthony Wiles
Bruce Blackowski
Frank Gioia

Item No. 13b cont'd

SEWER MAINTENANCE DEPARTMENT

James Wesolowski

JUSTICE DEPARTMENT - CLERICAL

Diane Casacci

Nancy Pajak

POLICE DEPARTMENT - CLERICAL

Karen Sieber

Dawn Stachura

SEWER MAINTENANCE - CLERICAL

Kelly Burst

ENGINEERING DEPARTMENT - CLERICAL

Joyce Jarnot

Upon Roll Call....

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

NAYES: 0

ABSENT: Councilmen Swiatek

Item No. 13c Motion by Councilman W.P. Rogowski, seconded by Councilman Dux

BE IT RESOLVED that the below listed individuals be hired for the Youth Bureau's Cheektowaga Conservation Corps Program, at the designated titles and salaries:

YOUTH LEADERS - \$3.50 per hour - 7310.1811

Mark Nebrich

Julie Egan

Linda Piepszny

Mike Snyder

Paul Sutton

Kimberly Holytn

Davie Croglia

SUMMER TRAINEES - \$3.10 per hour - 7310.1812

Kimberly Piotrowski

John Jaroszewski

Marlene Baginski

Jeremy Gawronski

Alan Sobkowiak

Gregory Tramont

Gary Czajka

Renee Ferraraccio

Scott Firkins

James Zelasko

John Anbrose

Mike Bleasdale

Tom Pattison

Joe Zagorski

Gary Avins

Robert J. Beresniewicz

Richard Crean

Mark Melber

Kevin Flens

Brian Andrzejewski

Thomas C. Ring

Gregg Rydzynski

Item No. 13c cont'd

Duane Sawyer
Charles Getz
Kenneth Bakowski
Paul Drews
Paul Juzdowski
Kevin Nunn
James Bakowski
Rachael Walter
Thomas Marten
Crain Brandon
Kelly Donnelly
David Sciumeca
Jeffrey Garbacz
Christopher Bielanin
Charlene Wolinski
Linda Kieffer
Lynn Schwenk
Richard Wdowik
Michele Lelonek
Sharon Wagner
James Safe
Robert Skowron
James Shields
Michael Drabik
Bernard Wipperman
Jeff Kaczorowski
Mike Zielinski
Martin Surowiec, Jr.
Jeff Pawlik
David Kowalewski
Kelly Christie
Kevin Dudziak
Andrew Sedor
Timothy Kowalski
Nancy Abbarno
Peter Schiffmacher
Michael Mazur
John Kozlowski

ALTERNATES

Michael Wagner
Dan McManus
Jeff Toporczyk
Brian Anderson
Joseph Crean
David Buckley
Nancy Andrzejewski
Joyce Filipiak
Paul Pokorski
Kevin Stablewski

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be hired for the
Day Camp for Developmentally Disabled Youth at the title and rate prescribed -
7310.1802:

ACTIVITY DIRECTORS - \$5.00 per hour

Physical Education

Cindy Maciejewski

Item No. 13d cont'd

SENIOR ADAPTED RECREATION COUNSELORS - \$4.00 per hour

Lynn Cashdollar
Kathy Moskal
Doreen Panetski
Karen Spaulding

ADAPTED RECREATION COUNSELORS - \$3.50 per hour

Celia Burgio
Noreen Boje
Nancy Blakowski
Mary Jane Kozlowski
Robertta Martinez
Doreen Zak
Camille Leszczynski
Cheryl Niedzielski
Deborah Wojtkowski

ADAPTED RECREATION COUNSELOR AIDE - \$2.75 per hour

Bonnie Lynch

and BE IT FURTHER

RESOLVED that the following individuals presently working for the Adapted Recreation Program (7310.1803) be transferred to the Day Camp for Developmentally Disabled Youth at the following change in title and salary (7310.1802):

Carl Vella from Physical Education Activity Director to Senior Adapted Recreation Counselor, at \$4.00 per hour, and

Susan Switalski from Adapted Recreation Aid to Adapted Recreation Counselor, at \$3.50 per hour, and BE IT FURTHER

RESOLVED that the following individuals be transferred from the Adapted Recreation Program to the Day Camp for Developmentally Disabled Youth:

Program Director

Bridget Lynch

Music Director

Teresa Gorski

Activities Director

Mark Popiela

Counselor

Lisa Dombrowski

Counselor Aid

Kim Ott

Upon Roll Call....

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

Item No. 13e Motion by Councilman Jaworowicz, 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

Item No. 13e cont'd

Trainee Supervisors and Seasonal Trainees to provide additional services required by the Town, NOW, THEREFORE, BE IT

RESOLVED that the following individual be hired in the Sanitation Department at the rate of \$3.10 per hour:

Kimberly Ring

Cheektowaga, New York 14225

Upon Roll Call....

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

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

WHEREAS, the Town Board of the Town of Cheektowaga has previously created a Corporation known as the Cheektowaga Community Development Corporation, also known as the Cheektowaga Economic Development Corporation, for the purpose of assisting and encouraging new industrial development within the Town, and

WHEREAS, by Resolution dated February 7, 1983, this Town Board approved the proposed By-Laws of the Cheektowaga Community Development Corporation, and

WHEREAS, the aforesaid By-Laws provide that the Directors of the Cheektowaga Community Development Corporation shall be appointed by Resolution of the Town Board of the Town of Cheektowaga, and

WHEREAS, the Board of Directors of the Cheektowaga Community Development Corporation has recommended the appointment of Mr. Joseph Ball, Consumer Advisor of Niagara Mohawk Power Corporation, to fill the unexpired term on the Board of Directors of Mr. Jack Byrne, President of Com-Cir Tek, Inc., who has resigned, and

WHEREAS, this Town Board is in agreement with the recommendation of the Directors of the Cheektowaga Community Development Corporation, NOW, THEREFORE, BE IT

RESOLVED that Mr. Joseph Ball be and hereby is named to the Board of Directors of the Cheektowaga Community Development Corporation effective immediately, and BE IT FURTHER

RESOLVED that his term shall expire on February 22, 1984.

Upon Roll Call....

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

Item No. 15 Motion by Councilman Dux, seconded by Councilman W.P. Rogowski

WHEREAS, there is an opening in the Central Garage for a Mechanic, and

WHEREAS, the job opportunity has been posted on bulletin boards in accordance with the Cheektowaga Employees Association agreement, NOW, THEREFORE, BE IT

RESOLVED that the following is hereby promoted to Mechanic at the wages shown in the wage schedule of the Cheektowaga Employees Association Agreement. Said wages shall be effective June 7, 1983:

Item No. 15 cont'd

Richard A. Burst

Cheektowaga, N.Y. 14225

Upon Roll Call....

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

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

WHEREAS, the position of "Senior Clerk Typist" in the Facilities Department has previously been created, and

WHEREAS, this promotional job opportunity has been properly posted, as per union agreement, for a period of ten (10) working days, NOW, THEREFORE, BE IT

RESOLVED that Rosemarie Longo, presently a Clerk-Typist in the Facilities Department, and whose name appears on the Erie County Civil Service Town Promotional List for the position of Senior Clerk Typist, be and hereby is appointed to the promotional position of "Senior Clerk Typist"; said appointment effective immediately, and at wage rate equal to that of the position of Senior Clerk, as established in the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association.

Upon Roll Call....

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

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

WHEREAS, Robert Boyle has been previously hired as a Trainee Supervisor in the Youth Bureau's Cheektowaga Conservation Corps Program (7310.1811), NOW, THEREFORE, BE IT

RESOLVED that he be elevated to Level I status at a rate of \$5.50 per hour, effective May 31, 1983, and BE IT FURTHER

RESOLVED that Mark Vedella, previously hired as an alternate for the Cheektowaga Conservation Corps Program, be elevated to the position of Trainee Supervisor, Level II, at a salary rate of \$5.00 per hour, effective June 20, 1983.

Upon Roll Call....

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

Item No. 18 Motion by Councilman Dux, 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 August 29, 1983 through September 9, 1983 to attend active duty training with the United States Army Reserve at Fort Leonardwood, Missouri.

Upon Roll Call....

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

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

WHEREAS, the Transportation Safety Institute, Oklahoma City, in cooperation with the Federal Aviation Administration, is hosting a Crisis (Hijack) Management Seminar in support of Civil Aviation, June 20, 21, 1983, and

WHEREAS, Cheektowaga is one of thrity-five (35) municipalities that has been invited to send a representative, and

WHEREAS, all expenses, including travel, meals, lodging, and miscellaneous costs will be paid for by the Federal Aviation Administration, NOW, THEREFORE, BE IT

RESOLVED that Lieutenant John Schaller, of the Cheektowaga Police Department, who is in charge of the Hostage Negotiating Team, be and hereby is authorized to attend this important seminar, June 20, 21, 1983, in Oklahoma City.

Upon Roll Call....

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

Item No. 20 Motion by Councilman Johnson, seconded by Councilman W.P. Rogowski

WHEREAS, a Basic Economic Development Course is being offered by the New York State Economic Development Council at the Rochester Institute of Technology, Rochester, New York, from June 12-17, 1983, and

WHEREAS, the duties of the Town's Director of Community Development, Jerome Gabryszak, entail responsibilities involving economic development activities, and

WHEREAS, the Cheektowaga Economic Development Corporation, which is funded with Community Development Block Grant funds, has recommended to the Town Board that Jerome Gabryszak be authorized to attend said Course, and has agreed to pay for Course tuition and associated expenses up to \$500, NOW, THEREFORE, BE IT

RESOLVED that Jerome Gabryszak, Town Director of Community Development, be and hereby is authorized to attend the Basic Economic Development Course being held at the Rochester Institute of Technology, Rochester, New York, from June 12-17, 1983 at no expense to the Town.

Upon Roll Call....

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

Item No. 21 Motion by Supervisor Meyers, seconded by Councilman W.P. Rogowski

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

HIGHWAY FUND

From:	075148-1701 (Labor-Service to Other Govt.)	\$20,000.00
	045130-2404 (Pick-Up Truck)	250.00
To:	045130-2404 (Highway-Equipment)	\$20,000.00
	045130.4082 (Travel)	250.00

GENERAL FUND

From:	1910.4711 (Contingency)	\$10,500.00
To:	7180.1901 (Recreation-Bathhouse Attendants)	\$ 1,400.00
	7180.1902 (Recreation-Supervisors)	1,400.00
	7180.1903 (Recreation-Lifeguards)	6,700.00
	7140.1621 (Recreation-Umpires and Referees)	1,000.00

Item No. 21 cont'd

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

William L. Wielinski

Upon Roll Call.....

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

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to June 6th, 1983 are hereby approved and the Supervisor is ordered to pay said warrants.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$1,462,770.64
SPECIAL DIST. FUND	583,608.37
HIGHWAY FUND	317,793.18
FEDERAL REVENUE SHARING FUND	1,582.20
CAPITAL PROJECTS FUND	65,539.35
TRUST AND AGENCY FUND	10.00
HUD-CDBG FUND	3,306.56
PART TOWN FUND	38,466.71
HUD REHABILITATION FUND	17,264.00
SPECIAL ASSESSMENTS FUND	1,533.00
DEBT SERVICE FUND	102,200.00
MUNICIPAL CLEARING ACCOUNT	22,839.33
	<u>\$2,616,913.34</u>

Upon Roll Call.....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Building Permits
Received and Filed.

