

PUBLIC HEARINGS held at 6:30 P.M.

NO.

ITEM

Meeting No. 2 January 19, 1987

- 1 848 Dick Road - Rezoning from C-Retail Business to CM-General Commercial and Special Use Permit for Public Garage
- 2 440 Borden Road - Rezoning from R-Residential to C-Retail Business

Meeting No. 3 February 2, 1987

- 1 Jessica Lane at Transit Road - Rezoning from CM-General Commercial to R-Residential District

Meeting No. 4 February 18, 1987

- 1 274 Cayuga Road - Rezoning from RC-Restricted Business to Cm-General Commercial

PUBLIC HEARINGS

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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 5th day of January, 1987 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; James Kirisits, Town Attorney; Casimir Kozminski, Assessor; Andrew Kulyk, Member of Zoning Board of Appeals; Sal LaGreca, Employment and Training Director II; Ronald Marten, Building Inspector; Ray Pugh, Member of Cheektowaga Planning Board; Julia Reinstein, Town Historian; Peter Rybka, Member of Zoning Board of Appeals; Rudy Santa Maria; Leonard J. Smolarek, Chief of Police; and Donald Wegner, Chairman of Zoning Board of Appeals.

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 Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic), 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 amendment being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 76.80. Stop intersections 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>
Pine Ridge Terrace	North-south	Bell Street	Eastbound	S.W. Corner
Pine Ridge Terrace	North-south	Adlon Place	Eastbound	S.W. Corner

* * * * *

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

II. RESOLUTIONS

Item No. 3 Motion by Councilman Jaworowicz Seconded by Councilman Kowal

BE IT RESOLVED that the regular Town Board meetings of the Town of Cheektowaga for the calendar year 1987 shall be held at 6:45 P.M. in the Council Chambers of the Town Hall, at Broadway and Union Road, Cheektowaga, New York on the following referenced dates:

MEETING NO. 1
January 5, 1987

Item No. 3 Cont'd.

- First and Third Mondays of January, March, April, May, June, July, August, October, November and December.
- February 2nd and 18th, 1987.
- September 8th and 21st, 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 4 Motion by Councilman Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the Town Board shall hold work sessions every second Saturday of the month at 10:00 A.M. during the year 1987; said work sessions shall be held in the Council Chambers, Town Hall, Cheektowaga, New York.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT ON 2nd FOLLOWING PAGE

Item No. 5 Motion by Councilman Rogowski Seconded by Supervisor Weber

BE IT RESOLVED that the salaries of the following Town officials be and hereby are established and set forth as follows, effective January 1, 1987:

Supervisor	\$44,813
Budget Director	\$ 9,501
Councilman (6)	\$14,539
Receiver of Taxes	\$31,875
Town Clerk	\$35,500
Highway Superintendent	\$40,831
Town Justices (2)	\$32,200

Upon Roll Call....

AYES: Supervisor Weber, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: Johnson
ABSENT: 0

Item No. 6 Motion by Supervisor Weber Seconded by Councilman Rogowski

BE IT RESOLVED, that Marine Midland Bank, N.A. (Cheektowaga Office), Norstar Bank and Trust Company (Harlem Road Office), Key Bank (Cheektowaga Office), Chase Lincoln First Bank of Western New York, N.A. (Depew Office), Manufacturers and Traders Trust Company (Airport Plaza Office), Citibank (Airport Plaza), and Manufacturers Hanover Trust Company Western, N.A. (Depew Office), as designated depositories of the Town of Cheektowaga, be and they are hereby requested, authorized and directed to honor checks, notes and other instruments for the payment of money against Town funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as signer, when bearing or purporting to bear the facsimile signature of Daniel E. Weber, Supervisor

And the Marine Midland Bank, N.A. (Cheektowaga Office), Norstar Bank and Trust Company (Harlem Road Office), Key Bank (Cheektowaga Office), Chase Lincoln First Bank of Western New York, N.A. (Depew Office), Citibank (Airport Plaza), and Manufacturers and Traders Trust Company (Airport Plaza Office), shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes and other instruments, regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen or specimens duly certified to or filed with said banks by the Supervisor, the Town Clerk or other officers of the Town of Cheektowaga.

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

...*Denise Gracie*..., 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.....*JAN - 8 1987*..... ;
last publication.....*JAN - 8 1987*..... ;
and that no more than six days intervened be-
tween publications.

...*Denise Gracie*.....
Sworn to before me this*9th*.....
day of*January*....., 19..*87*..
.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19..*87*..

**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 5th day of January, 1987 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman Kowal

BE IT RESOLVED that the Town Board meetings of the Town of Cheektowaga for the calendar year 1987 shall be held at 6:45 p.m. in the Council Chambers of the Town Hall, at Broadway and Union Road, Cheektowaga, New York on the following referenced dates:

— First and Third Mondays of January, March, April, May, June, July, August, October, November and December.

— February 2nd and 18th, 1987.

— September 8th and 21st, 1987.

Upon roll call...

Supervisor Weber	Voting	AYE
Councilman:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE

AYES: 6

NAYES: 0

ABSENT: 0

PUBLISH: January 8, 1987

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

.....*Dennis Grace*....., 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.....*JAN - 8 1987*..... ;
last publication.....*JAN - 8 1987*..... ;
and that no more than six days intervened be-
tween publications.

.....*Dennis Grace*.....
Sworn to before me this*9th*.....
day of*January*....., 19..*87*..
.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19..*87*..

**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 5th day of January, 1987 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman W. Rogowski

Seconded by Councilman Kowal

BE IT RESOLVED that the Town Board shall hold work sessions every second Saturday of the month at 10:00 a.m. during the year 1987; said work sessions shall be held in the Council Chambers, Town Hall, Cheektowaga, New York.

Upon roll call...

Supervisor Weber Voting AYE

Councilman:

Johnson Voting AYE

W.P. Rogowski Voting AYE

Jaworowicz Voting AYE

Kowal Voting AYE

Gabryszak Voting AYE

AYES: 6

NAYES: 0

ABSENT: 0

PUBLISH: January 8, 1987

MEETING NO. 1
January 5, 1987

Item No. 6 Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, and Kowal
NAYES: 0
ABSENT: 0
ABSTAINED: Councilman Gabryszak

Item No. 7 Motion by Councilman Kowal Seconded by Supervisor Weber

BE IT RESOLVED that the following Holidays shall be observed by the Town of Cheektowaga in 1987:

New Year's Day	January 1, 1987 (Thursday)
Day After New Year's	January 2, 1987 (Friday)
Washington's Birthday	February 16, 1987 (Monday)
Good Friday	April 17, 1987 (Friday)
Memorial Day	May 25, 1987 (Monday)
Independence Day	July 4, 1987 (Saturday)
Labor Day	September 7, 1987 (Monday)
Columbus Day	October 12, 1987 (Monday)
Election Day	November 3, 1987 (Tuesday)
Veteran's Day	November 11, 1987 (Wednesday)
Thanksgiving Day	November 26, 1987 (Thursday)
Day After Thanksgiving	November 27, 1987 (Friday)
Christmas Eve	December 24, 1987 (Thursday)
Christmas Day	December 25, 1987 (Friday)

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 8A Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, Carl F. Bessing has made application and requested the rezoning of property located at 440 Borden Road from R-Residential District to C-Retail Business District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on January 19, 1987 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Gracie, 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..... JAN - 8 1987 ;
last publication..... JAN - 8 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Gracie
Sworn to before me this 9th
day of January , 19 87
..... Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of January 1987 at 8:30 o'clock, p.m., Eastern Standard Time of said day for the purpose of considering the application of Carl F. Bessing to rezone from "R" Residential District to "C"-Retail Business District on property located at 440 Borden Rd. and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

THAT TRACT OR PARCEL OF LAND situate in the TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK, being part of LOT No. 51, TOWNSHIP 10, RANGE 7 of the BUFFALO CREEK RESERVATION, bounded and described as follows:

Beginning at a point in the east line of Lot Number 51, distant 429.30 feet southerly from the intersection of the northeast corner of said Lot Number 51, and which point of beginning is also in the center line of Borden Road, running thence westerly at an angle of 90° with the east line of Lot Number 51, a distance of 190 feet to a point; running thence northerly on a line parallel with the east line of Lot Number 51 a distance of 75 feet to a point; running thence easterly on a line drawn at right angles with the east line of Lot Number 51, a distance of 190 feet to a point in the east line of Lot Number 51; running thence Southerly and along the east line of Lot Number 51, a distance of 75 feet to the point or place of beginning.

Excepting that portion conveyed to the County of Erie under Liber 8402 at page 491.

This description being intended to describe and convey property listed in ERIE COUNTY REAL PROPERTY TAX DIVISION as SECTION 125.12 BLOCK 13 LOT 11.

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber
Councilmen

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

PUBLISH: January 8, 1987

MEETING NO. 1
January 5, 1987

Item No. 8B Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, Anthony P. Guadagna has made application and requested a rezoning from C-Retail Business District to CM-General Commercial District and a Special Use Permit for a public garage on property located at 848 Dick Road, said applicant having written authorization to make such application from owner of premises, Mr. Martin T. Palermo, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said requests under the provisions of the Zoning Ordinance on January 19, 1987 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town hall, corner of Broadway and Union Roads.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Denise Gracie*....., 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.....*JAN - 8 - 1987*..... ;
last publication.....*JAN - 8 1987*..... ;
and that no more than six days intervened be-
tween publications.

.....*Denise Gracie*.....
Sworn to before me this*9th*.....
day of*January*....., 19..*87*..
.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of January 1987 at 6:30 o'clock, p.m., Eastern Standard Time of said day for the purpose of considering the application of Anthony P. Guadagna/Martin Palermo to rezone from C-Retail Business District to CM-General Commercial District on property located at 848 Dick Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

LEGAL DESCRIPTION

Parcel "A"-ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot Nos. 192, 193 and 194 as shown on a map filed in Erie County Clerk's Office under Cover No. 1243.

EXCEPTING AND RESERVING THEREFROM the Easterly 50 feet of Subdivision Lot No. 192.

ALSO EXCEPTING AND RESERVING THEREFROM that portion of Subdivision Lots Nos. 193 and 194 conveyed to the County of Erie by Deed recorded in Liber 8832 of Deeds at page 593.

Parcel "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 Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey, and also distinguished as being part of Subdivision Lot No. 192 of a certain subdivision filed under Map Cover No. 1243 in the Erie County Clerk's Office, and more particularly described as follows:

BEGINNING at a point of intersection between the existing westerly highway bounds of Dick Road, C.R. No. 317, and a division line dividing the lands of Mobil Oil Corp. (reputed owner) on the south and the lands of County of Erie (reputed owner) on the north, said point being also distant 60 feet westerly at right angles to the center line of Dick Road, C.R. No. 317, as established by the Erie County Department of Public Works, Division of Highways, at Station 95+64.66±; thence south 89° 43' 26" west and on the first mentioned division line a distance of 23.98 feet more or less to a point, said point being also distant 83 feet westerly at right angles to the said existing center line of Dick Road, C.R. No. 317 at Station 95+71.11±; thence north 15° 57' 04" west parallel to the said existing center line of Dick Road, C.R. No. 317, and distant 83 feet westerly therefrom a distance of 45.74 feet more or less to a point on the existing southerly highway bounds of Broad Street, said point being also distant 83 feet westerly at right angles to the existing center line of Dick Road, C.R. No. 317 at Station 96+16.85±; thence north 89° 43' 26" east and on the last mentioned highway bounds a distance of 23.89 feet more or less to a point, said point being also distant 60 feet westerly at right angles to the said existing center line of Dick Road, C.R. No. 317 at Station 96+10.40±; thence south 15° 57' 04" east a distance of 45.74 feet to the point of beginning, containing an area of 0.024 of an acre more or less.

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber
Councilmen

Thomas M. Johnson, Jr.
William P. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak
RICHARD M. MOLESKI

Town Clerk

PUBLISH: January 8, 1987

No. 2

No. 3

No. 4

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

.....*Denise Gracie*....., 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.....JAN - 8 1987..... ;
last publication.....JAN - 8 1987..... ;
and that no more than six days intervened be-
tween publications.

.....*Denise Gracie*.....
Sworn to before me this9th.....
day ofJanuary....., 19..87..
.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19..87..

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of January 1987 at 8:30 o'clock, p.m., Eastern Standard Time of said day for the purpose of considering the application of Anthony P. Guadagna/Martin Palermo for a Special Permit to use property for public garage on property located at 848 Dick Road 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.

LEGAL DESCRIPTION

Parcel "A"-ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot Nos. 192, 193 and 194 as shown on a map filed in Erie County Clerk's Office under Cover No. 1243.

EXCEPTING AND RESERVING THEREFROM the Easterly 50 feet of Subdivision Lot No. 192.

ALSO EXCEPTING AND RESERVING THEREFROM that portion of Subdivision Lots Nos. 193 and 194 conveyed to the County of Erie by Deed recorded in Liber 3832 of Deeds at page 593.

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BEGINNING at a point of intersection between the existing westerly highway bounds of Dick Road, C.R. No. 317, and a division line dividing the lands of Mobil Oil Corp. (reputed owner) on the south and the lands of County of Erie (reputed owner) on the north, said point being also distant 60 feet westerly at right angles to the center line of Dick Road, C.R. No. 317, as established by the Erie County Department of Public Works, Division of Highways, at Station 95+64.66±; thence south 89° 43' 26" west and on the first mentioned division line a distance of 23.98 feet more or less to a point, said point being also distant 83 feet westerly at right angles to the said existing center line of Dick Road, C.R. No. 317 at Station 95+71.11±; thence north 15° 57' 04" west parallel to the said existing center line of Dick Road, C.R. No. 317, and distant 83 feet westerly therefrom a distance of 45.74 feet more or less to a point on the existing southerly highway bounds of Broad Street, said point being also distant 83 feet westerly at right angles to the existing center line of Dick Road, C.R. No. 317 at Station 96+16.85±; thence north 89° 43' 26" east and on the last mentioned highway bounds a distance of 23.89 feet more or less to a point, said point being also distant 60 feet westerly at right angles to the said existing center line of Dick Road, C.R. No. 317 at Station 96+10.40±; thence south 15° 57' 04" east a distance of 45.74 feet to the point of beginning, containing an area of 0.024 of an acre more or less.