Item No. 24 Health report for May, 1983
Received and Filed.

Item No. 25 Cheektowaga Library Board minutes from April, 1983
Received and Filed.

Item No. 26 Planning Board minures from April, 1983
Received and Filed.

IV. GENERAL COMMUNICATIONS

- Item No. 27 N.Y.S. Dept. of Trans. - Notice of Order repealing prohibition for left turns by traffic from west on Walden at Peppy Place
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Cheektowaga Traffic Safety Commission; Lt. Jagiello, Police Department.
Received and Filed.
- Item No. 28 N.Y.S. Dept. of Trans. - Notices of Order regarding Yield Signs at exit drives of Town Hall Complex
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Cheektowaga Traffic Safety Commission; Lt. Jagiello, Police Department.
Received and Filed.
- Item No. 29 NOTICE OF CLAIM - Leo Stetter vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Joseph J. Naples, Insurance Company; Thomas Johnson, Councilman; Chester Bryan, Town Engineer.
Received and Filed.
- Item No. 30 NOTICE OF CLAIM - Allstate Insurance Co. for Robert Beers vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company; Thomas Johnson, Councilman; Ron Zoeller, Sanitation Department.
Received and Filed.
- Item No. 31 NOTICE OF CLAIM - John Dusza vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Joseph J. Naples Insurance Company; Thomas Johnson, Councilman; James Burst, Sewer Maintenance Department; Chester Bryan, Town Engineer.
Received and Filed.
- Item No. 32 NOTICE OF CLAIM - N.Y.S. Electric & Gas vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company; Thomas Johnson, Councilman; Alfred Wnek, Highway Superintendent.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Johnson, seconded by Councilman J.V. Rogowski to suspend the rules to include the following item.

Upon Roll Call....

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

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

WHEREAS, a "ten foot easement for drain" exists through Sublot No. 6 in the Marilyn Court Subdivision (Map Cover 1748) in the Town, and

WHEREAS, after the filing of Map Cover 1749, a new drainage easement through such Sublot No. 6 was created when the subdivision map for the North Hills Estate Subdivision (Map Cover 1832) was filed, and

Item No. 33 cont'd

WHEREAS, the owners of Sublot No. 6 (a/k/a 48 Marilyn Drive) have agreed to grant the Town a permanent easement for drainage purposes for the drainage easement area in the rear yard at 48 Marilyn Drive, upon the Town's discharging and releasing its interest in the aforesaid "ten foot easement for drain", as shown on Sublot No. 6 on Map Cover 1748, and

WHEREAS, the Town has no anticipated use for the "ten foot easement for drain" shown on Sublot No. 6 on Map Cover 1748, and

WHEREAS, the Town Attorney's Office has prepared a Discharge and Release of Agreement to release the "ten foot easement for drain," NOW, THEREFORE, BE IT

RESOLVED that the Supervisor, on behalf of the Town, be and hereby is authorized to execute said Discharge and Release of Easement which is attached hereto and made a part hereof upon the condition that the owner(s) of Sublot No. 6 of Map Cover 1748 convey to the Town an easement as approved by the Town Engineer and the Town Attorney for drainage purposes on said Sublot No. 6 and BE IT FURTHER

RESOLVED that this Release and Discharge of Easement is subject to the permissive referendum, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached "Notice of Adaption of Resolution Subject to Permissive Referendum" in the CHEEKTOWAGA TIMES.

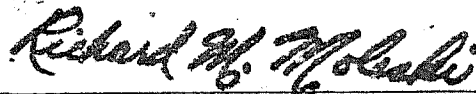
* See next pages for copy of Discharge and Release of Easement and
Notice of Adoption of Resolution Subject to Permissive
Referendum.

NOTICE OF ADOPTION OF
RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 6th day of June, 1983, the Town Board of the Town of Cheektowaga duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

Resolution authorizing the discharge and release of a diagonal ten foot easement for a drain on property located at 48 Marilyn Drive in exchange for an easement for a parcel of land at the rear of 48 Marilyn Drive.

Dated: June 6, 1983



RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

Box #480

EASEMENT

FRANKLIN R. STABLER

and

RUTH L. STABLER

and

MICHELE C. MEREDITH
to

TOWN OF CHEEKTOWAGA

60

Dated: June 22, 1983

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

Recorded in Liber 9238 Page 38

of *Deeds*

on the 30 day of *June*

A. D., 1983, at 11:12 o'clock A. M.

and examined.

Francis M. Francis
County Clerk

THIS INDENTURE, made and entered into as of the 22 day of *June*, 1983,

by and between FRANKLIN R. STABLER and RUTH L. STABLER, his wife, and MICHELE C. MEREDITH,
residing at

in the Town of Cheektowaga, County of Erie and

State of New York, hereinafter referred to as the Owners, and

TOWN OF CHEEKTOWAGA, NEW YORK, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Town.

WITNESSETH:

THAT the Owners, in consideration of the sum of One and No/100 (\$1.00 & no more) Dollar and other good and valuable consideration paid by the Town, do hereby grant and release unto the Town a permanent right-of-way and easement for the purpose of operating and maintaining at its sole cost and expense, a drainage ditch and/or storm sewer pipeline and appurtenances thereto, in, across and under that portion of the real property of the Owners described in and shown on Schedules A and B annexed hereto and made a part hereof.

TOGETHER with the grant to the Town, its agents, servants and/or employees, of the right of reasonable ingress and egress over, and entry upon, the real property of the Owners.

ERIE COUNTY
CLERK'S OFFICE
FILED

1983 JUN 30 AM 11:12

LIBER 9238 PAGE 38

Chg F-23/62

RESERVING, to the Owners, their heirs and assigns, the right of reasonable ingress and egress over the easement herein granted unto the Town.

SUBJECT TO:

(a) the Town's maintenance of such drainage ditch and/or storm sewer pipeline and appurtenances in good and proper condition, and

(b) the Town's causing any work performed in the exercise of the rights and privileges granted herein to be promptly completed, and causing all property of the Owners to be restored as nearly as possible to the condition the same was in immediately before the commencement of any such work, and

(c) the Town's requiring any contractor performing any such work to maintain adequate liability and worker's compensation insurance.

TO HAVE AND TO HOLD the rights and easement herein granted unto the Town, its successors and assigns forever.

Any pipes and appurtenances laid or to be laid by or for the Town, its successors and assigns, and/or its contractors, shall be and remain the property of the Town, its successors and assigns forever.

AND the said Owners covenant as follows:

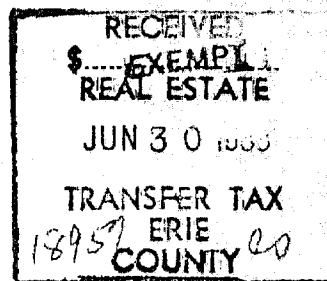
First: That said Owners are seized of the said premises in fee simple, and have the good right to convey the same;

Second: that said Town shall quietly enjoy the said rights and easement;

Third: that said premises are free and clear from all liens and encumbrances in the portion of the Owners' real property described in the attached Schedules A and B, except for a mortgage.

Fourth: that the Owners will execute or procure any further necessary assurances of the title to said rights and easement; and

LIBER 9238 PAGE 39



Fifth: that said Owners will forever warrant the title to the said rights and easement.

IN WITNESS WHEREOF, the Owners have hereunto set their hands and seals the day and year first above written.

Franklin R. Stabler (L.S.)
FRANKLIN R. STABLER

Ruth L. Stabler (L.S.)
RUTH L. STABLER

Michele C. Meredith (L.S.)
MICHELE C. MEREDITH

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

On the 20 day of June, 1983, before me personally came FRANKLIN R. STABLER and RUTH L. STABLER, his wife, to me known, who being by me duly sworn, did depose and say that they reside at , Cheektowaga, New York, described in and who executed the foregoing instrument.

Leo M. Lynett, Jr.
Notary Public

LEO M. LYNETT, JR.
Notary Public, State of New York
Qualified in this County
His Commission Expires March 16, 1985

State of New York
County of Erie

On the 22 day of June, 1983, before me personally came Michele C. Meredith, to me known, who being by me duly sworn, did depose and say that she resides at 4296 Union Road, Cheektowaga, N.Y., described in and who executed the foregoing instrument.

JULIAN J. SUGARTAN
Notary Public, State of New York
Qualified in this County
His Commission Expires Mar. 20, 1984

LIBEX 9238 PAGE 40

LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Cheektowaga, County of Erie and State of New York, being Part of Lot 13, Township 11, Range 7 of the Holland Land Company's Survey and being more particularly bounded and described as follows:

COMMENCING at a Point in the North Right-of-Way line of Marilyn Drive, (60' wide), 491.93 feet West of the West line of Cayuga Drive, said Point being also the Southeast corner of Sublot 6, Cover 1748 as filed in the Erie County Clerk's Office; Thence northerly at 90° to Marilyn Drive and along the East line of said Sublot 6, 165.0 feet to the Point or Place of Beginning; Thence Westerly along a line at 90° to the last mentioned line, 53.76 feet to a Point in the Easterly Right-of-Way line of Princeton Court (60' wide); Thence Northerly along said Easterly Right-of-Way line, 45.0 feet to a point; Thence Easterly along a line at 90° to the East line of Sublot 6, 53.60 feet to a Point in said East line; Thence Southerly along said East line, 45.0 feet to the Point or Place of Beginning, containing 2415.6 square feet, more or less.