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber
Councilmen

Thomas M. Johnson, Jr.
William P. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

RICHARD M. MOLESKI
Town Clerk

PUBLISH: January 8, 1987

No. 2

No. 3

No. 4

Item No. 9 Motion by Councilman Kowal Seconded by Councilman Gabryszak

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one (1) new and unused 1986 or 1987 Step Van for use by the Cheektowaga Highway Department.

Information for bidders and specifications may be obtained from the office of the Superintendent of Highways at 3145 Union Road, Cheektowaga, New York 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday, 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 January 19, 1987, in the Council Chambers of the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN THAT sealed proposals will be received and read by the Town Clerk of the Town of Cheektowaga at a bid opening to be held at the Town Hall Council Chambers on January 19, 1987 at 11:00 A.M. for the following:

One (1) 1986 or 1987 New (Never Used) 14' Step Van

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of opening thereof. Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Highway Superintendent, located at 3145 Union Road, Cheektowaga, NY, 14227. Proposals must be enclosed and sealed in opaque envelopes, plainly marked with the name of the bidder, also marked "SEALED BID FOR ONE 1986 or 1987 NEW (NEVER USED) 14' STEP VAN FOR USE BY THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH BIDS.

RICHARD M. MOLESKI
Town Clerk

DATED: January 5, 1987

PUBLISHED: January 8, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

...*Denise Gracie*..., 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.....*JAN - 8 1987*..... ;
last publication.....*JAN - 8 1987*..... ;
and that no more than six days intervened be-
tween publications.

...*Denise Gracie*.....
get

Sworn to before me this

day of*January*....., 19*87*.....

.....*Cecelia Westover*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

**LEGAL NOTICE
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN THAT sealed proposals will be received and read by the Town Clerk of the Town of Cheektowaga at a bid opening to be held at the Town Hall Council Chambers on January 19, 1987 at 11:00 a.m. for the following:

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In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of opening thereof. Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Highway Superintendent, located at 3145 Union Road, Cheektowaga, NY 14227. Proposals must be enclosed and sealed in opaque envelopes, plainly marked with the name of the bidder, also marked "SEALED BID FOR ONE 1986 OR 1987 NEW (NEVER USED) 14' STEP VAN FOR USE BY THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH BIDS.

RICHARD M. MOLESKI

Town Clerk

DATED: January 5, 1987

PUBLISH: January 8, 1987

MEETING NO. 1
January 5, 1987

Item No. 10A Motion by Councilman Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals employed in the Facilities Department be and hereby are terminated as follows:

PARKS DIVISION - #01-007110-1-0-1491-001

Effective

Stanley Siejak	1/19/87
John Slisz	1/19/87
Joseph Dolecki	1/17/87
Harry Rogalski	1/17/87

STREET LIGHTING DIVISION - #02-905182-1-0-1492-001

Joseph Stallone	1/17/87
-----------------	---------

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 10B Motion by Councilman Kowal Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal/Part-Time Employees in the various Department(s) listed:

Effective

POLICE DEPARTMENT

Kimberly Castiglione	12/24/86
Pamela Jworowicz	12/23/86

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 11A Motion by Councilman Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be hired by the Cheektowaga Facilities Department to assist in conducting its 1986-1987 winter program:

PARKS DIVISION - #01-007110-1-0-1491-001 - \$3.35 per hour

Effective

John Bratek	1/15/87
Gordon Hagmier	1/18/87
Cam Viverto	Immediately

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 11B Motion by Councilman Gabryszak Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Part Time Employees in the Sanitation Department at the rate of \$5.00 per hour, retroactive to January 2, 1987:

Item No. 11B Cont'd.

Barberio, Lawrence
Bienko, Daniel
Bratek, Michael, Jr.
Cavanaugh, David
Cycon, Richard
Cywinski, Mark
Daminski, Gerald
DeStefano, John
Gallmeyer, David
Jasinski, Leonard
Kazmierczak, Bryan
Krzeminski, Joseph
Lease, David A.
Orlikowski, David
Prell, Scott
Sliwinski, Raymond
Sobocinski, Donald
Somogy, Richard
Strzelczyk, Paul
Tourjie, John
Wdowik, Richard
Wieberg, John
Wisniewski, Matthew
Chirico, Tom

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 11C Motion by Councilman Kowal Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal and/or Part-Time Employees in the various Departments and at the rates listed:

	<u>EFFECTIVE</u>
<u>MAIN PUMP STATION - \$4.00 per hour - Seasonal</u>	
Leroy Linkner	1/12/87
<u>CENTRAL GARAGE - \$5.00 per hour - Part-Time Clerical</u>	
Darlene Hoffman	1/05/87
<u>POLICE DEPARTMENT - \$3.35 per hour - Seasonal</u>	
Lynn Pfohl	1/05/87
<u>SANITATION DEPARTMENT - Part-Time Clerical - \$4.00 per hour</u>	
Lisa Pietrowski	1/02/87

AND,

BE IT FURTHER RESOLVED that Joseph Trzaska, a Part-Time Employee in the Facilities Department, be transferred from the Facilities Department to the Sanitation Department at the rate of \$5.00 per hour, effective immediately.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

MEETING NO. 1
January 5, 1987

Item No. 12 Motion by Councilman Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individual be hired as a part-time substitute van driver at the rate of \$3.75 per hour.

Richard F. Faber

Cheektowaga, New York 14225

BE IT ALSO RESOLVED that the following individual be terminated as a part-time substitute van driver.

Joseph Malkiewicz

Cheektowaga, New York 14211

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 13A Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, the terms of four (4) members of the Cheektowaga Traffic Safety Commission expired on December 31, 1986, NOW, THEREFORE,

BE IT RESOLVED that the following individuals be and hereby are reappointed to the Cheektowaga Traffic Safety Commission for a term of three (3) years, commencing January 1, 1987 and expiring December 31, 1989:

John Sandilands -

Charles Getz -

Theodore Kurk -

Patrick Costrine -

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 13B Motion by Councilman Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the following named people be reappointed to the Cheektowaga Youth Board with the designated terms:

Robert Brandon

Sylvia Tokasz

Cheektowaga, NY 14225
Term to expire December 31, 1989

Cheektowaga, NY 14227
Term to expire December 31, 1989

James Garbacz

Sylvia Lipowski

Cheektowaga, NY 14206
Term to expire December 31, 1989

Depew, NY 14043
Term to expire December 31, 1989

Richard Velez

Cheektowaga, NY 14225
Term to expire December 31, 1989

BE IT FURTHER RESOLVED that Jason Backes of 2451 Genesee Street be appointed to fill a vacancy on the board term to expire December 31, 1988.

MEETING NO. 1
January 5, 1987

Item No. 13B

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 13C Motion by Councilman Jaworowicz Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are reappointed as Town Bingo Inspectors, effective January 1, 1987:

Kenneth Jeffords	Depew, New York
Stanley Sliwinski, Jr.	Cheektowaga, New York
Charlotte Janiak	Cheektowaga, New York
Longin M. Olech	Cheektowaga, New York
Jacqueline Blachowski	Cheektowaga, New York

and BE IT FURTHER

RESOLVED that Alexander Mazgajewski of be and hereby is appointed Bingo Inspector Chairman, effective January 1, 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Gabryszak Seconded by Councilman Kowal

WHEREAS, Sandra Metros, a Senior Clerk-Typist in the Sanitation Department has requested a Maternity Leave of Absence from her position for a period of approximately (9) nine months, commencing on January 12, 1987, AND

WHEREAS, Sandra Metros will utilize accumulative sick leave and vacation days prior to her commencing a yet undetermined unpaid Leave of Absence, NOW, THEREFORE, BE IT

RESOLVED that Sandra Metros be and hereby is granted a (9) nine month Maternity Leave to include accumulative time followed by an unpaid Leave of Absence not to exceed (6) six months.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Supervisor Weber Seconded by Councilman Jaworowicz

WHEREAS, effective January 12, 1987, a temporary job opening in the position of Senior Clerk-Typist in the Sanitation Department will exist due to Sandra Metros' maternity leave from such position, and

WHEREAS, said temporary job opening was duly posted in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association, and

WHEREAS, no union employee bid on said temporary job opening, and

WHEREAS, qualified applicants on the civil service list for Senior Clerk-Typist were duly canvassed, NOW, THEREFORE, BE IT

Item No. 15 Cont'd.

RESOLVED that Carol Chandler, of 87 North Transithill Drive, Cheektowaga, New York be and hereby is appointed to the temporary position of Senior Clerk-Typist in the Sanitation Department, effective immediately, at a salary in accordance with the collective bargaining agreement between the Town and the Town Employees' Association.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the Town Board desires the services of a Certified Public Accounting Firm for the services in the area of:

- A. Annual Audit - A complete certified audit of the Town's records will be performed to include:
 - a. Preparation of the compilation Annual Financial Report to the New York State Department of Audit and Control.
 - b. Preparation of audit report on financial statements.
 - c. Preparation of management letter relative to audit observations.
 - d. Newly required compliance audit of major Federal programs in conformity with "Single Audit Act".
- B. Consultive Services - Periodic consultation will be provided to the Supervisor and the Town Accountant on areas such as:

Federal Revenue Sharing, State Revenue Sharing, borrowings legislative developments and other areas as requested.
- C. Benefit Basis Budget Preparation - Assistance will be provided to the Supervisor, Town Board and Town Accountant in various phases of the preparation of the 1988 benefit basis budget.
- D. Mid-Year Review and Forecast - The firm will provide reviewed financial statements of the Town operating funds as of June 30, 1987 and also a compilation forecast for those funds through December 31, 1987.
- E. Ad Valorem Budget Consultation - Additionally, the firm will review the 1988 tentative Ad Valorem budget and meet with the Town Board to report as to our observations and recommendations on that document. They will provide any additional budgetary consulting services as requested at that time.

WHEREAS, the Town Board desires to retain the services of KMG Main Hurdman, CPA's for those services, NOW, THEREFORE, BE IT

RESOLVED that KMG Main Hurdman be retained for the year 1987 at an annual fee of \$43,200.00 to be paid \$8,400.00 a month in January, February and March and \$2,000.00 for the remaining 9 months to cover services A through C above and that services D be performed for a fee of \$5,100.00 and that service E be invoiced at standard per diem rates when the services are performed.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

MEETING NO. 1
January 5, 1987

Item No. 17A Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, Mr. Casimir A. Kozminski, Assessor, has been appointed to serve on the Erie County Revaluation Oversight Committee, and

WHEREAS, Mr. Kozminski will be requested to attend meetings in various parts of the County, and

WHEREAS, meetings are held during working hours, NOW, THEREFORE, BE IT

RESOLVED that Casimir A. Kozminski, Assessor, be and hereby is authorized to attend said meetings and shall be provided use of a Town Vehicle.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 17B Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, is a member of the New York State Division for Youth's statewide Youth Employment Advisory Council, and

WHEREAS, said advisory board meets on the average of six times a year at various locations throughout the state, BE IT

RESOLVED that Kenneth J. Kopacz be reimbursed necessary transportation costs and expenses to attend said meetings for the year 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 18A Motion by Councilman Kowal Seconded by Councilman Johnson

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc. expired on December 31, 1986, and

WHEREAS, both parties have negotiated and have agreed upon a successor agreement, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute the attached Memorandum of Agreement between the Town and the Town of Cheektowaga Police Club, Inc., said memorandum providing for a successor agreement for the calendar years 1987 and 1988, and BE IT FURTHER

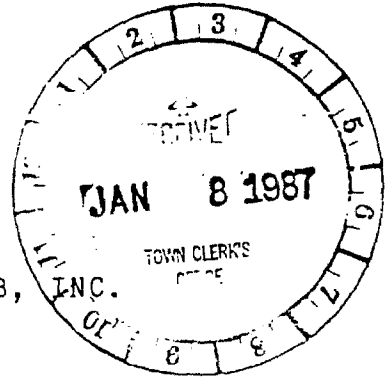
RESOLVED that the terms of said Memorandum of Agreement shall be retroactive to January 1, 1987.

*SEE NEXT SEVEN (7) PAGES FOR COPY OF MEMORANDUM OF AGREEMENT.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

MEMORANDUM OF AGREEMENT
between
TOWN OF CHEEKTOWAGA
and
THE TOWN OF CHEEKTOWAGA POLICE CLUB, INC.



The following Memorandum of Agreement is entered into by and between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc. reflecting changes to the collective bargaining agreement which exists between the parties:

1. All sections of the collective bargaining agreement, which are not referred to in this Memorandum, will continue in the successor agreement, without substantive change. Changes may be made to update dates or language.

2. The provisions, herein agreed upon, are tentative only, subject to ratification by the Cheektowaga Town Board and the membership of the Cheektowaga Police Club, Inc.

3. The memorandum constitutes an agreement which is not separable. That is, either party may accept or ratify the entire agreement or reject the entire agreement. Neither party has the right to accept or reject separate proposed sections.

SECTION 3.03 - NON-COMPETITIVE JOBS

This section to be modified to delete references to airport officers since those positions no longer exist.

SECTION 4.01 - UNIFORM ALLOWANCE

Uniform allowance to be increased to the sum of \$450 during 1987 and the sum of \$490 during 1988.

Officers assigned to motorcycle, honor guard, mounted division and K-9 officers shall be paid the additional sum of \$50 per year.

SECTION 5.02 - SHIFT PREFERENCE

This section to be modified to provide that shift changes shall be effective on the first Monday in May and the first Monday in November, each year.

SECTION 6.01 - SALARY

Each salary position will be increased by 5% in 1987 and an additional 5% in 1988.

Officers who work the afternoon shift will be paid the additional sum of \$173 per year and officers who work the third shift will be paid the additional sum of \$243 per year, pro-rated, which shift-differential will be paid the last pay period of the year.

Beginning January 1, 1988 officers regularly assigned to the afternoon shift will be paid the additional sum of \$.25 per hour and officers regularly assigned to the midnight shift will be paid the additional sum of \$.35 per hour. This shift-differential will not apply to court pay, training time and will not be paid to officers not regularly assigned to those shifts.

SECTION 6.02 - OUT-OF-RANK PAY

The third paragraph of this section to be amended to read:

If an absent lieutenant is replaced, he will be replaced by the sergeant assigned to that shift. The sergeant shall be replaced by the most senior officer, on that shift, who was working in that unit. If no sergeant is assigned to the shift, or is working, then the most senior officer who is working and who so desires shall be assigned as acting lieutenant and the next most senior officer who is working that shift or division, and who so desires, shall be assigned as acting sergeant.

A fifth paragraph will read:

Once an officer is assigned to an out-of-rank position, if the assignment is cancelled on less than 24 hours notice, the officer will receive out-of-rank pay for that tour of duty.

SECTION 6.05 - CALL-IN PAY

The following to be added as Paragraph No. 4:

In the event a shortage occurs in a sergeant position, a sergeant will be given the opportunity to fill the vacancy before an officer is appointed as acting sergeant. Call-in will be accomplished in the following manner:

a) The first consideration will be based upon seniority of sergeants assigned to the shift or division in which the vacancy occurs.

b) Secondly, upon the basis of seniority within the rank of sergeant.

c) In the event no sergeant desires to fill the vacancy then the vacancy will be filled in accordance with the provisions of Section 6.02.

In the event of a general call to duty, because of an anticipated or unanticipated emergency, the sergeant will be called for overtime in accordance with seniority within rank and in accordance with the need of the department for the rank of sergeant.

Former Paragraph No. 4 to be renumbered as Paragraph No. 5.

SECTION 6.06 - LONGEVITY PAY

Longevity pay to be increased as follows:

LENGTH OF SERVICE	1987	1988
After 5 years	\$350	\$375
After 10 years	275	300
After 15 years	375	400

SECTION 6.07 - K-9 OFFICERS

Allowance to be increased to the sum of \$120 per month.

SECTION 6.12 - EDUCATION INCENTIVE PAY

Paragraph No. 1, which provides for education incentive pay to officers with Associate Degrees will be limited to pay only officers who were appointed to the department before January 1, 1987.

SECTION 7.01 - WORK DAY AND WORK WEEK

This section to be up-dated where appropriate.

The fourth paragraph of this section will be replaced with the following language.

Officers assigned as detective, crossing guard officer, police central records officer and police central records computer operator shall be assigned and work 5 days, followed by 2 consecutive days off. This shall be referred to as the 5-2 work schedule. Officers assigned to the 5-2 work schedule will be assigned the same number of days-off as officers who work the 4-2/5-2 work schedule. The granting of any such additional days off will be made in such a manner as to avoid the necessity to work officers overtime.

SECTION 10.01 - VACATIONS

This section to be modified to provide that vacation schedules shall be posted for 60 days prior to the beginning of a vacation period instead of the 90 days presently provided for.

SECTION 11.01 - BEREAVEMENT LEAVE

The following will be substituted in place of the present section:

- Upon request, a police officer shall be granted a leave of absence because of death in his immediate family. Such leave shall be taken, without loss of pay or other benefits, and shall begin on the date of death.

Such leave shall consist of 4 working days if the officer is assigned to a 4 day work week and 5 working days if the officer is assigned to a 5 day work week.

Immediate family, for the purpose of this Section, shall mean:

Mother, father, spouse, child, grandchild, grandparent, brother, sister, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law and sister-in-law.

In the event of death of a relative, not included in immediate family, the police officer, upon request, shall be granted time-off, without loss of pay or other benefits, for the day of the funeral, which time shall be charged against accumulated time-off or sick leave, at the officer's choice.

SECTION 13.04 - WORKER'S COMPENSATION BENEFITS

The following to be added to the present section:

In the event of a third-party claim, payment of medical expenses and wages will be made pursuant to General Municipal Law Section 207c and not pursuant to Worker's Compensation Law, thereby reserving the right of the Town to pursue reimbursement for sums paid to or on behalf of the affected officer.

SECTION 13.07 - SICK LEAVE UPON TERMINATION

Paragraph No. 3 to be modified to provide the rate of reimbursement to be increased to 40% for 1987 and 45% beginning January 1, 1988.

SECTION 15.05 - HEALTH INSURANCE

This section to be modified to show that officers are provided with \$1,000,000 major medical.

At age 65 years retirees will be provided with Blue Cross and Blue Shield Supplemental coverage with \$1.00 co-pay prescription rider plus those riders which are provided to other Town employees.

Retired
The Town will also add Rider No. 8 to the Optical Coverage for those officers who require such coverage.

SECTION 17.01 - CLUB REPRESENTATIVES

The fifth paragraph of this section to be modified to read:

Police officers who are designated by the Club, may attend state-wide conventions and meetings of the Police Conference of New York, Inc., Western New York Police Association and the International Conference of Police Association, in pursuance of their profession of police officers. Attendance at these functions shall be without loss of time or salary. This privilege will be extended to officers of the Western New York Police Association and the New York State Police Conference, Inc. Not more than 7 officers covered by this Agreement, plus the President and first Vice-President may be relieved from duty to attend these meetings. Up to 3 additional officers may be granted the privilege to attend, by the Town, without pay, if the functioning of the Police Department is not placed in jeopardy and if approval is granted by the head of the department. The second Vice-President may also attend the said conventions and meetings without loss of time or salary, provided such attendance does not create a pre-determinable necessity to work officers overtime.

SECTION 19.02 - TUITION

The following will be substituted for the present provision of this section:

The Town will pay to the Town of Cheektowaga Police Club, Inc., the sum of \$2,500 which sum will be used for payment of tuition for police officers attending schools who are authorized to attend such schools by the Police Club.

In January, 1988 the Town will pay to the Town of Cheektowaga Police Club, Inc., the additional sum of \$5,000 for the same purpose.

The Police Club will retain unexpended money and will annually account, to the Town, all expenditures.

SECTION 24.03 - TERMS OF AGREEMENT

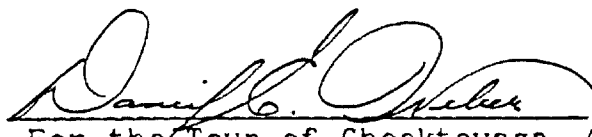
The Agreement to be effective January 1, 1987 and until December 31, 1988 or until such time as a subsequent agreement becomes effective.

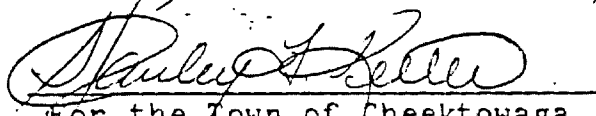
SECTION 24.06 - PROFESSIONAL CONDUCT

In order to maintain good order and morale, each supervising officer shall treat other officers with proper respect and accord. Failure to comply will not be grounds for grievance against the Town.

SECTION 24.07 - ENTIRE AGREEMENT

Section 24.06 will be renumbered as Section 24.07.


For the Town of Cheektowaga


For the Town of Cheektowaga
Police Club, Inc.

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January 5, 1987

Item No. 18B Motion by Councilman Johnson Seconded by Councilman Rogowski

WHEREAS, Ernest A. Holfoth has submitted a proposal to the Town for the provision of risk management and insurance-related services for 1987 for \$19,800.00, and

WHEREAS, Mr. Holfoth has performed such services for the Town in previous years and this Board has found his services invaluable, and

WHEREAS, this Board desires to continue to retain Mr. Holfoth's services in 1987, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Consulting Agreement with Ernest A. Holfoth for the calendar year 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 18C Motion by Councilman Rogowski Seconded by Councilman Johnson

WHEREAS, the Town's appointed Insurance Advisory Committee and Insurance Consultant have requested, received and evaluated proposals for the renewal of the Town's workers' compensation self-insurance claims administration services for 1987, and

WHEREAS, Laverack & Haines, Inc. has submitted a proposal to perform such services for a \$13,600 flat fee (\$13,850 if ESIS [COLEMAN] claims are included), said fee being less expensive than other companies, and

WHEREAS, Laverack & Haines, Inc. has experience handling liability claims administration for the Town since March of 1986 and has performed such services satisfactorily, NOW, THEREFORE, BE IT

RESOLVED that the Town hereby accepts the aforementioned proposal made by Laverack & Haines, Inc., and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a workers' compensation self-insurance claims administration services contract with Laverack & Haines, Inc., said contract being subject to the approval of the Town Attorney and the Town's Insurance Consultant, and BE IT FURTHER

RESOLVED that a check be made payable to Laverack & Haines, Inc. for the sum of \$15,000 in order to allow Laverack & Haines, Inc. to open an account for the benefit of the Town for the payment of Workers' Compensation claims against the Town.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 18D Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga is operating a nutrition program for the elderly at the facilities of St. John Gualbert's Parish, located at 83 Gualbert Avenue, Cheektowaga, New York; Our Lady of Czestochowa Parish, located at 23 Willowlawn Pkwy., Cheektowaga, New York; Maryvale Drive Presbyterian Church, located at 425 Maryvale Drive, Cheektowaga, New York; Infant of Prague Parish, located at 921 Cleveland Drive, Cheektowaga, New York and Cayuga Village Community Center, located at 100 Hutchens Drive, Cheektowaga, and

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Item No. 18D Cont'd.

WHEREAS, an agreement between the Town of Cheektowaga and the above facilities has been drafted relative to the operation of the said nutrition program for the year 1987, and

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said nutrition program for the year 1987, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign all the said agreements on behalf of the Town of Cheektowaga retroactive to January 1, 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Weber Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga, through and by its Receiver of Taxes and Assessments, receives and collects Town taxes, and

WHEREAS, it is advantageous to the Town to invest these moneys in short-term savings accounts, certificates of deposit, municipal repurchase agreements, etc., thereby creating increased revenues to the Town, and

WHEREAS, the Town Receiver of Taxes and Assessments is knowledgeable about the methods of investment and institutions in which investments could best be made, and

WHEREAS, the New York State Comptroller's Office has stated in Opinion No. 80-242 that a Town Board may authorize its Receiver of Taxes and Assessments to temporarily invest Town tax moneys, and

WHEREAS, the County of Erie has also authorized the Receiver of Taxes and Assessments to invest County tax moneys which the Town collects and to retain any interest therefrom to the Town's credit, NOW, THEREFORE, BE IT

RESOLVED that Joan E. Dudek, Receiver of Taxes and Assessments for the Town of Cheektowaga, be and hereby is authorized to invest Town real property tax moneys on a short-term basis, and BE IT FURTHER

RESOLVED that any interest earned on such Town or County tax moneys shall be turned over to the Town of Cheektowaga General Fund.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilman Johnson Seconded by Councilman Rogowski

WHEREAS, development at the Greater Buffalo International Airport (GBIA) will affect the Town of Cheektowaga and its residents, AND

WHEREAS, an update to this plan is under study, AND

WHEREAS, at the request of the Niagara Regional Planning Board, a Technical Advisory Committee has been formed with representatives from various agencies and local governments, AND

WHEREAS, it is necessary that the Town of Cheektowaga be involved in these meetings, AND

Item No. 20 Cont'd.

WHEREAS, the Town Engineer has the requisite technical expertise and experience to review the various aspects of the planning effort as it affects the Town of Cheektowaga, AND

WHEREAS, proposed development at the Greater Buffalo International Airport will involve changes to traffic patterns, relocation and construction of new facilities on GBIA land, AND

WHEREAS, the study will also involve consideration of the economic impact of GBIA development and the acquisition of properties such as the former Westinghouse parcel, AND

WHEREAS, it is in the further interest of the Town of Cheektowaga that both the economic impacts of property acquisitions and the GBIA activities be assessed in association with this study, AND

WHEREAS, it is also necessary that various environmental impacts be fully addressed such as noise and pollutants, drainage, and sanitary sewer use, NOW, THEREFORE, BE IT

RESOLVED that Chester A. Bryan, Town Engineer, be and hereby is designated as the representative for the Town of Cheektowaga on the Technical Advisory Committee for the Niagara Frontier Transportation Authority Master Plan Update study, AND BE IT FURTHER

RESOLVED that Mr. Bryan shall pursue the questions of noise abatement, sewer use and other environmental factors and economic effects upon the Town in the course of this GBIA planning effort, AND BE IT FURTHER

RESOLVED that Mr. Bryan maintain a central file with regard to the GBIA Master Plan Initiatives and periodically report to the Town Board on all associated matters that effect our residents and taxpayers.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 21 Decision on request for extension of sewer (sanitary) to serve restaurant on NFTA property.

THIS ITEM WAS WITHDRAWN.

Item No. 22 Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, as part of the Town Board's interest to reduce the cost of government it would be advisable to determine the feasibility of drilling for natural gas so as to supply heating to the Town Hall site and the Town Park Recreation Center, NOW, THEREFORE, BE IT

RESOLVED that the proposal of William J. Brennan, Consulting Geologist, as submitted to the Town Engineer in his letter of December 2, 1986, be and hereby is accepted for a feasibility study to determine the potential natural gas production capability at the Town locations at the cost of \$500.00

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has received Community Development

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Item No. 23 Cont'd.

Block Grant funds from the Department of Housing & Urban Development, the application for which funds included provisions for a Housing Rehabilitation Loan Program which provides direct housing rehabilitation loans to eligible homeowners, and

WHEREAS, the Town of Cheektowaga has established such a Housing Rehabilitation Loan program, and

WHEREAS, the Town Community Development Director has received application(s) for assistance under said program and has determined that the owner(s) of the property listed below are eligible for participation in the Town's Housing Rehabilitation Loan Program, NOW, THEREFORE, BE IT

RESOLVED that Community Development Housing Rehabilitation Loan funds, in the amount(s) listed below, be approved for the owner(s) of the property listed below:

72 Ledyard Avenue - increase previous loan authorization
by \$348.00

AND BE IT

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to sign a Loan Agreement with the owner(s) of the above listed property on behalf of the Town, AND BE IT

FURTHER RESOLVED that the Supervisor be and hereby is authorized to sign checks, prior to Town Board Warrant List approval necessary for the timely disbursement of said loan funds, providing that the rehabilitation work to be performed has been completed to the satisfaction of the Town Housing Inspector and that all program regulations have been complied with to the satisfaction of the Town Community Development Director.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Supervisor Weber Seconded by Councilman Rogowski

BE IT RESOLVED that the following budget transfer is hereby approved for the 1987 budget year.