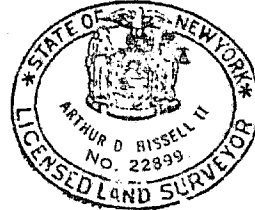
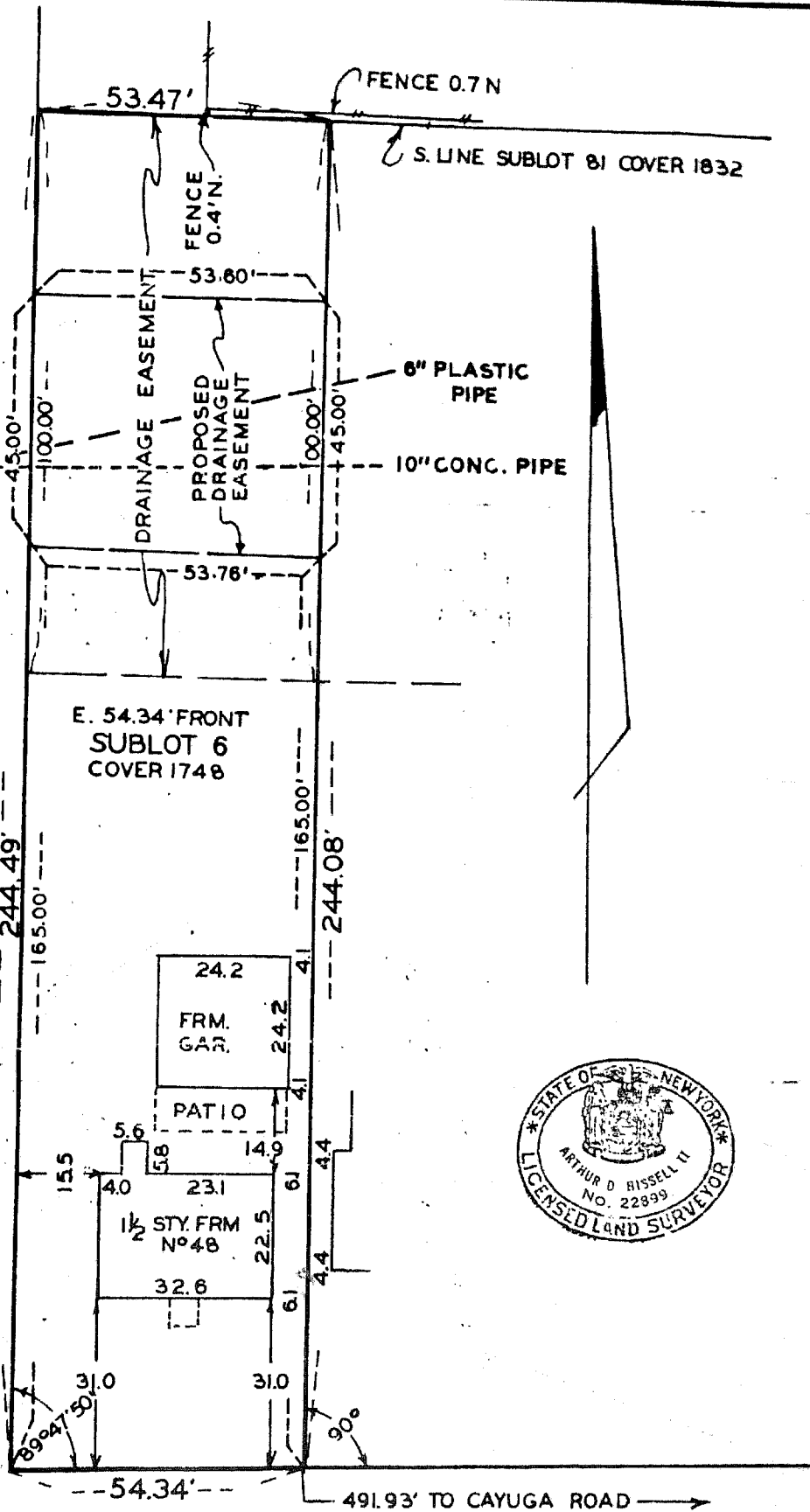
SCHEDULE B



CT.

60' WIDE
(AS SHOWN ON COVER 1832)

PRINCETON



MARILYN

60' WIDE

DR.

WARNING: IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR TO ALTER, IN ANY WAY, ANY PLANS, SPECIFICATIONS, PLATS OR REPORTS TO WHICH THE SEAL OF A PROFESSIONAL ENGINEER OR LAND SURVEYOR HAS BEEN APPLIED.

SURVEY OF

PART OF LOT 13 SECT.

TWP. 11 RGE. 7

TOWN OF CHEEKTOWAGA

HOLLAND LAND COMPANY
ERIE CO., N. Y.

CM

RE-SURVEYED

REVISED - 6/9/83

LIBER 9238 PAGE 41

THE BISSELL COMPANY
ENGINEERING - SURVEYING - PLANNING
WILLIAMSVILLE, N. Y.

AMHERST

CLARENCE

EST. 1898

DATE 5-6-83 JOB NO. 37768

FIELD BOOK 364-18 SCALE 1" = 30'

SURVEY

OF

Pt. of Sublot 6, Cover 1748

48 Marilyn Drive

Town of Cheektowaga

Erie County

New York

FOR

Bagley, Irvin & Lynett

THE BISSELL COMPANY
ENGINEERING-SURVEYING-PLANNING
5757 MAIN ST., WILLIAMSVILLE, N.Y. 14221
(716) 632-7000



EST. 1929

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

.....*Anna E. Mika*....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*Chief*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks;
first publication.....*June 9, 1983*.....;
last publication.....*June 9, 1983*.....;
and that no more than six days intervened be-
tween publications.

.....*Anna E. Mika*.....

Sworn to before me this*13th*.....

day of*June*....., 19*83*.

.....*Naidine C. Williams*.....

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*85*

**LEGAL NOTICE
NOTICE OF ADOPTION OF
RESOLUTION SUBJECT TO
PERMISSIVE REFERENDUM
NOTICE IS HEREBY GIVEN**

that at a regular meeting held on the 6th day of June, 1983, the Town Board of the Town of Cheektowaga duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

Resolution authorizing the discharge and release of a diagonal ten foot easement for a drain on property located at 48 Marilyn Drive in exchange for an easement for a parcel of land at the rear of 48 Marilyn Drive.

RICHARD M. MOLESKI

Town Clerk

Town of Cheektowaga

DATED: June 6, 1983

PUBLISHED: June 9, 1983

Item No. 33 cont'd

Upon Roll Call....

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

Item No. 34 Motion by Councilman Jaworowicz, seconded by Councilman J.V. Rogowski
to adjourn the meeting in memory of William Mayer and former Supervisor of Alden,
Bob Casell.

RICHARD M. MOLESKI
Town Clerk

* * * * *

P U B L I C H E A R I N G S

* * * * *

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 15 - July 18, 1983</u>		
2	Amendment to Housing Code - Section 2-209b.	1
3	Amendment to Traffic Ordinance - Art. VIII: "Stop & Yield Intersections" (BARBADOS, WOODGATE, LeHARVE); Art. X: "Parking, Standing, Stopping" (HUTH ROAD).	1-2
<u>Meeting No. 16 - August 1, 1983</u>		
2	Change in Zoning District Classification of a number of parcels of property in Town, namely; a) Kennedy Road, Milson Ave., Patricia Ln., St. Felix Ave., Standard Pkwy. b) Smith St., Pleasant St., Aberdeen St., Arthur St., Smallwood Terrace, Roxborough Ave., Lippert Ave., Broad St.	1-2
<u>Meeting No. 17 - August 15, 1983</u>		
2	Amendment to Zoning Ordinance - Articles II and III.	1-2
3	Amendment to Traffic Ordinance - Art. VIII: "Stop & Yield Intersections (LOIS DRIVE, DEE TERRACE): Art. X: "Parking, Standing, Stopping" (CLOVER PL., EVERGREEN PL., LUDWIG AVE.).	2-3

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R E S O L U T I O N S

* * * * *

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 13 - June 20, 1983</u>		
2	Change date of next Town Board Meeting.	1
3	Decision on amendment to Traffic Ordinance - Art. VIII: "Stop & Yield Intersections" (CAMPBELL RD., TUDOR RD.): Art. X: "Parking, Standing, Stopping" (BISMARCK ST., OAK RD.).	1-3
4	Decision on Rezoning - 3440 Genesee Street.	4-5
5	Call for Public Hearing for Special Use Permit for 2335 Genesee St.	6
6	Award of bid for Beach Road Professional Engineering Services.	7
7	Notice to Bidders: Diesel fuel, unleaded gasoline, motor oils, lubricants, etc. for Highway Dept.	7
8	Designation of Polling Places in Town.	8-9
9	Acceptance of parts of Martinique Dr. and LeHarve Dr. in Martinique Subdivision Part IV.	9-10
10	Authorization for submission of Community Development Block Grant application for Public Works Funds.	10
11	Authorization for Town Attorney to acquire easements along rear of properties fronting on Messer Avenue.	10
12	Authorization for Town Attorney to bid on property for drainage purposes.	11
13	Authorization for Supervisor to sign agreement with McFarland-Johnson Engineers, Inc. re: Additional engineering work for Northcrest Ave. drainage project.	11
14	Clean up of property at 19 Pine Circle.	12
15	Military leave of absence for Facilities Department employee.	12
16	Termination and hiring of employees for Youth Bureau's Camp Crabapple for Developmentally Disabled Youth.	12-13
17	Hiring of seasonal and summer employees:	
	a. Various Departments	13
	b. Recreation Department	14-16
	c. C.E.T.A. - Summer Youth	16-20
	d. Youth Bureau's Cheektowaga Conservation Corps Program	20-21
	e. Facilities Department	21
18	Transfer of funds.	21-22
19	Warrant List.	22

Meeting No. 14 - July 5, 1983

2	Call for Public Hearing for amendment to Housing Code.	1-2
3	Call for Public Hearing for amendment to Traffic Ordinance - Art. VIII: "Stop & Yield Intersections" (BARBADOS, WOODGATE, LeHARVE); Art. X: "Parking, Standing, Stopping" (HUTH ROAD).	3
4	Request Erie County Dept. of Public Works to install pavement markings on Cleveland Drive from Harlem Road to Beach Road.	4
5	Authorization for Supervisor to sign agreements with:	
	a. Cheektowaga Economic Development Corporation	4-6
	b. New York Public Interest Research Group, Inc.	
	c. In-Home Support Services Corporation of Western New York	
	d. Housing Assistance Center of Niagara Frontier, Inc.	
6	Award of bid for one (1) Low Boy Dump Truck for Sewer Maintenance.	6-7
7	Notice to Bidders - Traffic control signs, street name signs, sign posts and brackets.	7

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 14 - July 5, 1983 Cont'd.</u>		
8	Clean up of properties located at: a. 908 Dick Road b. S.E. Corner of Dick Road and Barone Circle c. 1561 East Delavan Avenue & East End Avenue d. 1604 East Delavan Avenue, Northwest corner of East Delavan & Marne Road e. 2319 Genesee Street f. 8 Little Lane	8-9
9	Retain Licensed Surveyor to survey property recently purchased at County of Erie Tax Foreclosure Sale.	10
10	Appointments to Board of Directors of the Cheektowaga Community Development Corporation.	10
11	Termination of employees in Sanitation Department.	11
12	Hiring of seasonal employees: a. Recreation Department and various departments b. Youth Bureau-Cheektowaga Conservation Corps Program	11-12
13	Authorization for Community Development Director to attend training session.	12
14	Appointment and Reappointment to Board of Assessment Review.	12
15	Permission for N.Y.S. Electric & Gas Corporation to relocate street light on Barbados Drive.	12-13
16	Transfer of funds.	13
17	Warrant list.	13-14
<u>Meeting No. 15 - July 18, 1983</u>		
4	Call for Public Hearing for changes in Zoning District Classification of a number of parcels of property in Town, namely: a. Kennedy Road, Milson Ave., Patricia Lane, St. Felix Ave., Standard Pkwy. b. Smith St., Pleasant St., Aberdeen St., Arthur St., Smallwood Terr., Roxborough Ave., Lippert Ave., Broad St., Dick Rd.	2-6
5	Amend resolution of June 20, 1983 re: Acceptance of Martinique Drive (part of) and LeHarve Dr. (part of).	7-8
6	Request for report from Committee regarding Portable Advertising Signs.	8
7	Disclosure Statement for Town Officials.	8
8	Authorization for Supervisor to sign agreements with: a. In-Home Support Services Corporation of Western New York b. Cleveland Hill Baseball, Inc.	8-9
9	Award of contracts: a. Professional services for Beach Road storm sewer Project, Phase III b. Unleaded gasoline, diesel fuel, motor oils, etc. for Highway Dept.	9-10
10	Notice to Bidders - Northcrest Avenue storm sewer construction.	10-11
11	Clean up of properties located at: a. Property south of 73 Concord b. 47 Freda Avenue c. 880 French Road d. 1084 Maryvale Drive e. Lots 15, 16, 17, 18, 19 & 20, North Pleasant Parkway f. 282 South Huxley g. Northeast corner of Woodrow Place and Roy Alley	12-14
12	Termination of Town employee.	14
13	Appointments of the following: a. Bingo Inspector b. Zoning Board of Appeals member	14
14	Hiring for Youth Bureau's Cheektowaga Conservation Corps Program.	14