GENERAL FUND

From:	599.00 (Appropriated Fund Balance)	\$55,000.00
To:	8540.4009 (Marrano-Kelly Drainage)	\$55,000.00

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 Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Supervisor Weber Seconded by Councilman Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to January 5th, 1987 are hereby approved and made a part hereof.

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Item No. 25 Cont'd.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 92,146.94
SPECIAL DISTRICT FUND	12,898.21
HIGHWAY FUND	186,264.07
FEDERAL REVENUE SHARING FUND	15,970.01
TRUST AND AGENCY FUND	8,088.72
PART TOWN FUND	198.68
CAPITAL FUND	183,570.32
HUD-CDBG FUND	18,325.33
	<u>\$517,462.28</u>

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 26 Building Permits.
Received and filed.

Item No. 27A Cheektowaga Planning Board: Minutes of meeting of November 1986.
Received and filed.

Item No. 27B Cheektowaga Traffic Safety Commission: Minutes of December 1986
meeting.
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 28A Notice of Claim: Judith A. Rittenhouse vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Laverack & Haines, Inc., Town's Insurance
Carrier; and Alfred Wnek, Highway Superintendent.
Received and filed.

Item No. 28B Notice of Claim: Melanie Rodgers vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Joseph Naples and Associates, Town's
Insurance Carrier; and Alfred Wnek, Highway Superintendent.
Received and filed.

Item No. 28C Notice of Claim: Jerome J. Swiatek vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Ernest Holfoth, Town's Risk Insurance
Consultant; and Bill Wielinski, Bookkeeper to the Supervisor.
Received and filed.

MEETING NO. 1
January 5, 1987

* * * * *

Motion by Councilman Kowal Seconded by Councilman Rogowski to suspend the rules to include the following four (4) items, and the vote was as follows:

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

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V. SUSPENSION OF RULES

Item No. 29 Accept Town's Excess Workers' Compensation Insurance policy.

Motion by Councilman Johnson Seconded by Councilman Rogowski

WHEREAS, the Town and its Insurance Consultant received and evaluated several quotations for the renewal of the Town's Excess Workers' Compensation Insurance coverages and find that they reflect increased costs, THEREFORE, BE IT

RESOLVED that renewal of the General Reinsurance Corporation policy be accepted from Laverack & Haines, Inc., with a \$300,000 self-insured retention (up from \$250,000) at a rate of .2306 and estimated annual cost of \$30,500 effective January 1, 1987, AND, BE IT FURTHER

RESOLVED that INA \$100,000 Limit Accidental Injury policy not be renewed on January 1, 1987 for an annual cost reduction of \$9,960.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 30 Re-appointment of Registrar of Vital Statistics

Motion by Supervisor Weber Seconded by Councilman Rogowski

WHEREAS, the term of office of the registrar of vital statistics for the Town of Cheektowaga has expired, and

WHEREAS, pursuant to Section 4121 of the Public Health Law of the State of New York, a town clerk is eligible for appointment as a registrar for his town, and

WHEREAS, the Town Clerk of the Town of Cheektowaga has traditionally acted as the registrar of vital statistics for the Town of Cheektowaga and all such records are maintained in his office, NOW, THEREFORE, BE IT

RESOLVED that Town Clerk Richard M. Moleski be and hereby is re-appointed as the registrar of vital statistics for the Town of Cheektowaga for the remainder of his current term as Town Clerk.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

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January 5, 1987

Item No. 31 Appeal of Court Decision regarding: Arthur Mussarra Parkway and Zent Court

Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, in the interest of public safety and the welfare of Town residents, this Town Board, by resolution dated December 7, 1981, authorized and directed the Town Superintendent of Highways to properly post and maintain Arthur Mussarra Parkway and Zent court as dead-end highways, and

WHEREAS, such Town Board action was thereafter challenged in State Supreme Court by Aero Drive-In, Inc., and

WHEREAS, by Memorandum of the Hon. Penny M. Wolfgang, Justice, Supreme Court, the Town's actions in dead-ending Arthur Mussarra Parkway and Zent Court were declared to be unjustified under the Town's police powers and the Town was directed to remove the existing barricades, and

WHEREAS, this Town Board and the Town Attorney feel that the decision of Justice Wolfgang is erroneous and should be appealed, and

WHEREAS, Mr. Thomas E. Andruschat, Attorney at Law, has experience and knowledge in appellate matters, and has expressed an interest and willingness to handle the aforementioned appeal for the Town, NOW, THEREFORE, BE IT

RESOLVED that Thomas E. Andruschat, of , East Aurora, New York 14052 be and hereby is retained to appeal the above referenced 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 1420-4-0-4501-001.

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: Supervisor Weber
ABSENT: 0

Item No. 32 Approve funds for Ellicott Creek Improvement Project.

Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, under the Erosion Control & Drainage Budget of 1986 work was undertaken for the clearing of Ellicott Creek so as to relieve flooding conditions along Rein Road and Pfohl Road, AND

WHEREAS, the work started late in 1986 since the New York State Department of Environmental Conservation's permit was not issued until October 23, 1986, AND

WHEREAS, there is need to complete the Ellicott Creek Improvement Project under the N.Y.S.D.E.C. Permit with additional funding required to complete the work, NOW, THEREFORE, BE IT

RESOLVED that the balance of funds remaining from the appropriation for Slope Mowing in the 1986 budget be and hereby is transferred to the Ellicott Creek Improvement Project with work to be undertaken, as weather permits, during this winter period with utilization of the 1986 budget appropriations.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Supervisor Weber Seconded by Councilman Gabryszak 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 19th day of January, 1987 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Robert Lis, Assistant Chief of Police; Captain Bruce Chamberlin; Sal LaGreca, Employment and Training Director II; Ron Marten, Building and Plumbing Inspector; Leonard Smolarek, Chief of Police; Don Wegner, Chairman of Zoning Board of Appeals; Rudy Santa Maria, Member-Assessment Board of Review; Earl Loder, Disaster Coordinator; Chester Bryan, Town Engineer; Alfred Wnek, Superintendent of Highways.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on January 5, 1987 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) 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 amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Section 76.80. Stop intersections 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>
Pine Ridge Terrace	North-south	Bell Street	Eastbound	S.W. Corner
Pine Ridge Terrace	North-south	Adlon Place	Eastbound	S.W. Corner

Section 2. Time to take effect.

(a) These amendments 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.

Item No. 2 cont'd

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

Section 3. Territorial Application

These amendments 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 these amendments to Chapter 76 of the Code of the Town of Cheektowaga 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 said amendments specifying the date of adoption thereof.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

**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 19th day of January, 1987 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Daniel E. Weber
Councilmen:

Thomas M. Johnson, Jr.
William P. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Johnson
Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on the January 5, 1987 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) 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 amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Section 76-80. Stop intersections shall be amended by adding thereto the following:

Street, Pine Ridge Terrace; Direction, North South; Entrance Street, Bell Street; Traffic Stops, Eastbound; Sign Location, S.W. Corner.

Street, Pine Ridge Terrace; Direction, North South; Entrance Street, Aldon Place; Traffic Stops, Eastbound; Sign Location, S.W. Corner.

Section 2. Time to take effect.

(a) These amendments 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 these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

These amendments 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 these amendments to Chapter 76 of the Code of the Town of Cheektowaga 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 said amendments specifying the date of adoption thereof.

Upon roll call...

Supervisor

Weber

Voting AYE

Councilmen

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 6

NAYES: 0

ABSENT: 0

**STATE OF NEW YORK
COUNTY OF ERIE**

I, RICHARD M. MOLESKI, Town Clerk of the Town herein-after 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 January 19, 1987, 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. 2, 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 19th day of January, 1987.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: January 22, 1987

Item No. 3a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that the vehicle and traffic regulations of the Town be amended, NOW, THEREFORE, BE IT

RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on February 2, 1987 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 amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 22nd day of January, 1987 said amendments 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 February 2, 1987 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

C. No parking here to corner.

Ridge Park Avenue East side from the north curbline of Walden Avenue
northerly a distance of 70 feet.

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

Dated: January 19, 1987

RICHARD D. MOLESKI
Town Clerk

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Grace, 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.....JAN 22 1987.....;
last publication.....JAN 22 1987.....;
and that no more than six days intervened be-
tween publications.

Denise Grace
Sworn to before me this22nd.....
day ofJanuary....., 19..87..
.....Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

**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 February 2, 1987 at 7:00 p.m., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendment being as follows:

ARTICLE X

Parking, Standing & Stopping
Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

C. No Parking here to corner.
Ridge Park Avenue East Side
from the north curblane of Walden Avenue northerly a distance of 70 feet.

BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
CHEEKTOWAGA, ERIE COUN-
TY, NEW YORK.

RICHARD M. MOLESKI

Town Clerk

DATED: January 19, 1987

PUBLISH: January 22, 1987

MEETING NO. 2
January 19, 1987

Item No. 3b Motion by Councilman Jaworowicz, Seconded by Councilman Gabryszak

WHEREAS, the Building and Plumbing Inspector and the Planning Board of the Town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance" of the Town of Cheektowaga, New York be amended or repealed:

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 2nd day of February, 1987 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard; and at which time it shall be determined by the Town Board whether the "Zoning Ordinance" of the Town of Cheektowaga, New York shall be amended as provided in the attached Notice of Hearing; and

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

* * * * *

NOTICE OF HEARING ON PROPOSAL TO AMEND

ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resoution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of January, 1987, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 2nd day of February, 1987 at 7:00 P.M., at teh Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows:

1. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 D (3) which pertains to front yard landscaping shall be amended by deletion of the last sentence so that this Section shall read as follows:

(3) Notwithstanding anything contained in §82-32 to the contrary, front yards, to a minimum of twenty-five (25) feet, shall be landscaped, and parking shall be prohibited in said area.

2. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 D (8) which pertains to landscaping trees shall be amended by the insertion of an additional sentence so that this section shall read as follows:

(8) All deciduous trees planted shall have a minimum caliper of two and one-half (2 1/2) inches, measured six (6) inches above the ground. All coniferous trees shall have a minimum height of five (5) feet above the finished grade. Plastic or other types of artificial plantings or vegetation shall not be permitted.

3. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 D (9) which pertains to artificial plantings shall be amended by the deletion of the present sentence and the addition of a new sentence so that this Section shall read as follows:

(9) The requirements of Section 82-20.1D may be reduced if after a study of the landscaping plan the Planning Board recommends in writing to the Building Inspector that such reduction is justified.

MEETING NO. 2
January 19, 1987

Item No. 3b cont'd

4. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 E which pertains to existing and new development shall be amended by the deletion of the phrase "or modernize" in the second sentence so that this Section shall read as follows:

E. Existing and New Development. Existing development, in all districts, completed prior to the enactment of this section that may require a rezoning, a change in use or a building permit to expand shall comply with the requirements of Subsections D(1) through D(9) inclusive. New developments etc. ...

5. RESOLVED THAT ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 82-23.1 which pertains to Senior Citizens Housing shall be amended by the deletion of the present title section and the insertion of a new title section so that this section shall read as follows:

82-23.1 RS SENIOR CITIZEN HOUSING DISTRICT

6. RESOLVED THAT ARTICLE VI - SUPPLEMENTAL REGULATIONS, Section 82-44 B(1) which pertains to modification for deeper front yards on selected streets shall be amended by the deletion of the present section and the insertion of a new section so that this section shall read as follows:

(1) Losson Road from Union Road on the West to Transit Road on the East.

7. RESOLVED THAT ARTICLE VIII - ADMINISTRATION AND ENFORCEMENT, Section 82-57A which pertains to penalties and offenses shall be amended by the deletion of the phrase "six (6) months" in the first sentence and the insertion of the phrase "fifteen (15) days" in its place so this section shall read as follows:

A. Pursuant to §268 of Article 16 of the Town Law, a violation of this chapter is hereby declared to be an offense punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not to exceed fifteen (15) days, or both. The continuation etc. ...

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

Dated: January 19, 1987

RICHARD M. MOLESKI
Town Clerk

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Denise Gracie*....., 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.....*JAN 22 1987*..... ;
last publication.....*JAN 22 1987*..... ;
and that no more than six days intervened be-
tween publications.

.....*Denise Gracie*.....
Sworn to before me this*22nd*.....
day of*January*....., 19*87*..
.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

**LEGAL NOTICE
NOTICE OF HEARING
ON PROPOSAL TO AMEND
ZONING ORDINANCE**

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of January, 1987, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 2nd day of February, 1987 at 7:00 p.m., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance" of the Town of Cheektowaga, New York shall be amended and changed as follows:

1. RESOLVED THAT ARTICLE I — GENERAL PROVISIONS, Section 82-20.1 D (3) which pertains to front yard landscaping shall be amended by the deletion of the last sentence so that this Section shall read as follows:

(3) not withstanding anything contained in §82-32 to the contrary, front yards, to a minimum of twentyfive (25) feet, shall be landscaped, and parking shall be prohibited in said area.

2. RESOLVED THAT ARTICLE I — GENERAL PROVISIONS, Section 82-20.1 D (8) which pertains to landscaping trees shall be amended by the insertion of an additional sentence so that this section shall read as follows:

(8) All deciduous trees planted shall have a minimum caliper of two and one-half (2½) inches, measured six (6) inches above the ground. All coniferous trees shall have a minimum height of five (5) feet above the finished grade. Plastic or other types of artificial plantings or vegetation shall not be permitted.

3. RESOLVED THAT ARTICLE I — GENERAL PROVISIONS, Section 82-20.1 D (9) which pertains to artificial plantings shall be amended by the deletion of the present sentence and the addition of a new sentence so that this Section shall read as follows:

(9) The requirements of Section 82-20.1 D may be reduced if after a study of the landscaping plan the Planning Board recommends in writing to the Building Inspector that such reduction is justified.

4. RESOLVED THAT ARTICLE (1) — GENERAL PROVISIONS, Section 82-20.1 E which pertains to existing and new development shall be amended by the deletion of the phrase "or modernize" in the second sentence so that this Section shall read as follows:

E. Existing and New Development. Existing development, in all districts, completed prior to the enactment of this section that may require a rezoning, a change in use or a building permit to expand shall comply with the requirements of Subsections D (1) through D (9) inclusive. New Developments etc. ...

5. RESOLVED THAT ARTICLE II — RESIDENCE DISTRICT REGULATIONS, Section 82-23.1 which pertains to Senior Citizens Housing shall be amended by the deletion of the present title section and the insertion of a new title section so that this section shall read as follows:

82-23.1 RS SENIOR CITIZEN HOUSING DISTRICT.

6. RESOLVED THAT ARTICLE VI — SUPPLEMENTAL REGULATIONS, Section 82-44 B (1) which pertains to modification for deeper front yards on selected streets shall be amended by the deletion of the present section and the insertion of a new section so that this section shall read as follows:

(1) Losson Road from Union Road on the West to Transit Road on the East.

7. RESOLVED THAT ARTICLE VIII — ADMINISTRATION AND ENFORCEMENT, Section 82-57 A which pertains to penalties and offenses shall be amended by the deletion of the phrase "six (6) months" in the first sentence and the insertion of the phrase "fifteen (15) days" in its place so this section shall read as follows:

A. Pursuant to §268 of Article 16 of the Town Law, a violation of this chapter is hereby declared to be an offense punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not to exceed fifteen (15) days, or both. The continuation etc. ...

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1987
PUBLISH: January 22, 1987

MEETING NO. 2
January 19, 1987

Item No. 3c Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, Pasquale A. Marrano has made application and requested a rezoning from CM-General Commercial to R-Residential the property located on Jessica Lane at Transit Road, said applicant being the owner of the above mentioned property, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held regarding said request under the provisions of the Zoning Ordinance on February 2, 1987 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Denise Gacie*....., 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.....*JAN 22 1987*.....;
last publication.....*JAN 22 1987*.....;
and that no more than six days intervened be-
tween publications.

.....*Denise Gacie*.....
Sworn to before me this*22nd*.....
day of*January*....., 19..*87*..
.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19..*87*..

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 2nd day of February 1987 at 6:30 o'clock, p.m., Eastern Standard Time of said day for the purpose of considering the application of Pasquale A. Marrano to Rezone from CM-General Commercial District to R-Residential District on property located at Jessica Lane at Transit Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

Suggested Description

Job 84003

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 43, Township 10, Range 7 bounded and described as follows:

BEGINNING AT THE POINT OF intersection of the northerly line of Lot 43 with the westerly boundary line of Transit Road.

THENCE: S-00°-45'-15"-W along the westerly boundary line of Transit Road a distance of 140.62 feet to its intersection with the northerly boundary line of Jessica Lane as said Jessica Lane is shown on a map of Green Wood Village Subdivision filed in the Erie County Clerk's Office under Map Cover 2463.

THENCE: S-89°-51'-28"-W, along the northerly boundary line of Jessica Lane a distance of 299.99 feet to the southeasterly corner of Subdivision Lot 1 as shown on said map referred to above.

THENCE: N-00°-45'-15"-E, along the easterly line of Subdivision Lot 1 a distance of 140.62 feet to the northeasterly corner thereof; which point is in the northerly line of Lot 43.

THENCE: N-89°-51'-28"-E, along the northerly line of Lot 43 a distance of 299.99 feet to the **POINT OF BEGINNING** containing 42,181 Square Feet be the same more or less.

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber
Councillmen

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

DATED: December 11, 1986

PUBLISH: January 22, 1987

Item No. 4 Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

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

WHEREAS, such analysis, tabulation and report has been completed and reviewed by the Chairman of the Parks and Recreation Committee, and members of the Town Board, therefore, BE IT

RESOLVED that the bid be awarded to the following bidders meeting specifications as follows: (see attached)

Laux Sporting Goods
441 Broadway
Buffalo, New York 14212

Jim Ludtka Sporting Goods
3383 Harlem Road
Cheektowaga, New York 14225

* See next ten (10) pages

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
 Kowal and Gabryszak

NAYES: 0

ABSENT: 0

BID ITEMS

Page 1

ITEM 1 BATTERS HELMETS

- A) Rawlings NOCSAE PL 95 and L.L. approved youth helmet equipped for chin snaps. High impact shell, single density foam padding.

Amount ordered S M L XL

Color

Bid price each 7.35

Laux

Total price

- B) RCS chin snaps

Amount ordered

Bid price each 1.25

Laux

Total price

- C) ABC-YBH Little League approved batters helmets High impact shell.

Amount ordered S M L XL

Color

Bid price each 10.45

Ludtka

Total price

ITEM 2 CATCHERS HELMETS

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

Amount ordered S M L XL

Color

Bid price each 13.80

Ludtka

Total price

- B) Macgregor B13 Little League catchers helmet. Fully padded one piece molded shell. Equipped with helmet harness for any type catchers mask.

Amount ordered S M L XL

Color

Bid price each 11.95

Laux

Total price

- C) Replacement harness Macgregor B13H

Amount ordered S M L XL

Color

Bid price each 3.74

Laux

Total price

- D) Macgregor B18 adult catchers helmet, polycarbonate, fully foam padded in dark blue & red.

Amount ordered S M L XL

Color

Bid price each 10.90

Laux

Total price

- E) Rawlings LUCH Little League approved. Cyclocac ABS shell. Single foam padding. Adjustable, replaceable harness straps.

Amount ordered S M L XL

Color

Bid price each 10.50

Laux

Total price

* Note: Sizes for helmets are as follows:
(S) 6 5/8 - 6 3/4 (M) 6 7/8 - 7 (L) 7 1/8 - 7 1/4 (XL) 7 3/8 - 7 1/2

NOTE: NOCSAE APPROVED.

ITEM 3 MASKS

- A) MAC. B26 softball mask with replaceable stretch straps.

Amount ordered

Bid price each 6.75

Laux

Total price

Replacement pad B26P

Amount ordered

Bid price each 5.35

Laux

Total price

Replacement harness B26H

Amount ordered

Bid price each 3.90

Laux

Total Price

B) Macgregor B25 Little League approved masks, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.			
Amount ordered _____	Bid price each	8.70	Laux
	Total price	_____	
Macgregor B25P replacement pad			
Amount ordered _____	Bid price each	5.85	Laux
	Total price	_____	
Macgregor replacement harness			
Amount ordered _____	Bid price each	4.35	Laux
	Total price	_____	
C) Macgregor B24 Little League approved masks, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.			
Amount ordered _____	Bid price each	10.70	Laux
	Total price	_____	
Replacement Pad Macgregor B24P			
Amount ordered _____	Bid price each	5.95	Laux
	Total price	_____	
Replacement harness Macgregor M24H			
Amount ordered _____	Bid price each	4.95	Laux
	Total price	_____	
D) Rawlings PWM-1, pro use, nylon coated wire frame snap on padding, vinyl covering, harness with triple adjustment.			
Amount ordered _____	Bid price each	15.95	Laux
	Total price	_____	
Replacement pad, Rawlings PWMP-1			
Amount ordered _____	Bid price each	5.20	Laux
	Total price	_____	
Replacement harness, Rawlings PWMH-1			
Amount ordered _____	Bid price each	3.65	Laux
	Total price	_____	
ITEM 4 <u>THROAT PROTECTORS</u>			
A) Macgregor B28 rugged molded vinyl with heavy foam padding. Fits any make of mask.			
Amount ordered _____	Bid price each	2.75	Laux
	Total price	_____	
B) Cooper TP molded of high density ployethylene laces to Cooper masks.			
Amount ordered _____	Bid price each	2.45	Laux
	Total price	_____	
C) Steve Yeager - baseball model			
Amount ordered _____	Bid price each	2.10	Laux
	Total price	_____	
D) Rawlings TP5, 8" long velcro fastener			
Amount ordered _____	Bid price each	3.20	Laux
	Total price	_____	

ITEM 5 BODY PROTECTORS

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

Amount ordered _____
Color _____

Bid price each 10.25
Total price _____

Laux

- B) Rawlings LLBP Little League approved, adjustable and replaceable body straps.

Amount ordered _____
Color _____

Bid price each 11.50
Total price _____

Laux

- C) Champro CP01 adjustable neck pad and body straps, cotton padding, water repellant.

Amount ordered _____
Color _____

Bid price each 14.10
Total price _____

Ludtka

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

Amount ordered _____
Color _____

Bid price each 15.90
Total price _____

Laux

- E) Macgregor B78 (outside) chest protectors.

Amount ordered _____
Color _____

Bid price each 15.90
Total price _____

Laux

- F) All Star CPU-2 Umpire chest protectors, (inside).

Amount ordered _____
Color _____

Bid price each 28.91
Total price _____

Laux

- G) Wilson A3314 UGP umpire chest protectors, (inside).

Amount ordered _____
Color _____

Bid price each 34.95
Total price _____

Ludtka

- H) Macgregor B79 Pro umpire chest protectors, (inside).

Amount ordered _____
Color _____

Bid price each 28.90
Total price _____

Laux

ITEM 6 SHIN GUARDS

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

Amount ordered _____

Bid price each 10.25
Total price _____

Laux

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

Amount ordered _____

Bid price each 21.90
Total price _____

Laux

- C) Macgregor B-65 Babe Ruth use, 11" shin plate ultra lite padding, replaceable straps.

Amount ordered _____

Bid price each 19.95
Total price _____

Laux

- D) Macgregor B-61 double knee cap protect, 12" shin plate, ultra lite padding, replacement straps.

Amount ordered _____

Bid Price each 34.75
Total price _____

Laux

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

Amount ordered _____

Bid price each 19.50
Total price _____

Ludtka

- F) Rawlings, OMW Pro leg guards hinged double knee vinyl padding, calf and ankle wing, adjustable elastic straps.

Amount ordered _____

Bid price each 38.90
Total price _____

Laux

- G) Wilson A3504 Pro Model umpire leg protector GLG-MLU.

Amount ordered _____

Bid price each 17.95
Total price _____

Laux

- H) Wilson shin guard A3443, designed for Jr. High School girls softball.

Amount ordered _____

Bid price each 15.45
Total price _____

Ludtka

ITEM 7 CATCHERS GLOVES

- A) Cooper 662 single flex leather (steer hide) extended palm pro toe feature, hinged webs skip crotch lacing.

Amount ordered _____

Left _____ Right _____

Bid price each 25.25
Total price _____

Ludtka

- B) Cooper 242 single flex leather (steer hide) pro toe feature, open style strap, leather lined.

Amount ordered _____

Left _____ Right _____

Bid price each 20.85
Total price _____

Ludtka

- C) Macgregor MM110 top grain cowhide deep scoop web, leather thumb and finger loops, fast back model, nylon stitched throughout, pro-model.

Amount ordered _____

Left _____ Right _____

Bid price each 33.95
Total price _____

Laux

- D) Cooper 862 Superline Deluxe extra large size big flex strap. Pro scoop toe.

Amount ordered _____

Left _____ Right _____

Bid price each 34.95
Total price _____

Laux

ITEM 8 BASEBALLS

- A) Wilson A1074

Amount ordered _____

Bid price per dozen 24.75
Total price _____

Ludtka

- B) Wilson A1082

Amount ordered _____

Bid price per dozen 24.75
Total price _____

Ludtka

C) De Beers official Little League #91
Amount ordered _____

Bid price per dozen _____ No award
Total price _____

D) De Beers Babe Ruth #93
Amount ordered _____

Bid price per dozen _____ No award
Total price _____

E) De Beers Major League #101
Amount ordered _____

Bid price per dozen _____ No award
Total price _____

F) Wilson A1010
Amount ordered _____

Bid price per dozen _____ 37.25
Total price _____

Ludtka

SOFTBALLS

A) Dudley -SB 12LND
Amount ordered _____

Bid price per dozen _____ 41.70
Total price _____

Ludtka

B) Dudley P-12
Amount ordered _____

Bid price per dozen _____ 33.95
Total price _____

Ludtka

C) Worth Red Dot
Amount ordered _____

Bid price per dozen _____ 47.90
Total price _____

Laux

ITEM 9. BATS

Note: Order in dozen or half dozen units ONLY for each lettered item except aluminum bats.

A) Rawlings 21BE softball wood bat
Amount ordered 27" _____
28" _____
29" _____
30" _____
31" _____
32" _____

Bid price per dozen _____ 67.20
Total price _____

Laux

B) Adirondak 311G official girls softball bats
Amount ordered 27" _____
28" _____
29" _____
30" _____
31" _____
32" _____

Bid price per dozen _____ 67.20
Total price _____

Laux

C) Easton (reg. grip) softball S-9
Black Max.Amount ordered 33" _____
34" _____Bid price per dozen 299.95 Ludtka
Total price _____

D) Easton softball S-3 Smoke

Amount ordered 29" _____
30" _____
31" _____
32" _____
33" _____
34" _____Bid price per dozen 275.40 Laux
Total price _____

E) Easton Aluminum bat, Little League L9 PRO

Amount ordered 27" _____
28" _____
29" _____
30" _____
31" _____
32" _____Bid price per dozen 287.40 Laux
Total price _____

F) Easton Aluminum bat, B.R. 85 (Magnum)

Amount ordered 32" _____
33" _____
34" _____Bid price per dozen 287.40 Laux
Total price _____

G) Power Flite SBO softball aluminum bat

Amount ordered 29" _____
30" _____
31" _____
32" _____
Power Flite SBL 33" _____
34" _____Bid price per dozen SBO 130.56 Laux
SBL 147.36 Laux
Total price _____

H) Adirondak TBWB 26"

Amount ordered _____

Bid price per dozen 198.00 Laux
Total price _____

I) Adirondak models 302F & 302JF wood baseball bat.