RESOLUTIONS Cont'd.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 15 - July 18, 1983 Cont'd.</u>		
15	Change Order - Clearvale & Fairvale Drive Sanitary Sewer Project.	15-16
16	Warrant list.	16
<u>Meeting No. 16 - August 1, 1983</u>		
3	Decision on amendments to: a. Housing Code - Section 2-209b b. Traffic Ordinance - Art. VIII: "Stop & Yield Intersections" (BARBADOS DR., WOODGATE DR., LeHARVE DR.: Art. X: "Parking, Standing, Stopping" (HUTH ROAD).	2-4
4	Call for Public Hearing for amendment to Zoning Ordinance - Articles II & III.	5-6
5	Call for Public Hearing for rezonings at: a. 1248 Cleveland Drive b. 3770 Union Road	7-8
6	Award of bid for traffic control signs, street name signs, sign posts and brackets for Engineering Department.	9-11
7	Termination of contract with Sabre Steel Corporation.	11
8	Authorization for Supervisor to sign: a. "Grant Agreement" with Department of Housing & Urban Development b. Amendment to contract with Catholic Charities Manpower Services, Inc.	11-12
9	Termination of employees: a. Sanitation Department b. Various Youth Bureau Programs	12-13
10	Manpower - Hiring under C.E.T.A.	13
11	Change in salary of employee under Youth Bureau's Adapted Recreation Program.	13
12	Maternity Leave of Absence for Clerk-Steno in Town Clerk's Office.	13-14
13	Clean up of properties located: a. South of Dick Urban Plaza and East of Marlene Drive b. 580 French Road c. Southwest corner of French Road and Slate Drive d. South of Goering Avenue, West of Nagel Drive e. 91 Newport Road f. South of 265 Pine Ridge Road g. 3 & 4 Sprucewood Drive h. East of 50 Stevens Drive i. Rear of building at 1062 Walden Avenue j. West of 1257 Walden Avenue k. Southeast corner of William & Glidden Streets l. East of 315 Zoerb Avenue	14-18 14 14 14-15 15 15 15-16 16 16 16-17 17 17 17-18
14	Warrant list.	18
<u>Meeting No. 17 - August 15, 1983</u>		
4	Date change for next regular Town Board Meeting.	3
5	Call for Public Hearings for rezonings at: a. 991 Aero Drive (rezoning and special permit) b. 1246 Cleveland Drive c. 636 French Road d. Property known as 4825 Genesee Street	3 4 5 6
6	Amendment to Town Code of Ethics.	7-8
7	Town to aid Erie County Volunteer Firemen's Association re: 1984 convention.	8
8	Termination of agreement and execution of new agreement re: Operation of vending machines at Cheektowaga Recreation Center.	8-9
9	Authorization for Cheektowaga Little Loop Athletic Association to utilize Town Park re: Little League Football.	9

RESOLUTIONS Cont'd.

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15	Leave of absence for employee in Sanitation Department.	12
16	New York State Electric & Gas Corporation: a. Authorization to install light on Rein Road b. Authorization to convert mercury vapor fixtures to high pressure sodium fixtures	12-14
17	Clean up of property at following locations: a. Northwest corner of Barbados Dr. & Philip Dr. (230 Barbados Drive) b. 336 Barbados Drive c. 750' West of Union - 67' x 1185', at rear of 3466 Genesee St. d. North side of Buffalo Drive-in Complex at 3085 Harlem Road e. 33 Marne Road f. Southwest corner of Barbados & Woodgate Dr. (100 Woodgate)	14 14 14-15 15 15 15-16
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G E N E R A L C O M M U N I C A T I O N S

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S U S P E N S I O N O F R U L E S

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19	Call for Public Hearing for amendment to Traffic Ordinance - Art. VIII: "Stop & Yield Intersections" (LOIS DRIVE, DEE TERRACE); Art. X: "Parking, Standing, Stopping" (CLOVER PLACE, EVERGREEN PLACE, LUDWIG AVENUE).	19-20
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Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 20th day of June, 1983 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 William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz

ABSENT: 0

EXCUSED: Councilman Frank J. Dux

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Theodore DeFedericis, Chief of Police; Alfred Wnek, Highway Superintendent; Julia Reinstein, Town Historian; Chester Bryan, Town Engineer; Dr. Louis Vendetti, Town Health Officer; Mike Miecznikowski, Recreation Director; Ron Marten, Building and Plumbing Inspector; Sal LaGreca, Employment and Training Services Director II.

I. RESOLUTIONS

Item No. 2 WHEREAS, the next regularly scheduled Town Board meeting is set for Monday, July 4, 1983, and

WHEREAS, Monday, July 4, 1983 is a legal Holiday, namely Independence Day, NOW, THEREFORE, BE IT

RESOLVED that the next regularly scheduled Town Board meeting shall be held on Tuesday, July 5, 1983 at 7:00 P.M.

Upon Roll Call....

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

Item No. 3 Motion by Councilman Jaworowicz, seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 6th day of June, 1983 at 7:00 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 intersection designated shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CAMPBELL ROAD	East-west	Cut-through between Tudor Road and Camp- bell Road	Northbound	S.E. Corner

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CAMPBELL ROAD	East-west	Oak Road	Northbound	S.E. Corner
TUDOR ROAD	East-west	Oak Road	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations.

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

A. No parking this side or one side parking

BISMARCK STREET	South side	from the west curbline of Meadowbrook Parkway to the east curbline of Shanley Street
OAK ROAD	West side	from the south curbline of Campbell Road to the north curbline of Tudor Road

Section 2. Time to take effect

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application

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

Section 4. Publication.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Item No. 3 cont'd

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

No. 14

No. 15

No. 16

No. 17

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

Anne E. Mika, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....June 23, 1983.....;
last publication.....June 23, 1983.....;
and that no more than six days intervened be-
tween publications.

Anne E. Mika
Sworn to before me this 24th
day of June, 1983.
Eve J. Allis
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
COMMISSION EXPIRES MARCH 30, 1985

**LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 20th day of June, 1983 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz

ABSENT: 0

EXCUSED: Councilman Frank J. Dux

Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 6th day of June, 1983 at 7:00 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 intersection designated shall be amended by deleting therefrom the following:

Street: CAMPBELL ROAD;

Direction: East-west; Entrance Street: Cut-through between Tudor Road and Campbell Road; Traffic Stops: Northbound; Sign Location: S.E. Corner

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

Street: CAMPBELL ROAD;

Direction: East-west; Entrance Street: Oak Road; Traffic Stops: Northbound; Sign Location: S.E. Corner

Street: TUDOR ROAD; Direction: East-west; Entrance Street: Oak Road; Traffic Stops: Southbound; Sign Location: N.W. Corner

ARTICLE X

Parking, Standing and Stopping
Section 102. Parking prohibited in designated locations.

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

A. No parking this side or one side parking

BISMARCK STREET, South Side, from the west curbline of Meadowbrook Parkway to the east curbline of Shanley Street

OAK ROAD, West side, from the south curbline of Campbell Road to the north curbline of Tudor Road

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application.

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

Section 4. Publication.

That this amendment to the

Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in The Cheektowaga TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon roll call:

Supervisor

Meyers

Voting AYE

Councilmen:

Swiatek

Voting AYE

Johnson

Voting AYE

Dux

Voting EXCUSED

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

AYES: 6

NAYES: 0

ABSENT: 0

EXCUSED: 1

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 20, 1983, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 4, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 20th day of June, 1983.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: June 23, 1983

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

WHEREAS, Joseph P. Suppa, for Towne Auto Stop, has petitioned for the rezoning from RC-Restricted Business to CM-General Commercial, of property owned by him and located at 3440 Genesee Street, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of January, 1983 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 at such hearing all interested parties were given an opportunity to be heard, and

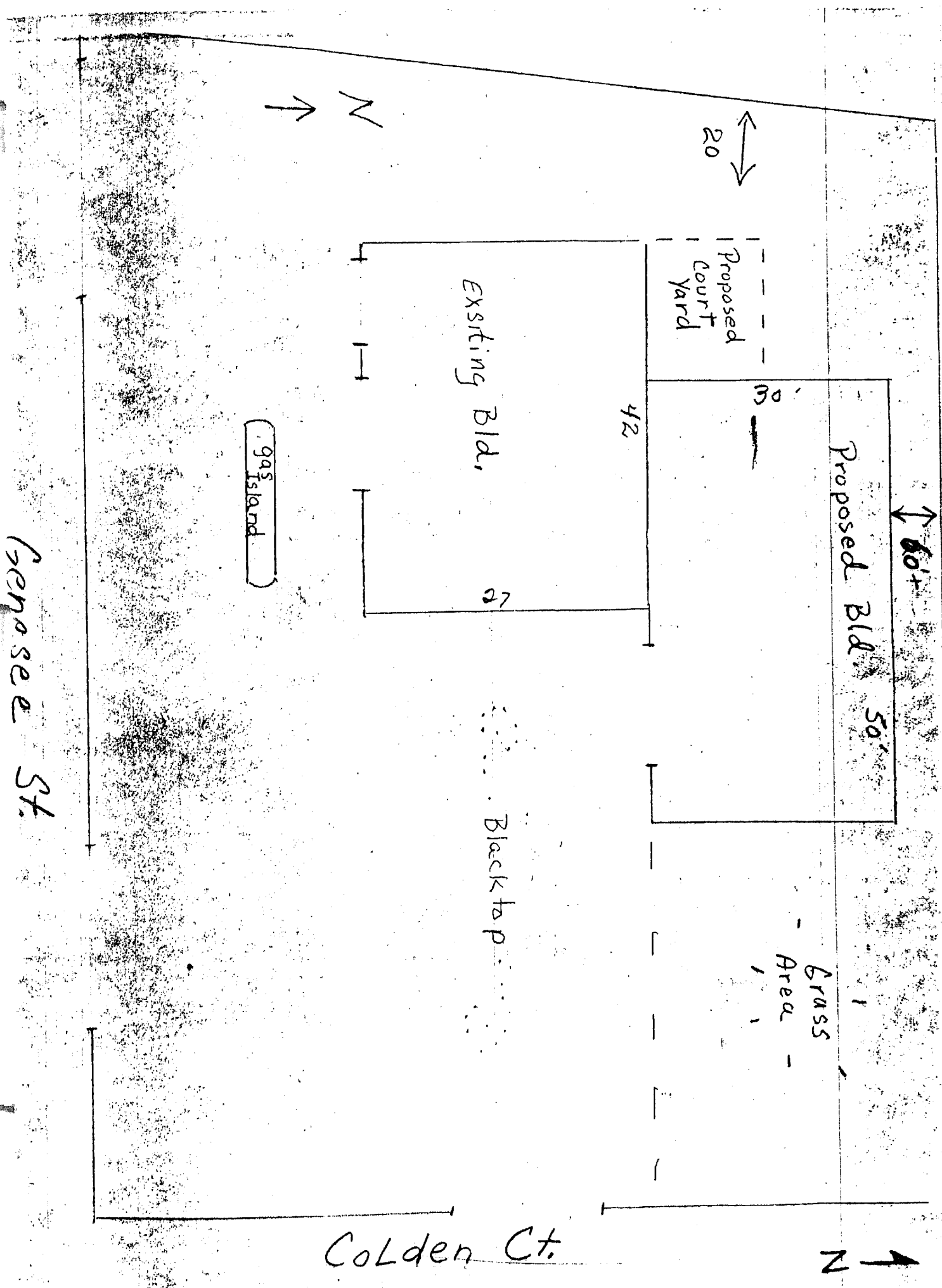
WHEREAS, the Cheektowaga Planning Board has reviewed said petition and has recommended approval thereof, subject to the conditions that no collision work, body work or painting be allowed to be conducted on said property, and that said property be developed in accordance with the attached Development Plan and in compliance with Section 10-10 of the Zoning Ordinance of the Town of Cheektowaga, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed said petition for rezoning and has determined that said rezoning will not have a significant effect on the environment, NOW, THEREFORE, BE IT

RESOLVED that the petition of Joseph P. Suppa, for Towne Auto Stop, for the rezoning from RC-Restricted Business to CM-General Commercial of property described in the attached legal description be and the same is hereby granted, subject to the above-noted conditions as recommended by the Cheektowaga Planning Board, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga Zoning Map and Ordinance be amended in accordance with the above.

* See next pages (2) for Development Plan and legal description



Penrose St.

Colden Ct.

Blacktop

Proposed Bld. 50'

Existing Bld. 42'

Proposed Court Yard 20'

Gas Island

Grass Area

N

N

This Indenture,

Hundred and
Between

Eighty-Two
BON-RON SERVICE STATION, INC.,
3440 Genesee Street,
Cheektowaga, New York 14225

made the 27th day of July, Nineteen

a corporation organized under the laws of the State of New York,

party of the first part, and
ANGELA LOCOCO, 245 Curtis Parkway, Tonawanda, New York 14223;
JOHN CRETACCI, 341 Parkwood Avenue, Kenmore, New York 14217;
JOSEPH SUPPA III, 16 LaSalle Avenue, Kenmore, New York 14217

Witnesseth, that the party of the first part, in consideration of

ONE AND MORE----- Dollars (\$ 1.00 & more---)

lawful money of the United States,

paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever,

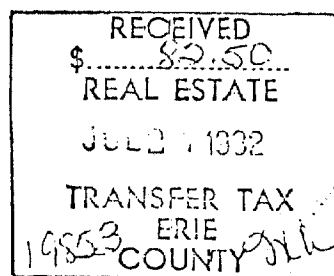
RCEL A All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot No. 18, Township 11, Range 8 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the northerly line of Genesee Street (100 feet wide) at the distance of 950 feet westwardly from the point of intersection of the said northerly line of Genesee Street with the westerly line of Union Road (100 feet wide); extending thence (1) westwardly along the said northerly line of Genesee Street 150 feet to a point; thence (2) turning an interior angle of 75 degrees 08 minutes 30 seconds parallel with the said westerly line of Union Road northwardly 150 feet to a point in line of other land of the party of the first part: thence (3) turning an interior angle of 104 degrees 51 minutes 30 seconds parallel with said northerly line of Genesee Street eastwardly 150 feet to a point in line of other land of said party of the first part; thence (4) turning an interior angle of 75 degrees 08 minutes 30 seconds parallel with the said westerly line of Union Road southwardly 150 feet to the point and place of beginning; the last mentioned course and the first mentioned course forming an interior angle of 104 degrees 51 minutes 30 seconds.

RCEL B ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot No. 18, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the northerly line of Genesee Street (100 feet wide), at the distance of 850 feet westwardly from the point of intersection of the said northerly line of Genesee Street with the westerly line of Union Road (100 feet wide); extending thence (1) westwardly along the said northerly line of Genesee Street 100 feet to the easterly line of land now or formerly owned by Metropolitan Life Insurance Company; thence (2) northerly along the easterly line of said Metropolitan Life Insurance Company 150 feet to a point; thence (3) Easterly on a line parallel with the northerly line of Genesee Street 100 feet to a point; and thence (4) Southerly and along a line parallel with the westerly line of Union Road 150 feet to the northerly line of Genesee Street.

EXCEPTING THEREFROM lands conveyed to St. Mary's Court Inc. by Deeds recorded in Liber 5509 of Deeds at Page 309 and in Liber 6288 of Deeds at Page 341.



Item No. 4 cont'd

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Ann T. Miska, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....June 23, 1983;
last publication.....June 23, 1983;
and that no more than six days intervened be-
tween publications.

Ann T. Miska
Sworn to before me this24th
day ofJune....., 1983.
Eve J. Allis
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1985

LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 20th day of June, 1983 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

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

ABSENT: 0

EXCUSED: 1
Motion by Supervisor Meyers
Seconded by Councilman
Johnson

WHEREAS, Joseph P. Suppa, for Towne Auto Stop, has petitioned for the rezoning from RC-Restricted Business to CM-General Commercial, of property owned by him and located at 3440 Genesee Street, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of January, 1983 at 8:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Or-

inance and the Town Law; and at such hearing all interested parties were given an opportunity to be heard, and

WHEREAS, the Cheektowaga Planning Board has reviewed said petition and has recommended approval thereof, subject to the conditions that no collision work, body work or painting be allowed to be conducted on said property, and that said property be developed in accordance with the attached Development Plan and in compliance with Section 10-10 of the Zoning Ordinance of the Town of Cheektowaga, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed said petition for rezoning and has determined that said rezoning will not have a significant effect on the environment,

NOW THEREFORE, BE IT RESOLVED, that the petition of Joseph P. Suppa, for Towne Auto Stop, for the rezoning from RC-Restricted Business to CM-General Commercial of the property described in the attached legal description be and same is hereby granted, subject to the above-noted conditions as recommended by the Cheektowaga Planning Board and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga Zoning Map and Ordinance be amended in accordance with the above.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot No. 18, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

being part of Farm Lot No. 18, Township 11, Range 8 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the northerly line of Genesee Street (100 feet wide) at the distance of 850 feet westwardly from the point of intersection of the said northerly line of Genesee Street with the westerly line of Union Road (100 feet wide); extending thence (1) westwardly along the said northerly line of Genesee Street 100 feet to the easterly line of land now or formerly owned by Metropolitan Life Insurance Company, thence (2) northerly along the easterly line of said Metropolitan Life Insurance Company 150 feet to a point, thence (3) Easterly on a line parallel with the northerly line of Genesee Street 100 feet to a point, and thence (4) Southerly and along a line parallel with the westerly line of Union Road 150 feet to the northerly line of Genesee Street.

EXCEPTING THEREFROM lands conveyed to St. Mary's Court Inc. by Deeds recorded in Liber 5509 of Deeds at Page 309 and in Liber 6288 of Deeds at Page 341.

Upon roll call...

Supervisor Meyers Voting AYE
Councilmen:
Swiatek Voting AYE
Johnson Voting AYE
Dux Voting EXCUSED
W.P. Rogowski Voting AYE
J.V. Rogowski Voting NAYE
Jaworowicz Voting AYE

AYES: 5
NAYES: 1
ABSENT: 0
EXCUSED: 1

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 20, 1983, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 3, inclusive of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 20th day of June, 1983.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: June 23, 1983

Item No. 5 Motion by Councilman Johnson, seconded by Councilman W.P. Rogowski

WHEREAS Jeffrey E. Jurgens has applied for a Special Permit for an automobile repair and minor collision shop at property located at 2335 Genesee Street, between Olcott and Avery, in the Town of 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 July 5, 1983 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, W.P. Rogowski,
 J.V. Rogowski and Jaworowicz
NAYES: 0
ABSENT: 0
EXCUSED: Councilman Dux

AFFIDAVIT - NEXT PAGE

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

Sam T. Mika, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clark of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks;
first publication.....June 23, 1983.....;
last publication.....June 23, 1983.....;
and that no more than six days intervened be-
tween publications.

Sam T. Mika
Sworn to before me this24th.....
day ofJune....., 1983.
Eve J. Allis
Notary public in and for Erie County, N. Y.

EVER J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1985

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 5th day of July 1983, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Jeffrey E. Jurgens for a Special Permit to operate Automobile repair and minor collision shop on property located at 2335 Genesee Street 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

Councilmen:

Frank E. Swiatek

Thomas M. Johnson, Jr.

Frank J. Dux

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: June 23, 1983

Item No. 6 Award of bid for Beach Road-Professional Engineering Services
This item was Withdrawn.

Item No. 7 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, unleaded gasoline, motor oils, miscellaneous oils, lubricants 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, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the officer to open bids on the aforesaid items at 11:00 A.M. on July 5, 1983.

* * * * *

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

THE TOWN OF CHEEKTOWAGA hereby requires sealed bids for the purchase of diesel fuel oil, unleaded gasoline, kerosene oil, hydraulic oil, motor oil, lubriplate, permanent anti-freeze, etc. for the use of 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, N.Y. 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening, July 5, 1983 at 11:00 A.M. in the Town Hall council chambers.

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

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

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

RICHARD M. MOLESKI, Town Clerk

DATED: June 20, 1983

PUBLISHED: June 23, 1983

* * * * *

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

EXCUSED: Councilman Dux

AFFIDAVIT - NEXT PAGE

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

.....*Anna T. Mika*....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*Chief*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks;
first publication.....*June 23, 1983*.....;
last publication.....*June 23, 1983*.....;
and that no more than six days intervened be-
tween publications.

.....*Anna T. Mika*.....
Sworn to before me this*24th*.....
day of*June*....., 19..*83*..
.....*Eve J. Allis*.....
Notary public in and for Erie County, N. Y.

EVE J. ALLIS
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19..*85*..

**LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA
HIGHWAY DEPARTMENT**

THE TOWN OF CHEEKTOWAGA hereby requires sealed bids for the purchase of diesel fuel oil, unleaded gasoline, kerosene oil, hydraulic oil, motor oil, lubriplate, permanent anti-freeze, etc. for the use of 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, N.Y. 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening, July 5, 1983 at 11:00 a.m. in the Town Hall council chambers.

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

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

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: June 23, 1983

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1983 to the Erie County Board of Elections by July 1, 1983; 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 inaccessible 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 1983 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 four (4) pages for list of polling places.

To the Town Clerk of Cheektowaga

Please note SEC. 4-104 (subd. 1, 2) Lists of the designation of registration and Polling Locations for each election district must be submitted to this office by July first of each year. If an alternative location is required after that date amend this list, in writing, immediately.

Pursuant to Sec. 8-400 (2) of the New York State Election Law absentee ballots are available to a qualified voter because of illness or physical disability, whether permanent or temporary.