Amount ordered (JF) 26" _____
27" _____
28" _____
29" _____
30" _____
31" _____
32" _____Bid price per dozen 81.00 Laux
Total price _____

(F) 32" _____
 33" _____
 34" _____
 35" _____

Bid price per dozen 93.00 Laux
 Total price _____

J) Louisville wood baseball bat

Amount ordered 26" _____
 125 LL 27" _____
 28" _____
 29" _____
 30" _____
 31" _____

Bid price per dozen 94.20 Laux
 Total price _____

Amount ordered 32" _____
 125 33" _____
 34" _____
 35" _____
 36" _____

Bid price per dozen 116.88 Laux
 Total price _____

K) Louisville Power Flite little league baseball bat.

Amount ordered PFS 26" _____

Bid price per dozen 127.20 Laux
 Total price _____

Power Flite LL1 27" _____
 28" _____
 29" _____
 30" _____
 31" _____

Bid price per dozen 137.40 Laux
 Total price _____

H) Power Flite Mach 4 Babe Ruth aluminum baseball bat.

Amount ordered 29" _____
 30" _____
 31" _____
 32" _____
 33" _____
 34" _____

Bid price per dozen 254.80 Laux
 Total price _____

ITEM 10 EQUIPMENT BAGS

A) Everlast 6885 standard bat bag holds 18 bats.

Amount ordered _____

Bid price each 9.85 Ludtka
 Total price _____

B) Macgregor B12G heavy off-white linen laminated to vinyl lining holds 12 bats. Amount ordered _____	Bid price each <u>14.95</u> Total price _____	Laux
C) Heavy Duty Army duffle utility bag Canpro Amount ordered _____	Bid price each <u>6.50</u> Total price _____	Laux
ITEM 11 <u>UMPIRE INDICATORS</u>		
A) Champion P1, palm sized, plastic counter keeps track of balls, strikes and outs. Amount ordered _____	Bid price each <u>1.05</u> Total price _____	Ludtka
B) Everlast 6678 official stainless steel keeps track of balls, strikes and outs. Amount ordered _____	Bid price each <u>1.18</u> Total price _____	Ludtka
C) Macgregor B99 molded plastic keeps track of balls, strikes and outs. Amount ordered _____	Bid price each <u>1.08</u> Total price _____	Laux
ITEM 12 <u>SCOREBOOKS</u>		
A) Macgregor B83 deluxe score-rite 30 games HARD COVER 8 3/4 x 12 Amount ordered _____	Bid price each <u>1.95</u> Total price _____	Laux
B) Official baseball-softball HARD COVER Bidders note: list manufacturer, number of games and size. List Manufacturer <u>Laux</u> <u>30 games</u> Amount ordered _____	Bid price each <u>1.44</u> Total price _____	Laux
C) Elan softball-baseball, slo-pitch, 15 batters S1500 - 25 games. Amount ordered _____	Bid price each <u>1.68</u> Total price _____	Laux
D) Elan baseball-softball, standard 11 players S1100 - 25 games. Amount ordered _____	Bid price each <u>1.68</u> Total price _____	Laux
ITEM 13 A) <u>COLLEGIATE HEAVY DUTY T-BALL SETS</u> BT 70 Amount ordered _____	Bid price each <u>13.95</u> Total price _____	Laux
B) <u>MACGREGOR B7 HEAVY DUTY T-BALL SETS</u> Amount ordered _____	Bid price each <u>22.90</u> Total price _____	Laux

ITEM 14 BASES

- A) Everlast model #6810 nylon and canvas
Amount ordered _____
- B) Macgregor "Major League" bases B101
15"x15"x3" set of 3 bases and anchors
Amount ordered _____
- C) B95 base anchor for Macgregor "Major
League" base
Amount ordered _____
- D) Everlast model #6830 nylon hardball base
Amount ordered _____
- E) Everlast #6850 nylon softball base
Amount ordered _____
- F) Everlast #6861 Home Plate
Amount ordered _____
- G) Collegiate LH20 (LL) Home Plate
Amount ordered _____
- H) Save-a-leg SS10 (Official League)
Home Plate
Amount ordered _____
- I) Everlast #6867 Pitchers Plate
Amount ordered _____
- J) Collegiate LP 40 (LL) Pitchers Plate
Amount ordered _____
- K) Collegiate official OP 30 Pitchers Plate
Amount ordered _____
- L) Macgregor "Youth and Little League"
size B33 set of 3 bases 14"x14"x2"
with anchor
Amount ordered _____

Bid price set	<u>38.95</u>	Ludtka
Total price	_____	
Bid price set	<u>86.90</u>	Laux
Total price	_____	
Bid price set	<u>26.95</u>	Laux
Total price	_____	
Bid price set	<u>26.40</u>	Ludtka
Total price	_____	
Bid price set	<u>25.80</u>	Ludtka
Total price	_____	
Bid price each	<u>10.60</u>	Ludtka
Total price	_____	
Bid price each	<u>11.90</u>	Laux
Total price	_____	
Bid price each	<u>10.95</u>	Laux
Total price	_____	
Bid price each	<u>8.10</u>	Ludtka
Total price	_____	
Bid price each	<u>6.95</u>	Laux
Total price	_____	
Bid price each	<u>7.95</u>	Laux
Total price	_____	
Bid price set	<u>28.50</u>	Laux
Total price	_____	

- ITEM 15 1) DRY LINE MARKER - steel tank, four 10"
rubber wheels three way control, 100 lb.
capacity.

List Manufacturer Stackhouse LHBM
Amount ordered _____

Bid price each	<u>178.90</u>	Ludtka
Total price	_____	

- 2) DRY LINE MARKER - steel tank 2 rubber wheels, adjustable line from 2-4", 20 lb. capacity.

List Manufacturer Stackhouse CLT W25

Amount ordered _____

Bid price each 84.70 Laux
Total price _____

ITEM 16 FIRST AID SUPPLIES

- A) COLD PACK - Regular instant chemical ice compress approximate size 5½ x 9, double wall outer bag

List Manufacturer _____

Amount ordered _____

Bid price per dozen 5.22 Laux
Total price _____

- B) JR. SIZE COLD PACT - instant chemical ice compress approximate size 4 5/8 x 7 3/8

List Manufacturer _____

Amount ordered _____

Bid price each .43 Laux
Total price _____

- C) RE-USABLE FLEXIBLE ice compress size 5½ x 9

List Manufacturer _____

Amount ordered _____

Bid price per dozen 9.35 Laux
Total price _____

ITEM 17 BASEBALL PITCHING MACHINE

- A) Curve ball

List Manufacturer Jugs

Bid price each 1,245.00 Laux
Total price _____

- B) Softball

List Manufacturer Jugs

Bid price each 895.00 Laux
Total Price _____

- C) Combination Hardball - Softball

List Manufacturer Jugs

Bid price each 1,470.00 Laux
Total price _____

- D) Generator, Jugs 1000

Bid price each 515.00 Laux
Total price _____

- E) ATCC Soft Toss Pitching Machine

Bid price each 495.00 Ludtka
Total price _____

ITEM 18 MISCELLANEOUS ACCESORIES

- A) Umpire Plate brush Macgregor B91

Amount ordered _____

Bid price each 1.75 Laux
Total price _____

- B) Umpire Plate brush

List Manufacturer Frost PB1

Amount ordered _____

Bid price each 1.89 Laux
Total price _____

- C) Baseball glove
Replacing kit Macgregor B110

Amount ordered _____

Bid price each 1.60 Laux
Total price _____

- D) Casey II Pitching Machine with basket

Bid price each No award
Total price _____

MEETING NO. 2
January 19, 1987

Item No. 5a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, requires Athletic White stripe for the purpose of lining athletic fields, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of Athletic White Stripe, and BE IT FURTHER

RESOLVED that the specifications for said Athletic White Stripe may be obtained from the Town Clerk's Office in Cheektowaga Town Hall, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 2nd day of February, 1987 at 11:00 A.M. Eastern Standard 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 Clerk on February 2, 1987 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the supplying of Athletic White Stripe for the year 1987.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Grace, 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.....JAN 22 1987.....;
last publication.....JAN 22 1987.....;
and that no more than six days intervened be-
tween publications.

Denise Grace
Sworn to before me this22nd.....
day ofJanuary....., 19..87..
Cecilia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the supplying of Athletic White Stripe for the year 1987.

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

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

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

**RICHARD M. MOLESKI
TOWN CLERK**

**DATED: January 19, 1987
PUBLISH: January 22, 1987**

MEETING NO. 2
January 19, 1987

Item No. 5b Motion by Councilman Rogowski, Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division utilizes Portable Chemical Toilets at various locations to service Recreation Department activities and Special Events, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the Leasing and Servicing of Portable Chemical Toilets, and BE IT FURTHER

RESOLVED that specifications for said Leasing and Servicing of Portable Chemical Toilets, and BE IT FURTHER

RESOLVED that specifications for said Leasing and Servicing of Portable Chemical Toilets be obtained from the Town Clerk's Office in Cheektowaga Town Hall, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 2nd day of February, 1987 at 11:00 A.M., Eastern Standard 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 Clerk on February 2, 1987 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for the Leasing and Servicing of Portable Chemical Toilets for the year 1987.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Dennis Grace, 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..... JAN 22 1987 ;
last publication..... JAN 22 1987 ;
and that no more than six days intervened be-
tween publications.

Dennis Grace.....

Sworn to before me this 22nd
day of January , 19 87

Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

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

Dennis Grace, 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.....JAN 22 1987.....;
last publication.....JAN 22 1987.....;
and that no more than six days intervened be-
tween publications.

Dennis Grace
Sworn to before me this22nd.....
day ofJanuary....., 1987..
.....Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the Leasing and Servicing of Portable Chemical Toilets for the year 1987.

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

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

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

**RICHARD M. MOLESKI
TOWN CLERK**

**DATED: January 19, 1987
PUBLISH: January 22, 1987**

MEETING NO. 2
January 19, 1987

Item No. 5c Motion by Councilman Kowal, Seconded by Councilman Rogowski

WHEREAS, Town efforts to reduce sanitary sewer inflow are dependent on the minimizing of street flooding, and

WHEREAS, maximum use of the existing storm sewer system can only be accomplished by a storm sewer cleaning system, and

WHEREAS, the Town Engineering Department is requesting that storm sewer cleaning work be contracted in order to fully utilize the existing Town storm sewer system, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning work for the year of 1987, in accordance with specifications prepared by the Town of Cheektowaga Engineering Department, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 2nd day of February, 1987 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1987 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for storm sewer cleaning work in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Sewer Cleaning Work" 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.

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: January 19, 1987

* * * * *

MOTION BY COUNCILMAN KOWAL, SECONDED BY SUPERVISOR WEBER TO TABLE THE ABOVE ITEM.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak

NAYES: 0

ABSENT: 0

MEETING NO. 2
January 19, 1987

Item No. 5d Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, it is in order that bids be advertised to cover the purchase of work uniforms for the year of 1987 for the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of work uniforms for the Town of Cheektowaga for the year of 1987, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 2nd day of February, 1987 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on February 2, 1987 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of work uniforms for the year of 1987.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1987

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Gracie, 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.....JAN 22 1987.....;
last publication.....JAN 22 1987.....;
and that no more than six days intervened be-
tween publications.

Denise Gracie
Sworn to before me this22nd.....
day ofJanuary....., 19..87..
.....Cecelia Westoven.....
Notary public in and for Erie County, N. Y.

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19..87..

**LEGAL NOTICE /
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of work uniforms for the year of 1987.

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

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

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

**RICHARD M. MOLESKI
TOWN CLERK**

**DATED: January 19, 1987
PUBLISH: January 22, 1987**

MEETING NO. 2
January 19, 1987

Item No. 6 Motion by Councilman Rogowski, Seconded by Councilman Kowal

WHEREAS, a total blockage of a Town sanitary sewer occurred at #1616 Kensington Avenue and was reported by the Sewer Maintenance Department, and

WHEREAS, it was necessary to effect immediate repairs and the Town's Sewer Maintenance Department was unable to do the repairs due to the depth of the sewer and the various utilities in this work area, and

WHEREAS, M.C. Morgan Contractors, Inc. was delegated to perform the required work which is outlined in the January 12, 1987 memo of the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the voucher of M.C. Morgan Contractors, Inc. in the amount of \$4,123.06 to make the necessary sewer repair be and hereby is approved, and BE IT FURTHER

RESOLVED that payment for said emergency sewer repair be and hereby is chargeable to Sanitary Sewer District #5 Emergency Repairs, Budget Item 508125.4438.

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 Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 7 Motion by Councilman Kowal, Seconded by Unanimous

WHEREAS, the Ledyard Street Bridge in the Village of Depew is in need of structural repairs, according to the County of Erie, Department of Public Works, Division of Highways, and

WHEREAS, Ledyard Avenue is the only connecting highway between George Urban Boulevard and Walden Avenue from Transit Road to Dick Road and a great deal of traffic is generated on said street, and

WHEREAS, moneys are available through the County under the Local Bridge Program for the replacement and repair of bridges in the County, and

WHEREAS, this Town Board and the Village Board of the Village of Depew feel that the Ledyard Street Bridge should be replaced with a new structure and widened to accomodate proper vehicle traffic as soon as possible, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the Erie County Executive, the Erie County Legislature and the Erie County Department of Public Works, Division of Highways, to release a sufficient amount of money from the Local Bridge Program in 1987 to replace the Ledyard Street Bridge with a wider and more structurally sound bridge, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward copies of this resolution to the County Executive, the Clerk of the County Legislature and the County Department of Public Works, Division of Highways.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak

NAYES: 0

ABSENT: 0

MEETING NO. 2
January 19, 1987

Item No. 8 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, a petition dated March 7, 1986, was presented to the Town Board of the Town of Cheektowaga, proposing that said Town Board approve the construction of lateral sewers in or along a portion of Walden Avenue in Sewer District No. 7, hereinafter described, and

WHEREAS, said Town Board duly adopted on the 16th day of June, 1986, an order reciting in general terms the filing of said petition, the improvement proposed, the maximum amount proposed to be expended for said improvements as stated in said petition, and specifying that a public hearing be held on the 7th day of July, 1986 at 7:00 o'clock P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider said petition and hear all persons interested in the subject matter thereof, concerning the same, and

WHEREAS, certified copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider the matter of the construction of said improvement, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

WHEREAS, from the evidence offered at such time and place, the said Town Board has determined that it is in the public interest to make the said improvement, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga, does hereby authorize and approve the construction of lateral sewers in or along that portion of Walden Avenue in Sewer District No. 7 described as follows:

commencing along the southerly side from the existing manhole at a distance of 1200+ feet east of Dick Road to an easterly point at a distance of 1050+ feet,

and BE IT FURTHER

RESOLVED that the maximum amount to be expended for said improvement is Fifty-six thousand dollars (\$56,000.00).