POLLING PLACES



District	Location	Proper Access
District No. 1	Stiglmeier Park Community Center, Losson Road	(No) Upstairs
District No. 2	Bellevue Fire Station, Como Park & Bennett Rd.	(Yes) No Stairs
District No. 3	Village of Depew, DPW Bldg., Rutherford Place	(Yes) No Stairs
District No. 4	Forks Fire Hall No. 2, Nagel Dr. & South Creek Dr.	(Yes) No Stairs
District No. 5	Our Lady Help of Christians School, 4115 Union Rd.	(No) Downstairs
District No. 6	Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.	(Yes) No Stairs
District No. 7	Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.	(Yes) No Stairs
District No. 8	Our Lady Help of Christians School, 4115 Union Rd.	(No) Downstairs
District No. 9	Mayrville High School, 1050 Maryvale Drive	(No) 2 steps
District No. 10	North Hill Elementary, 4635 Union Road	(No) 2 Steps
District No. 11	North Hill Elementary, 4635 Union	(No) 2 Steps
District No. 12	Infant of Prague School Hall, 921 Cleveland Dr.	(Yes) No Stairs
District No. 13	Cleveland Drive United Presbyterian Church, 735 Cleveland Drive	(Yes) No Stairs
District No. 14	Cleveland Hill Fire Hall, 440 Cleveland Drive	(Yes) No Stairs
District No. 15	St. Aloysius School, 157 Cleveland Drive	(No) Downstairs
District No. 16	St. Aloysius School, 157 Cleveland Drive	(No) Downstairs
District No. 17	Trailer, Marc Lane	(No) Steps
District No. 18	Trailer, Marc Lane	(No) Steps
District No. 19	St. Aloysius School, 157 Cleveland Drive	(No) Downstairs
District No. 20	Cleveland Hill Elementary School, Mapleview Drive	(No) Upstairs
District No. 21	Cleveland Hill High School, Mapleview Drive	(Yes) No Stairs
District No. 22	Cleveland Hill High School, Mapleview Drive	(Yes) No Stairs
District No. 23	Infant of Prague School Hall, 921 Cleveland Dr.	(Yes) No Stairs
District No. 24	North Hill Elementary School, 4635 Union Road	(No) 2 Steps
District No. 25	North Branch Library, 735 Maryvale Drive	(No) Downstairs
District No. 26	Maryvale Community Center, 3409 Genesee St.	(Yes) No Stairs
District No. 27	Mother of Divine Grace Church, 500 Maryvale Dr.	(No) Downstairs
District No. 28	Mother of Divine Grace Church, 500 Maryvale Dr.	(No) Downstairs
District No. 29	Cleveland Hill Primary School, 7 Community Drive	(No) 3 steps
District No. 30	Cleveland Hill Primary School, 7 Community Drive	(No) 3 steps

To the Town Clerk of Cheektowaga

Please note SEC. 4-104 (subd. 1, 2) Lists of the designation of registration and Polling Locations for each election district must be submitted to this office by July first of each year. If an alternative location is required after that date amend this list, in writing, immediately.

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POLLING PLACES



District	Location	Proper Access
District No. 31	Pine Hill Elementary School, 1635 East Delavan	(Yes) No Stairs
District No. 32	Pine Hill Elementary School, 1635 East Delavan	(Yes) No stairs
District No. 33	Most Holy Redeemer School, 16 Alpine Place	(No) Upstairs
District No. 34	Pine Hill Fire Hall, 2435 Genesee St.	(Yes) No Stairs
District No. 35	Cheektowaga Recreation Center, Town Park, Harlem Road	(Yes) No Stairs
District No. 36	Queen of Martyrs School, 180 George Urban Blvd.	(No) Downstairs
District No. 37	Maryvale Community Center, 3409 Genesee Street	(Yes) No Stairs
★ District No. 38	U-Crest Fire Hall, 255 Clover Place	(Yes) No Stairs
★ District No. 39	U-Crest Fire Hall, 255 Clover Place	(Yes) No stairs
District No. 40	Anna M. Reinstein Memorial Library, 2580 Harlem Road	(Yes) No Stairs
District No. 41	Anna M. Reinstein Memorial Library, 2580 Harlem Road	(Yes) No Stairs
District No. 42	Alexander Street School, 275 Alexander Street	(No) Basement
District No. 43	Alexander Street School, 275 Alexander Street	(No) Basement
District No. 44	Rescue Fire Hall, 20 Pine Ridge Road	(Yes) No Stairs
District No. 45	Rescue Fire Hall, 20 Pine Ridge Road	(Yes) No Stairs
District No. 46	Woodrow Wilson School, 166 Halstead Ave., Sloan	(Yes) No Stairs
District No. 47	Woodrow Wilson School, 166 Halstead Ave., Sloan	(Yes) No Stairs
District No. 48	Sloan Fire Hall, 55 Gates Street, Sloan	(Yes) No Stairs
District No. 49	Sloan Fire Hall, 55 Gates Street, Sloan	(Yes) No Stairs
District No. 50	Sloan Fire Hall, 55 Gates Street, Sloan	(Yes) No Stairs
District No. 51	St. Josaphat's School, William & Mansion	(No) Downstairs
District No. 52	Theodore Roosevelt School, 2495 William Street	(Yes) No stairs
District No. 53	Resurrection School, 130 Como Park Blvd.	(No) Downstairs
District No. 54	St. Josaphat's School, William & Mansion	(No) Downstairs
District No. 55	Doyle Fire Hall No. 1, William & Alaska	(Yes) No Stairs
District No. 56	Grover Cleveland School, Rossler & Dingens Street	(Yes) No stairs
District No. 57	Doyle Fire Hall No. 2, Willowlawn & Griswold Street	(Yes) No stairs
District No. 58	South Branch Library, 2660 William St.	(Yes) No Stairs
District No. 59	Alys Drive Elementary School, 86 Alys Drive, Depew	(Yes) No Stairs
District No. 60	Alys Drive Elementary School, 86 Alys Drive, Depew	(Yes) No Stairs

To the Town Clerk of Cheektowaga

Please note SEC. 4-104 (subd. 1, 2) Lists of the designation of registration and Polling Locations for each election district must be submitted to this office by July first of each year. If an alternative location is required after that date amend this list, in writing, immediately.

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POLLING PLACES



District	Location	Proper Access
District No. 61	Forks Fire Hall No. 2, Nagel & South Creek Drive	(Yes) No Stairs
District No. 62	Hy-View Fire Hall, 8 Airport Drive	(Yes) No Stairs
District No. 63	Hy-View Fire Hall, 8 Airport Drive	(Yes) No Stairs
District No. 64	Forks Fire Hall (Memorial Hall) 3340 Broadway	(Yes) No Stairs
District No. 65	St. Barnabas School, 2099 George Urban Blvd.	(Yes) No Stairs
District No. 66	Union U-Crest Elementary School, 1 Nagel Drive	(Yes) No Stairs
District No. 67	John F. Kennedy High School, 305 Cayuga Creek Rd.	(Yes) No Stairs
District No. 68	West End Hose Co. No. 6, 2325 George Urban Blvd.	(Yes) No Stairs
District No. 69	Queen of Martyrs, 180 George Urban Blvd.	(No) Downstairs
District No. 70	Cheektowaga Recreation Center, Town Park, Harlem Rd.	(Yes) No Stairs
District No. 71	Cleveland Hill Elementary School, Mapleview Drive	(No) Upstairs
District No. 72	Cleveland Hill Fire Hall, 440 Cleveland Drive	(Yes) No Stairs
District No. 73	Cleveland Heights Christian Church, 4774 Union Road	(Yes) No Stairs
District No. 74	Forty & Eight Voiture Hall, 810 Rein Road	(Yes) No Stairs
District No. 75	North Branch Library, 735 Maryvale Drive	(No) Downstairs
District No. 76	Our Lady of the Blessed Sacrament School, 2620 George Urban Blvd.	(Yes) No Stairs
District No. 77	Resurrection School, 130 Como Park Blvd.	(No) Downstairs
District No. 78	Doyle Fire Hall No. 1, William & Alaska Street	(Yes) No Stairs
District No. 79	Southline Fire Hall, 1049 French Road	(Yes) No Stairs
District No. 80	Garden Village Apts., Recreation Center, 70 Garden Village Drive	(Yes) No Stairs
District No. 81	Southline Fire Hall, 1049 French Road	(Yes) No Stairs
District No. 82	Stiglmeier Park Community Center, Losson Road	(No) Upstairs
District No. 83	Dartwood Community Center, 222 Autumnwood Drive	(Yes) No Stairs
District No. 84	Dartwood Community Center, 222 Autumnwood Drive	(Yes) No Stairs
District No. 85	Bellevue Fire Hall, Como Park Blvd. & Bennett Road	(Yes) No Stairs
District No. 86	Village of Depew, DPW Bldg., Rutherford Place	(Yes) No Stairs
District No. 87	St. Barnabas School, 2099 George Urban Blvd.	(Yes) No Stairs
District No. 88	West End Hose Co. No. 6, 2325 George Urban Blvd.	(Yes) No Stairs
District No. 89	Maryvale East School, Moorman Drive	(Yes) No Stairs
District No. 90	Infant of Prague School Hall 921 Cleveland Drive	(Yes) No Stairs

To the Town Clerk of Cheektowaga

Please note SEC. 4-104 (subd. 1, 2) Lists of the designation of registration and Polling Locations for each election district must be submitted to this office by July first of each year. If an alternative location is required after that date amend this list, in writing, immediately.

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POLLING PLACES

[illegible]

Item No. 8 cont'd

Upon Roll Call.....

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

Item No. 9 Motion by Councilman W.P. Rogowski, seconded by Councilman Johnson

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

(Part of) BARBADOS DR. - \pm 900', fronting sublots
5 through 17, 59 and 69.

(Part of) LeHAVRE DR. - \pm 320', fronting sublots
4 through 7, 69 and 70.

and BE IT FURTHER

RESOLVED that the Deed covering the above captioned portions of Barbados Drive and LeHavre Drive has been recorded in the Erie County Clerk's Office on September 20, 1979 in Liber 8832 of Deeds at page 600.

* See next two (2) pages for letter

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: ~~XXXXXX~~
686-3450

ROBERT KARASZEWSKI
Deputy Superintendent



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

June 16, 1983

RECEIVED

JUN 16 1983

TOWN ATTORNEY

Honorable Kenneth J. Meyers
Supervisor
Honorable Town Board
Town Hall
Cheektowaga, NY

Re: Acceptance of part of
Martinique Dr. and part of
LeHavre Dr. in Martinique,
Subdivision Pt. IV

Gentlemen:

Please be advised that proper and routine inspections have been made during construction by my Engineer, T. Skowron and myself; and we find that part of LeHavre Dr. and Martinique Dr., as herein described, do conform to the specifications of the Town of Cheektowaga and are recommended for acceptance into our Town's system of highways.

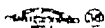
Martinique Dr. - A 60'w. R.O.W. as shown on M/C 2376, running N & S, a distance of \pm 746' and fronting sublots 111-121, 71-81.

LeHavre Dr. - A 60'w. R.O.W., as shown on M/C 2376, running E & W, a distance of \pm 237' and fronting sublots 1-3, 71 & 121.

The deed for the above mentioned Rights of Way has been in Town files since 1979. The Maintenance Bond is for the required amount, and is forwarded to the Town Attorney for approval. A street lighting agreement is also provided. The approved and filed deed becomes a part of this acceptance.

I request that no Certificate of Occupancy be issued by the Building Inspector until the builder of a house guarantees the planting of a tree in front of each house built by him. The type of tree recommended for Martinique Dr. is a Little Leaf Linden Maple of at least 1½" cal. x 7' high. The type of tree recommended

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

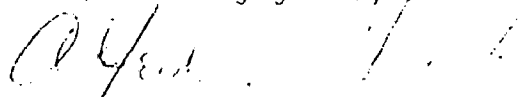


p. 2
6/16/83
Martinique/LeHavre

for LeHavre Dr. is a Crimson King (red maple) of at least
1½" cal. x 7' high.

Trusting that this meets with your approval, I remain,

Respectfully yours,


Alfred F. Wnek
Superintendent of Highways

ji

cc: Town Clerk
Town Attorney
Building Inspector
Town Engineer

Item No. 9 cont'd

Upon Roll Call....

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

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

WHEREAS, the Town has been notified by the Department of Housing and Urban Development that the Town, including the Villages of Depew, Sloan and Williamsville, is eligible to receive a Supplementary Appropriation of \$219,000, and

WHEREAS, said funds are made available through the Appropriations Act, commonly known as the "Jobs Bill", and

WHEREAS, said funds will be administered by the Department of Housing and Urban Development through the Community Development Block Grant Program, and

WHEREAS, a public hearing was held on the use of said funds on Monday, June 6, 1983, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to submit an application to the Department of Housing and Urban Development for the Supplementary Appropriation of \$219,000 for fiscal year 1983-84, said funds to be allocated as follows:

Town of Cheektowaga, Beach Road Drainage -	\$186,000
Village of Depew	34,000
Village of Sloan	9,000

Upon Roll Call....

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

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

WHEREAS, a system for drainage was provided along the westerly boundary of the Como Subdivision by the developer, and

WHEREAS, additional drainage relief is needed in this area, and

WHEREAS, several owners of properties which are adjacent to the westerly boundary of Como Subdivision and which front on Messer Avenue have agreed to convey rear yard drainage easements to the Town, and

WHEREAS, this Town Board has evinced the Town policy of acquiring easements for the construction, improvement and maintenance of drainage systems, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office, in conjunction with the Town Highway Department and the Town Engineering Department, be and hereby are authorized and directed to take all steps necessary to acquire for the Town the aforementioned easements along the rear of properties fronting on Messer Avenue.

Upon Roll Call....

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

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

WHEREAS, the County of Erie, in a tax foreclosure proceeding (In Rem No. 139) scheduled for June 22, 1983, will be offering certain parcels of land situate in the Town of Cheektowaga for sale to the highest bidder, and

WHEREAS, the Town Engineering Department has indicated that some of the parcels, as indicated and described below, are needed for drainage and other engineering purposes for the benefit of the Town, and

WHEREAS, this Town Board is in agreement with the Town Engineering Department, NOW, THEREFORE, BE IT

RESOLVED that Kevin G. Schenk and/or Marilyn E. Lew of the Town Attorney's Office be and hereby are authorized and directed to appear at the County In Rem No. 139 to bid on the following described parcels at a maximum combined total price of \$10,000.00:

Property Description

1. Serial No. 1946
Dingens Street, 125 ft. east
of Claude Drive
2. Serial No. 1952
French Road, 659 ft. east of
Randy Way

and BE IT FURTHER

RESOLVED that the funds for the above-referenced purchases be appropriated from "Federal Revenue Sharing, Fund Balance."

Upon Roll Call....

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

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

WHEREAS, the Town wishes to undertake storm sewer and catch basin construction on Northcrest Avenue with federal Community Development Block Grant funds, and

WHEREAS, it is necessary to amend the Town's Agreement with McFarland-Johnson Engineers, Inc., dated August 17, 1981, for the purpose of authorizing the preparation of bidding documents for said project, and

WHEREAS, the Town Engineer has received a proposal from McFarland-Johnson Engineers, Inc., to perform the needed additional engineering work for a fee of \$500, and

WHEREAS, federal Community Development Block Grant funds are available for the performance of the additional engineering work, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor is authorized to sign the attached Amending Agreement authorizing the firm of McFarland-Johnson Engineers, Inc., to perform the necessary additional engineering work for the Northcrest Avenue drainage project for the sum of \$500, said fee to be paid from Community Development Block Grant funds.

Upon Roll Call....

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

Item No. 14 Motion by Councilman Johnson, seconded by Councilman W.P. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding the cleaning up of vacant property located at 19 Pine Circle, Cheektowaga, New York, Map Cover 2276, Sublot 5, S.B.L. #101.36-12-3 and according to the Assessor's Office is owned by Starlite Builders, 8 Deepwood Court, Depew, New York 14043, and

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

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

Upon Roll Call....

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

Item No. 15 Motion by Councilman Jaworowicz, seconded by Councilman W.P. Rogowski

WHEREAS, Mr. Lawrence E. 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 9, 1983 through July 23, 1983 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, New York, 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 9, 1983 through July 23, 1983.

Upon Roll Call....

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

Item No. 16 Motion by Councilman Swiatek, seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the below listed individual be terminated from the Youth Bureau's Camp Crabapple for Developmentally Disabled Youth due to her accepting another position: (7310.1802):

Adapted Recreation Counselor - \$3.50 per hour

--Roberta Martinez

Depew, New York 14043

and BE IT FURTHER

RESOLVED that the below listed be hired for Camp Crabapple at the designated titles and salaries (7310.1802):

Senior Adapted Recreation Counselor - \$4.00 per hour

--Denise Rutkowski

Depew, New York 14043

Item No. 16 cont'd

Adapted Recreation Counselor - \$3.50 per hour

--David Walkowiak

Cheektowaga, New York 14225

Upon Roll Call....

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

Item No. 17a Motion by Supervisor Meyers, seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Trainees at the rate of \$3.10 per hour in the various departments listed as needed:

SANITATION DEPARTMENT

Thomas Slisz
Thomas Dudas
Raymond Zurowski
William Johnson
Kenneth Lorka
James Nowicki
Thomas Schugardt
Richard Perrino
Daniel Giczkowski
Anthony Wdowik
Paul Kalczynski
James Kucewicz

CENTRAL GARAGE

Brian Ziemba
Thomas Kostelny
John McCarthy
Andrew Neubauer
Timothy Hoffman
John Lehner
Jeffrey Funk

SEWER TREATMENT PLANT

Jeffrey Mrugalski
Edward O'Sheehan
Joseph Stallone

STREET LIGHT MAINTENANCE

Michael Spencer
Edward Kadzmarowski

FACILITIES DEPARTMENT

James Klosko
Randall Misita

Upon Roll Call....

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

Item No. 17b 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 1983 summer programs:

BASKET CHECKERS - \$2.25 per hour

Thomas Babiarz
Becky Babirad
Maureen Bagne
Shelly Bernfeld
Barbara Coia
Daniel Cielenski
Tracy Crupe
Dianne Cruz
Michael Cwiklinski
Gary Dombrowski
Deborah Dommer
Lisa Ferdinand
Mary Fox
Josephine Gambino
Michael Gemerek
Steven Giczowski
Debbie Grierson
Sandra Hartman
Brian Johnson
Lisa Judkiewicz
Kathleen Koepfel
Lynn Lauber
Liliena Destro
Joseph Malkiewicz
Mike Maue
Cathy McCabe
Lynette McNary
Michael Miga
James Monczynski
Brenda Musialowski
Cathy Orzel
Lynda Przepiora
David Ruszala
Thomas Simmeth
Jane Sivick
Doreen Skowron
Darcie Smith
Dixie Sweeney
Susan Tytko
Stephen Upchurch
Lucy Vero
Jeffrey Zaleski
Jeff Swiatek
Susan Stafford

BASKET CHECKER ALTERNATES

Robertta Epel
Carol Gallagher
Steven Gemerek
Charlene Lyon
Elaine Myszka
Kelly Overman
Dawn Robichaud
Denise Hanna

PLAYGROUND ATTENDANTS - \$3.10 per hour A7140.1614

Michele Azzarello
Eileen Beiter
Davdi Bobeck
Kevin Boniszewski
Sandra Braunscheidel
Robert Burd

Item No. 17b

David Burgasser
Brian Cleary
Julianne Conway
Monica Crosby
David Darnley
Bonnielyn Dietl
Carlo DiRenzo
Lynn Empl
Kathleen Fenske
Kim Fenske
Dana Marie Fritzinger
Cynthia Gehl
Barbara Gemerek
Audrey Gibala
Deborah Glowny
Jeanne Hough
Susan Imiola
Robert Kozell
Daniel Kroll
Jeffrey Kujawa
Suzanne Leszczynski
Carla Levorchick
David Lina
Joanne Lynch
Donald Majkowski
Kimberly McNamara
Lynne Mueller
Nicoletta Nastasio
James Nowak
Joel Patterson
Jeffrey Pijacki
Scott Pilat
Kimberly Piotrowski
Mark Rzemek
Susan Sansone
Kim Schmitt
Holly Slade
Bruce Stolinski
Susan Szatkowski
Carmella Tramont
Nadine Verga
Debra Wahl
James Wasielewski
Danielle Wichlacz
Gary Wurst
Thomas Allen
Debbie Bonfessuto
Steven Karnyski
Denise Kelly
MaryKiliszewski
Nancy Kubiak
Timothy Lumadue
Ray Mohr
Shelly Payton
Thomas Wolf
Patty Zbytek
Kevin Mackowiak

PLAYGROUND ATTENDANT ALTERNATES

Andrea Agosti
Mary Antkowiak
Deborah Arendt
Danielle Cichon
Mary Lou Czajka
Paul Eggert
Barbara Folts
Colleen Gallivan
Cynthia Kroll
Lori Mankowski

Item No. 17b cont'd

Susan Nowicki
Marie Potzler
Kathy Ritter
Jennifer Ruda
Thomas Schumacher
Elizabeth Sullivan
Anthony Maselli
Anthony Percival
Robert Igoe
Tim Hoffman
Brenda A. Poblocki

and BE IT FURTHER

RESOLVED that the above personnel be terminated effective
September 6, 1983.

Upon Roll Call....