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

.....*Denise Gracie*....., 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.....*JAN 29 1987*.....;
last publication.....*JAN 29 1987*.....;
and that no more than six days intervened be-
tween publications.

.....*Denise Gracie*.....
Sworn to before me this*29th*.....
day of*January*....., 19..*87*..
.....*Cecelia Westover*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

**LEGAL NOTICE
NOTICE OF ADOPTION
OF RESOLUTION SUBJECT TO
PERMISSIVE REFERENDUM
NOTICE IS HEREBY GIVEN**

that, at a regular meeting held on the 19th day of January, 1987, the Town Board of the Town of Cheektowaga duly adopted a resolution, an abstract of which follows, which is subject to permissive referendum pursuant to Article 7 of the Town Law of the State of New York:

RESOLVED, that the Town Board of the Town of Cheektowaga, does hereby authorize and approve of the construction of lateral sewers in or along that portion of Walden Avenue in Sewer District No. 7, described as follows:

Commencing along the southerly side from the existing manhole at a distance of 1200±feet east of Dick Road to an easterly point at a distance of 1650±feet.

and, **BE IT FURTHER**

RESOLVED, that the maximum amount to be expended for said improvement is Fifty-six thousand dollars (\$56,000).

RICHARD M. MOLESKI

Town Clerk

Town of Cheektowaga

DATED: January 19, 1987

PUBLISH: January 29, 1987

MEETING NO. 2
January 19, 1987

Item No. 9 Motion by Councilman Rogowski, Seconded by Councilman Kowal

WHEREAS, the Girl Scout Council of Buffalo and Erie County, Inc. has requested the use of the Cheektowaga Recreation Center as a pick up and drop off location for children being bused to their day camp program during the week of July 20 to July 24, 1987, and

WHEREAS, a Certificate of Insurance naming the Town of Cheektowaga as being co-insured has been filed with the Cheektowaga Facilities Department by the Girl Scout Council, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grants the Girl Scout Council of Buffalo and Erie County, Inc., 70 Jewett Parkway, Buffalo, New York 14214 permission to utilize the Cheektowaga Recreation Center, 2600 Harlem Road as a pick up/drop off site for transporting children to their summer day camp from July 20 to July 24, 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Rogowski, Seconded by Councilman Kowal

WHEREAS, the Town Receiver of Taxes and Assessments mails tax bills to property owners and banks authorized by such property owners to pay taxes on their properties, and

WHEREAS, with increasing frequency, duplicate tax bills are requested by banks and property owners when the original bills are lost or misplaced, and

WHEREAS, the preparation and mailing of such duplicate tax bills entails time and expense on behalf of the Officer of the Receiver of Taxes and Assessments, and

WHEREAS, Subdivision 1(b)iii of Section 87 of the Public Officers Law of the State of New York authorizes the Town to charge an individual the actual cost of reproducing certain documents, and

WHEREAS, the Receiver of Taxes and Assessments has stated that it would cost her office approximately \$2.00 per duplicate tax bill to prepare and mail duplicate tax bills to those requesting them, NOW, THEREFORE, BE IT

RESOLVED that the charge for the preparation and mailing of duplicate tax bills shall be established at \$2.00 per bill.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 11a Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, by resolution dated June 2, 1986, this Town Board authorized and accepted a certain municipal cooperation agreement between the Town and other members of the Northeast Solid Waste Management Board (the Board), concerning a consulting engineering contract for a feasibility study and more on the development of a waste to energy project, and

WHEREAS, the General Foreman of the Town's Sanitation Department, along with the Erie County Solid Waste Management Program Coordinator, have recommended that the aforementioned Agreement be amended to include a provision for shared responsibility by all members of the Board, on a prorated basis, for possible liability for repayment of state funds provided through the New York State Department of Environmental Conservation,

Item No. 11a cont'd

NOW, THEREFORE, BE IT RESOLVED that the Supervisor be and he hereby is authorized to execute, for and on behalf of the Town of Cheektowaga, an amendment to the aforesaid municipal cooperation agreement (dated May 29, 1986), providing for the shared responsibility by all members of the Board, on a prorated basis, for possible liability for repayment of the state funds made available under a certain Municipal Local Assistance Contract bny and between the New York State Department of Environmental Conservation and the Town of Elma, acting on behalf of the said Northeast Communities Solid Waste Management Board.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 11b Motion by Councilman Kowal, Seconded by Councilman Rogowski

WHEREAS, earlier this year this Town Board provided for the improvement of various Town highways under a three (3) year program utilizing the issuance of bonds for such purpose, and

WHEREAS, Mapleview, in the vicinity of Commodore Terrace, has been targeted as one of the highways needing drainage and roadway improvements, and

WHEREAS, it is advisable to undertake a topographic survey of the area, which information will be necessary in order to determine the scope of work to resolve the existing problems, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., as submitted to the Town Engineer and dated January 13, 1987, and as recommended and approved by the Highway Superintendent and the Town Engineer be and hereby is accepted and approved, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to sign said proposal agreement as submitted by Nussbaumer & Clarke, Inc., Consulting Engineers, and BE IT FURTHER

RESOLVED that the cost for said professional services in the amount of \$2,900.00 with the scope of work as outlined in said proposal be paid out of the proceeds from the bonds for the improvement of various streets as approved by this Town Board.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 11c Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing and Urban Development, the application for which funds included provisions for a Housing Rehabilitation Loan Program which provides direct housing rehabilitation loans to eligible homeowners, and

WHEREAS, the Town of Cheektowaga has established such a Housing Rehabilitation Loan program, and

WHEREAS, the Town Community Development Director has received application(s) for assistance under said program and has determined that the owner(s) of the property listed below are eligible for participation in the Town's Housing Rehabilitation Loan program, NOW, THEREFORE, BE IT

Item No. 11c cont'd

RESOLVED that Community Development Housing Rehabilitation Loan funds, in the amount(s) listed below, be approved for the owner(s) of the property listed below:

119 Gardenvale Drive	\$1,111.00
46 Stewart	\$ 835.00
8 Danforth St.	\$6,926.00
206 Crisfield	\$6,011.00

and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to sign a Loan Agreement with the owner(s) of the above listed property on behalf of the Town, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign checks, prior to Town Board Warrant List approval necessary for the timely disbursement of said loan funds, providing that the rehabilitation work to be performed has been completed to the satisfaction of the Town Housing Inspector and that all program regulations have been complied with to the satisfaction of the Town Community Development Director.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 11d Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, the Town's Insurance Consultant has received and evaluated proposals for loss control services related to the Town's Self-Insured Workers Compensation program, and

WHEREAS, the Town has found such services reduce employee injuries and the pain and discomfort to employees from such injuries and the compensation costs to the Town, and

WHEREAS, the Insurance Consultant recommends a short-term extension of the Fred S. James & Company of N.Y., Inc., service to both complete work under a N.Y.S. Department of Labor grant and effect a smooth transition to a new service provider and also recommends retaining Laverack & Haines, Inc. to provide continuing service for 1987, NOW, THEREFORE, BE IT

RESOLVED the Town accepts the Fred S. James & Company of N.Y., Inc., proposal to extend its 1986 Service Agreement with the Town for up to 20 additional hours of Safety and Loss Control Services at \$68 per hour for an expected cost of \$1,500; and BE IT FURTHER

RESOLVED that Laverack & Haines, Inc., proposal to provide 100 hours of loss control service in 1987 at \$47.50 per hour for an expected annual cost of \$5,000, be and hereby is accepted, and BE IT FURTHER

RESOLVED that the Supervisor be and he hereby is authorized and directed to execute the aforesaid extension of the Fred S. James & Company of N.Y., Inc., Service Agreement, as well as a new Loss Control Service Agreement with Laverack & Haines, Inc., said contract being subject to the approval of the Town Attorney and Town's Insurance Consultant.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 11e Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, by resolution dated January 19, 1987, this Town Board authorized the construction of lateral sewers along the south side of Walden Avenue east of Dick Road, and

WHEREAS, prior to any such construction, it was necessary for the Town to acquire easements from various property owners in this area, and

WHEREAS, the necessary easements have now been executed, NOW, THEREFORE, BE IT

RESOLVED that the following referenced easements be and hereby are accepted by this Town Board:

<u>Grantor(s)</u>	<u>Property</u>
Robert J. Bradley	2929 Walden Avenue
New York State Electric & Gas Corporation	Walden Avenue (vacant)
New York State Electric & Gas Corporation	Walden Avenue (vacant)
Niagara Mohawk Power Corporation	Walden Avenue (vacant)
Blatner-Chadwick Capital Heat, Inc.	2975 Walden Avenue
Richard P. Blatner & Richard P. Blatner, Jr.	2981 Walden Avenue
Theodore Skaros	3003 Walden Avenue
Universal Joint & Sales Co., Inc.	3005 Walden Avenue
Ann Stacy	3009 Walden Avenue

and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the above-referenced easement agreements with New York State Electric & Gas Corporation and Niagara Mohawk Power Corporation, and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is directed to file such easements in the Erie County Clerk's Office.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, in the Fall of 1985 and Spring of 1986, Town Police Lieutenant John Howlett enrolled in computer programming courses at the State University of New York at Buffalo, and

WHEREAS, at such time, there was an understanding between Lt. Howlett and the Chief of Police that, if Lt. Howlett successfully completed such courses and if the Town was able to purchase a computer for the Police Department, then Lt. Howlett would be reimbursed for the costs of tuition for such courses, and

WHEREAS, Lt. Howlett successfully completed such computer courses, and

WHEREAS, the Town, with State financial assistance, in 1986, purchased a computer system for the Police Department, and such computer is now installed, and

WHEREAS, this Town Board feels that Lt. Howlett's knowledge of computer programming will be invaluable to the Town in operating the recently purchased computer, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby directs that Lt. Howlett be reimbursed the sum of \$343.00 for the cost of tuition for the computer programming courses taken by Lt. Howlett in 1985 and 1986 upon Lt. Howlett's submission of the required Town voucher forms.

Item No. 12 cont'd

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilman Kowal, Seconded by Councilman Rogowski

BE IT RESOLVED that Oliada Nowicki, Cheektowaga, New York, be and hereby is granted a voluntary leave of absence (without pay) for eight (8) hours per week for a period not to exceed six (6) months, commencing the week of February 2, 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that Mrs. Julia Reinstein, Cheektowaga, New York 14227 be reappointed for five (5) years effective December 31, 1986 to the Library Board, and BE IT FURTHER

RESOLVED that Bernice Snyder, Cheektowaga, New York 14225 be reappointed for five (5) years effective January 1, 1986 to the Library Board.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, due to a need in his department for Auto Mechanic Helpers, the Town Superintendent of Highways has requested that this Town Board create two (2) promotional positions of Auto Mechanic Helpers in the Highway Department, and

WHEREAS, after such positions are filled, two (2) Laborer positions will be abolished, NOW, THEREFORE, BE IT

RESOLVED that two (2) positions of Auto Mechanic Helpers be and hereby are created in the Highway Department, and BE IT FURTHER

RESOLVED that such positions be duly posted in accordance with the collective bargaining agreement between the Town and the Town of Cheektowaga Employees' Association.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 16a Motion by Councilman Jaworowicz, Seconded by Unanimous

WHEREAS, a vacancy will exist in the position of Chief of Police as of February 1, 1987 due to the retirement of the incumbent Chief of Police Leonard J. Smolarek, and

Item No. 16a cont'd

WHEREAS, this Town Board has canvassed the civil service eligible list for Chief of Police and has interviewed interested candidates for such vacancy, and

WHEREAS, Assistant Chief Robert M. Lis appears on such civil service list, and

WHEREAS, Assistant Chief Robert M. Lis has the experience, qualifications and qualities which will enable him to be an excellent Chief of Police and is the overall best candidate for the position, NOW, THEREFORE, BE IT

RESOLVED that Robert M. Lis be and hereby is appointed to the position of Chief of Police, effective February 1, 1987, at a salary in accordance with the current bargaining agreement between the Town and the Chief of Police and Assistant Chief of Police.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 16b Motion by Councilman Jaworowicz, Seconded by Unanimous

WHEREAS, a vacancy will exist in the position of Assistant Chief of Police as of February 1, 1987 due to the promotion of the incumbent Assistant Chief of Police Robert M. Lis to the position of Chief of Police, and

WHEREAS, this Town Board has canvassed the civil service eligible list for Assistant Chief of Police and has interviewed interested candidates for such vacancy, and

WHEREAS, Captain Bruce D. Chamberlin appears first on such civil service list, and

WHEREAS, Captain Bruce D. Chamberlin has the experience, qualifications and qualities which will enable him to be an excellent Assistant Chief of Police and is the overall best candidate for the position, NOW, THEREFORE, BE It

RESOLVED that Bruce D. Chamberlin be and hereby is appointed to the position of Assistant Chief of Police, effective February 1, 1987, at a salary in accordance with the current bargaining agreement between the Town and the Chief of Police and Assistant Chief of Police.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 17a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals employed in the Facilities Department be and hereby are terminated as follows:

<u>Parks Division - #01-007110-1-0-1491-001</u>	<u>Effective</u>
Bruce Blachowski	2/1/87
Felix Lampke	2/7/87
Dale Matecki	2/6/87
Richard McCracken	1/18/87
 <u>Street Lighting Division - #02-905182-1-0-1492-001</u>	
Joseph Coffta	2/7/87
Francis Strong	2/7/87

Item No. 17a cont'd

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 17b Motion by Councilman Kowal, Seconded by Councilman Rogowski

BE IT RESOLVED that Rita Klosko, , Cheektowaga, New York 14206, a part-time employee in the Town Clerk's Office be terminated effective January 16, 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 17c Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal and/or Part-time Employees in the Department(s) listed:

TAX OFFICE

EFFECTIVE

Colleen Burke
Jacqueline Decker
Paulette Rzepka
Irene Sajdak

Immediately
Immediately
Immediately
Immediately

SANITATION DEPARTMENT

Lawrence Barberio

Immediately

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 18a Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be hired by the Facilities Department to assist in conducting its 1986-87 winter program:

EFFECTIVE

Parks Division - #01-007110-1-0-1491-001 - \$3.35 per hour

Joseph Dolecki
Harry Rogalski
John Slisz
Stanley Siejak
John Zyla
Raymond Felder

Immediately
Immediately
Immediately
Immediately
retro to 1/12/87
Immediately

Street Lighting Division - #02-905182-1-0-1492-001

Joseph Stallone
Terry Hughes

Immediately
Immediately

Building Maintenance Division - #01-001625-1-0-1391-001
Part-time Clerical - \$4.00 per hour

Barbara Schurstein

Immediately

Item No. 18a cont'd

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 18b Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that Kim Marie Fenske of , Depew, N.Y. be and hereby is hired as a part-time clerk in the Justice Department at a rate of \$3.75 per hour, effective immediately, and BE IT FURTHER

RESOLVED that Theresa Majchrzak, presently working as a part-time clerk in the Justice Department be paid at the rate of \$3.75 per hour, effective immediately.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 18c Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as part-time clerical employees to assist John E. Dudek, Receiver of Taxes and Assessments, in the 1987-88 tax collection, as needed, and at the hourly rate listed:

DAY SHIFT - \$3.60 per hour

Carol Filippi	Cheektowaga, NY
Arlene Jankowski	Depew, NY
Patricia Jaroszewski	Sloan, NY
Alice Nowicki	Cheektowaga, NY
Waltraud Piffel	Cheektowaga, NY
Sandra Marie Ross	Cheektowaga, NY
Margaret Trautmann	Cheektowaga, NY

NIGHT SHIFT - \$3.35 per hour

Beatrice Clark	Cheektowaga, NY
Marion Cosimano	Cheektowaga, NY
Patricia Cosimano	Cheektowaga, NY
Dorothea Gielinski	Cheektowaga, NY
Geraldine Glascott	Depew, NY
Dawn Hanna	Sloan, NY
Eleanor Kantowski	Cheektowaga, NY
Florence Magiera	Cheektowaga, NY
Carol Malkiewicz	Cheektowaga, NY
Lucille McCabe	Cheektowaga, NY
Ann McGuire	Cheektowaga, NY
Susan Melber	Depew, NY
Patricia Miller	Cheektowaga, NY
Emilie Ring	Depew, NY
Mary Urbanski	Sloan, NY
Elizabeth Marie Wichlacz	Cheektowaga, NY
Rita Wick	Cheektowaga, NY
Joan Wojtkowski	Cheektowaga, NY

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 19a Motion by Councilman Jaworowicz, Seconded by Councilman Gabryszak

RESOLVED that the following individuals be and hereby are authorized to attend the annual Association of Towns convention held in New York City February 15-18, 1987 and that their reasonable and proper travel expenses be reimbursed by the Town:

Mr. Dennis Gabryszak, Councilman - Designated as the
Official Voting Delegate
representing the Town of
Cheektowaga

Mr. Casimer Kozminski, Town Assessor
Mr. Chester Bryan, Town Engineer
Mr. Richard M. Moleski, Town Clerk
Mr. William Wielinski, Supervising Accountant
Mr. Alfred Wnek, Highway Superintendent

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 19b Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational conference in Niagara Falls, New York on February 2, 3 & 4, 1987, and

WHEREAS, Ronald Marten, Building and Plumbing Inspector for the Town of Cheektowaga has requested permission to attend such conference, and

WHEREAS, such seminar will provide the Building and Plumbing Inspector with up-to-date information on new legislation and enforcement procedures, NOW, THEREFORE, BE IT

WHEREAS, that Ronald Marten or designate be and are hereby authorized to attend such conference at a cost to the Town not to exceed \$80.00 (eighty dollars).

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 19c Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the New York State Energy Office will hold a series of one-day training seminar for the building industry and local code officials designed to provide a working knowledge of the amendments to the State Energy Conservation Code, and

WHEREAS, the Director of Community Development has reviewed the topics to be discussed at the above seminar, and has requested that Lawrence Kensy, Town Housing Inspector for the Office of Community Development, attend said seminar, NOW, THEREFORE, BE IT

RESOLVED that Lawrence Kensy, Town Housing Inspector, is hereby authorized to attend this one-day seminar conducted by the State Energy Office, on Thursday, February 5, 1987 at the State University of New York at Buffalo; said seminar is being conducted free of charge.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 19d Motion by Councilman Kowal, Seconded by Councilman Rogowski

WHEREAS, various business matters, especially associated with the Town's wastewater projects, flood control and drainage projects are presently pending between the Town of Cheektowaga and a number of State agencies and departments in Albany, New York and Federal agencies in New York City and Washington, and

WHEREAS, conferences, meetings and consultations are expected to be held between representatives of State and Federal agencies and others to transact business affecting the Town of Cheektowaga during the coming months, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer be and hereby is authorized to attend such meetings as are necessary to transact business on behalf of the Town and to attend the spring meeting of the New York Water Pollution Control Association and the fall conference of the Water Pollution Control Federation within the period ending December 31, 1987, and BE IT FURTHER

RESOLVED that all reasonable and necessary expenses to attend such meetings be reimbursed by the Town and chargeable to the Sanitary Sewer District Training and Seminar Budget Items of Sewer District #3 and Sewer District #5, Budget Items #308123.4087 and #508125.4087.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Supervisor Weber, Seconded by Councilman Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to January 19, are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	\$ 93,378.78
SPECIAL DISTRICTS	1,878,752.95
HIGHWAY FUND	18,701.76
TRUST & AGENCY FUND	8,638.16
FEDERAL REVENUE SHARING	9,216.15
PART TOWN FUND	2,481.38
CAPITAL PROJECTS FUND	93,318.78
COMMUNITY DEVELOPMENT	9,312.27
	<u>\$2,113,800.23</u>

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Joan Dudek, Receiver of Taxes - report of monies received Received and Filed.

Item No. 22a MINUTES OF MEETING - Cheektowaga Library Board - December meeting Received and Filed.

Item No. 22b MINUTES OF MEETING - Cheektowaga Planning Board - December meeting Received and Filed.

Item No. 23a OFFICE OF DISASTER PREPAREDNESS - Quarterly report
Received and Filed.

Item No. 23b OFFICE OF DISASTER PREPAREDNESS - Year End Report
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 24 Notice of Claim - David & Joyce Bushhammer vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Laverack & Haines, Insurance Company; Alfred
Wnek, Highway Superintendent.
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Councilman Gabryszak, Seconded by Supervisor Weber
to suspend the rules to include the following items.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 25 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the 1987 International Disaster Management Conference will
be held in Orlando, Florida from February 12 - 15, 1987, and

WHEREAS, Town Disaster Coordinator Earl Loder has requested per-
mission to attend this conference, and

WHEREAS, this conference would provide the Town Disaster Coordinator
with invaluable information on how to handle disasters which might occur in the
Town, and

WHEREAS, the cost for registration fees, hotel accomodations, plane
fare, etc. for such conference is estimated at \$650.00, and

WHEREAS, the Federal Energy Management Agency will pay one-half the
cost for Mr. Loder's attendance at such conference, NOW, THEREFORE, BE IT

RESOLVED that Earl Loder be and hereby is authorized to attend the
1987 International Disaster Management Conference from February 12 - 15, 1987, and
BE IT FURTHER

RESOLVED that Earl Loder be reimbursed by the Town for registration
and pre-conference seminar fees, as well as for all reasonable and necessary expen-
ses associated with his attendance at such conference, excluding whatever expenses
are to be paid by the Federal Energy Management Agency.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

MEETING NO. 2
January 19, 1987

Item No. 26 Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, the Town received an additional \$117,000 in Community Development Block Grant Funds from the Department of Housing and Urban Development for the 1986-87 Program Year, and

WHEREAS, at the December 15, 1986 Town Board meeting, the Town Board allocated \$80,000 of said funds for the economic development purposes, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is directed to execute an amendment to the agreement dated August 1, 1986 between the Town of Cheektowaga and the Cheektowaga Economic Development Corporation for the purpose of allocating said \$80,000 in Community Development Block Grant Funds to the Cheektowaga Economic Development Corporation for the balance of the 1986-87 Program Year.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 27 Motion by Councilman Kowal, Seconded by Supervisor Weber to adjourn the meeting in memory of Anthony Coppozzi, Fireman of Hy-View Fire Co.

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 February, 1987 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Bruce Chamberlin, Assistant Chief of Police; James Kirisits, Town Attorney; Casimir Kozminski, Assessor; Sam LaGreca, Employment and Training Director II; Robert Lis, Chief of Police; Ronald Marten, Building Inspector; Michael Miecznikowski, Recreation Director; Raymond Pugh, Planning Board Member; Donald Wegner, Chairman of Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; Pat Wojcik, Recreation Supervisor, Senior Citizens; and Bernard Wojtkowiak, Mayor of Sloan.

I. PUBLIC HEARINGS

Item No. 2A This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) 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 amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

C. No Parking here to corner.

RIDGE PARK AVENUE	East side	from the north curbline of Walden Avenue northerly a distance of 70 feet.
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The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

Item No. 2B This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Zoning Ordinance 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

Item No. 2B Cont'd.

Said amendments being as follows:

1. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 D (3) which pertains to front yard landscaping shall be amended by deletion of the last sentence so that this Section shall read as follows:

(3) Notwithstanding anything contained in §82-32 to the contrary, front yards, to a minimum of twenty-five (25) feet, shall be landscaped, and parking shall be prohibited in said area.

2. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 D (8) which pertains to landscaping trees shall be amended by the insertion of an additional sentence so that this section shall read as follows:

(8) All deciduous trees planted shall have a minimum caliper of two and one-half (2 1/2) inches, measured six (6) inches above the ground. All coniferous trees shall have a minimum height of five (5) feet above the finished grade. Plastic or other types of artificial plantings or vegetation shall not be permitted.

3. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 D (9) which pertains to artificial plantings shall be amended by the deletion of the present sentence and the addition of a new sentence so that this Section shall read as follows:

(9) The requirements of Section 82-20.1D may be reduced if after a study of the landscaping plan the Planning Board recommends in writing to the Building Inspector that such reduction is justified.

4. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 E which pertains to existing and new development shall be amended by the deletion of the phrase "or modernize" in the second sentence so that this Section shall read as follows:

E. Existing and New Development. Existing development, in all districts, completed prior to the enactment of this section that may require a rezoning, a change in use or a building permit to expand shall comply with the requirements of Subsections D(1) through D(9) inclusive. New developments etc. ...

5. RESOLVED THAT ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 82-23.1 which pertains to Senior Citizens Housing shall be amended by the deletion of the present title section and the insertion of a new title section so that this section shall read as follows:

82-23.1 RS SENIOR CITIZEN HOUSING DISTRICT

6. RESOLVED THAT ARTICLE VI - SUPPLEMENTAL REGULATIONS, Section 82-44 B(1) which pertains to modification for deeper front yards on selected streets shall be amended by the deletion of the present section and the insertion of a new section so that this section shall read as follows:

(1) Losson Road from Union Road on the West to Transit Road on the East.

7. RESOLVED THAT ARTICLE VIII - ADMINISTRATION AND ENFORCEMENT, Section 82-57A which pertains to penalties and offenses shall be amended by the deletion of the phrase "six (6) months" in the first sentence and the insertion of the phrase "fifteen (15) days" in its place so this section shall read as follows:

A. Pursuant to §268 of Article 16 of the Town Law, a violation of this chapter is hereby declared to be an

Item No. 2B Cont'd.

offense punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not to exceed fifteen (15) days, or both. The continuation etc. ...

* * * * *

AMENDMENT TO ZONING ORDINANCE
AMENDMENTS

TO BE READ AT TOWN BOARD MEETING OF FEBRUARY 2, 1987

6. RESOLVED THAT ARTICLE VI - SUPPLEMENTAL REGULATIONS.

Section 82-44 B., which pertains to modification for deeper front yards on selected streets, shall be amended to read as follows:

B. Front yard modification for deeper front yards on selected streets. In order to improve residential quality the following residential collector streets shall have a minimum front yard requirement of:

(1) Fifty (50) feet:

- a. Losson Road, from the former Penn Central Railroad line on the west to Transit Road on the east.
- b. Borden Road, from the Depew Village line on the north to the town limits on the south.
- c. Towers Boulevard, from LeHavre Drive to Losson Road.
- d. Any future streets designated as residential collector streets on the Master Plan and adopted as such by resolution of the Town Board.

(2) Thirty-Five (35) feet:

- a. Losson Road, from Union Road on the west to the former Penn Central Railroad line on the east.

* * * * *

THE ABOVE AMENDMENT WAS MADE A PART OF THE OVERALL AMENDMENT TO ZONING ORDINANCE.

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 Councilman Jaworowicz Seconded by Councilman Gabryszak

WHEREAS, Richard E. Neth has made application and requested a rezoning from RC-Restricted Business District to CM-General Commercial District on property located at 274 Cayuga Road, said applicant being the owner of the above mentioned property, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held regarding said request under the provisions of the Zoning Ordinance on February 18, 1987 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

*SEE NEXT PAGE FOR COPY OF LEGAL DESCRIPTION OF PROPERTY.

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

BEGINNING at the point of intersection of the northerly line of said Lot No. 13, Township 11, Range 7 with the center line of Cayuga Street: thence westerly along said north line of said Lot No. 13, Township 11, Range 7, 395.25 feet to the northeast corner of lands conveyed to Elmer Stygall by deed recorded in Erie County Clerk's Office in Liber 1869 of Deeds at page 114