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

Item No. 17c Motion by Supervisor Meyers, seconded by Councilman Jaworowicz

WHEREAS, funds are presently available under the Cheektowaga-
Tonawanda Suburban Towns Consortium, Summer Youth Program, and

WHEREAS, the Summer Youth Program starts on July 5th, 1983 with
participants working a maximum of 32 hours per week at \$3.35 per hour, NOW,
THEREFORE, BE IT

RESOLVED that the following persons will be hired based on fund
availability from the Department of Labor and that the alternate portion may be
utilized to meet the demographic requirements as stated in our plan submitted
to the Department of Labor:

Adams, Douglas
Adams, Kenneth
Allis, Christopher
Allis, Craig
Amanti, Ann
Anglum, Maureen
Azzarello, Mark
Azzarello, Michael
Batycki, Suzanne
Baumeister, Kurt
Beiter, Sally
Bellavia, Charles
Bernard, Laura
Berst, Ronald
Bishop, Mark
Blair, Paula
Booker, Kimberly
Borucki, Theresa
Brant, John
Brant, Kimberly
Brant, Michelle
Buchanan, Cheryl
Buck, Daniel
Budzich, Michael
Carroll, James
Cashman, Daniel
Cashman, Thomas
Castiglione, Kimberly
Chavanne, Penelope
Cichon, Charles
Ciemeioeh, Richard

Item No. 17c cont'd

Ciesielski, Joseph
Clement, Cynthia
Clement, Guy
Colgrove, Christine
Colgrove, Patricia
Costa, Dominic
Cramer, Edward
Cramer, Lawrence
Cross, Roseanne
Curry, Keith
Czamara, Allison
Czamara, Timothy
Czekaj, Steven
Davey, Shirley
Davis, Lisa
Davis, Lori
Davis, Robert
Deneke, David
Deneke, Diana
Depczynski, Richard
Derion, Michael
Debble, Daniel
Dibble, Donna
Dibble, Jeffrey
Dibble, John
Dibble, Lynn
Dibble, Mark
Dillon, Carl
Dillon, David
Dillon, Scott
DiPirro, Christopher
Drenkhahn, Paul
Drzymala, Brian
Eagle, Peter
Eagle, Timothy
Eich, Denise
Enright, Patricia
Fallacaro, Donald
Fallacaro, Michael
Fechter, Ronald
Ferris, Robert
Filipp, Eugene
Filipp, Peter
Fish, Gregory
Gabryszak, Kenneth
Gaiek, Roberta
Gee, Brian
Gee, Diana
Gibala, Lori
Giczkowski, Daniel
Giczkowski, Steven
Gillman, Gerard
Gillman, GeriAnne
Gillman, Lawrence
Gisel, Sharon
Gorski, Camille
Grandits, MaryBeth
Grimm, Barbara
Grimm, Gerald
Grimm, Wayne
Gwitt, Michael
Hagedorn, Alan
Haskett, Robert
Hayes, Kelly
Hayes, Patrick
Heintz, Jeffrey
Hencker, MaryAnn
Herky, Paul
Higgins, Brian
Higgins, Gary

Item No. 17c cont'd

Hillyard, Timothy
Hinca, Mary
Hinda, Geraldine
Hoesel, Donna
Holtyn, Erik
Holtyn, Kimberly
Homphothichak, Phouthakone
Homphothichak, Manivona
Huynh, Dung
Jankowski, William
Jasienski, Donna
Jeris, Laurie
Johnson, Judith
Juergens, Pamela
Juliano, Michele
Justinger, Bonnie
Justinger, Robert
Karwin, Darin
Knutson, Travis
Kochel, Helene
Koepnick, Lisa
Kopcinski, Eric
Kopp, Russell
Kowalski, James
Krause, Denise
Krempa, Kimberly
Kucinski, Karen
Kukla, Michael
Kulczyk, Daniel
Kush, Robert
LaBrunno, Synthia
LaGambina, Sal
Larkman, Jennifer
Lauricella, Della Maria
Lauricella, Sheryl
Lawicki, Karen
LeBarron, Rachel
Lewandowski, David
Lobello, Holly
Loyga, Paul
Loschiavo, David
Loschiavo, Donald
Loschiavo, Kenneth
Loschiavo, Steven
Lucas, Beth
Lucas, Dean
Lucas, Sherry
Lundquist, Scott
Lynch, William
MacTarnaghan, April
MacTarnaghan, Gayle
MacTarnaghan, Jill
Martel, Laura
Mazurek, Carl
McCloskey, James
McGowan, Kathleen
McNary, Jacqueline
McWilliam Jess
Merlino, David
Meyers, Amy
Meyers, Craig
Meyers, Jill
Michalski, Mark
Miga, Michael
Millidge, Michael
Mitzel, Cynthia
Mohr, Kimberlee
Monday, Rebecca,
Moran, James

Item No. 17c cont'd

Mueller, Lynne
Nero, Lisa
Nero, Wayne
Newman, Paul
Norman, Joyce
Nowak, Jacqueline
Nowak, James
Nowak, Julianne
Obstarczyk, Jeff
Oddo, Scott
Oryszak, Jeff
Oryszak, Roy
Pajak, Alex
Paradowski, Dennis
Parker, Randy
Paszkiewicz, William
Parlik, Jeffrey
Perkins, Michael
Peters, Amy
Peters, Rodney
Petrillo, Virginia
Pielich, John
Pielich, Kelly
Pilski, Peter
Ponter, Richard
Post, Martin
Potfora, David
Pritchard, Evan
Przyski, Scott
Radwanski, Jacqueline
Radwanski, Renee'
Rapp, Julie
Rapp, Rena
Reichert, David
Richards, Norman
Richards, Vanessa
Ricotta, Joseph
Ridolfi, James
Riedel, Gary
Romans, Judy
Romans, Thomas
Rudolph, Glenn
Rudy, Darrin
Saar, Donna
Sala, Mark
Santana, Candace
Sciandra, Kimberly
Schauger, Laura
Schultz, John
Schupp, Craig
Schultz, Patricia
Serwinowski, Daniel
Siebert, Donald
Simonds, Debra
Sist, Christopher
Slachciak, Timothy
Soemann, Tammy
Steger, Mark
Steger, Tracie
Stevens, David
Stevens, Mark
Stock, Clayton
Stock, Pamela
Strozewski, Thomas
Stulak, Glenn
Sutton, Wendy
Szafranski, Gregory
Thoms, Jeffrey
Trzaska, Edward

Item No. 17c cont'd

Tymorek, Wayne
Weber, Robert
Wesolowski, Cindy
White, Donald
Wiedenbeck, Allison
Wiedenbeck, Brooke
Wittmeyer, Robert
Williams, Margaret
Wise, Robert
Wojdan, Gary
Wollenberg, Hans
Wollenberg, Jenny
Wutz, Michael
Wypij, Donna
Wypij, Sandra
Young, Thomas
Zagst, David
Zawadzki, Bonnie
Zglinicki, Jacob
Ziejewski, Robert
Zipp, Jodi
Zipp, Judy
Zubkoff, Jeffrey
Zubkoff, Susan
Zurenda, Brian
Orlowski, Dawn
Balthaser, Mary
Battistoni, Kim

SUMMER YOUTH STAFF - with a starting date of June 27, 1983

Principal Counselor at \$7.85 per hour

Peter Tonsoline

Senior Counselor at \$7.10 per hour

Vincent Frisicaro

Monitor at \$5.50 per hour

Susanmarie Caruso

Advisor at \$4.50 per hour

Michael Alessi
Patrick LoBello
Linda MacVittie

Upon Roll Call....

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

Item No. 17d Motion by Councilman Swiatek, seconded by Councilman W.P. Rogowski

BE IT RESOLVED that the below listed individuals be hired for the Youth Burea's Cheektowaga Conservation Corps Program, at the designated titles and salaries:

ALTERNATES - \$3.10 per hour - 7310.1812

Carol Lawida
Todd Horvatis
Anthony DeRose
Michele Fuller
Matthew Hunneshagen

Item No. 17d cont'd

Jeffrey Smith
John Stonefield
Dan Szczesny
James J. Szrama
Christopher Bystrak
Loren Crowden
James Forma
Alan Klembczyk
Brian Mikler
Denise Pajak
Richard Pajak
Timothy Pawlak
Lori Piepszny
Paul DeLano
Scott Pelino
Brian Cashdollar
Timothy Labenski

Upon Roll Call....

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

Item No. 17e Motion by Supervisor Meyers, seconded by Councilman W.P. Rogowski

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 following individual be and hereby is hired as a seasonal employee at a rate of \$5.00 per hour, retroactive to June 11, 1983:

Beach and Pool - Account No. 7110.1623

Raymond Schieder

Upon Roll Call....

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

Item No. 18 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.909 (Fund Balance)	\$15,960.00
TO: CF.8540.4587 (Weed Control)	15,960.00

GENERAL FUND

FROM: A.7310.4681 (Youth-In-Service Training)	327.00
TO: A.7310.2205 (Youth-Copier)	327.00
FROM: A.1110.1374 (Justice-Clerk-Typist)	1,225.00
TO: A.1110.1351 (Justice-Senior Clerk)	1,225.00

Item No. 18 cont'd

FROM: A.3310.1495 (Sign Erection Payroll) \$5,000.00
TO: A.3310.4471 (Signs and Street Markings) 5,000.00

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

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to June 20th, 1983 are hereby approved and the Supervisor is ordered to pay said warrants:

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 77,970.16
SPECIAL DISTRICT FUND	444,666.86
HIGHWAY FUND	33,119.27
FEDERAL REVENUE SHARING FUND	7,256.36
TRUST AND AGENCY FUND	7,022.68
PART TOWN FUND	1,846.03
HUD-NPP FUND	150.00
HUD-CDBG FUND	1,121.60
CAPITAL FUND	106,991.32
	<u>\$680,144.28</u>

Upon Roll Call....

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Cheektowaga Planning Board minutes for May, 1983
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 21 NOTICE OF CLAIM - Edward Hintz vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits,
Town Attorney; Schmitt & Kraft, Insurance carrier; Thomas Johnson,
Councilman; Theodore DeFedericis, Chief of Police.
Received and Filed.

Item No. 22 NOTICE OF CLAIM & SUMMONS & COMPLAINT - Albina E. Maciejewski
v. Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits,
Town Attorney; Joseph J. Naples, Insurance carrier, Thomas Johnson,
Councilman; Alfred Wnek, Highway Superintendent
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Councilman Johnson, seconded by Councilman J.V. Rogowski to suspend the rules to include the following two (2) items.

Upon Roll Call....

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

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

WHEREAS, this Town Board, by resolution dated April 18, 1983, directed the Town Attorney's Office to take whatever action necessary to convince the Erie County Department of Personnel to certify and use the eligible list resulting from the 1982 Police Lieutenants' Promotional Examination, and

WHEREAS, the Town Attorney's Office commenced a lawsuit against the Erie County Department of Personnel entitled "Town of Cheektowaga v. Stanley H. Zagora, et al.", and

WHEREAS, by Order of the Hon. John C. Broughton, Justice, Supreme Court dated June 13, 1983, the lawsuit commenced by the Town was dismissed based on a prior order in a related lawsuit, and

WHEREAS, the Chief of Police and the Town Attorney have reviewed the Order of the Hon. John C. Broughton and have recommended that the Town appeal said Order, and

WHEREAS, Mr. Peter M. Kooshoian, attorney at law, has experience and specialized knowledge in appellate matters, and has expressed his interest and willingness to handle the aforementioned appeal for the Town, NOW, THEREFORE, BE IT

RESOLVED that Peter M. Kooshoian, 81 Linwood Avenue, Buffalo, New York 14209, be and hereby is retained to appeal the above mentioned lawsuit on behalf of the Town, and BE IT FURTHER

RESOLVED that all reasonable legal fees and expenses of such appeal be appropriated from the Law Department Budget, line item number 4501.

Upon Roll Call....

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

Item No. 24 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga is eligible to apply for and receive a public works grant available through the Economic Development Administration under the Emergency Jobs Act (Public Law 98-8), and

WHEREAS, said grant is available for projects which will result in both short- and long-term jobs creation, and

WHEREAS, the Gardenville Industrial Park Project will provide sites for future industrial development in the Town of Cheektowaga, improve the Town's tax-base and provide short- and long-term job opportunities, and

WHEREAS, the Town's matching share of the federal grant request will be made available from a municipal bond providing for public improvements on said property as per a Town Board Resolution dated December 20, 1982, NOW, THEREFORE, BE IT

Item No. 24 cont'd

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to submit an application on behalf of the Town of Cheektowaga to the Economic Development Administration, U.S. Department of Commerce, for a grant in an amount not to exceed \$430,000 to aid in financing the construction of the Gardenville Industrial Park Project.

Upon Roll Call....

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

Item No. 25 Motion by Councilman J.V. Rogowski, seconded by Councilman Jaworowicz
to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk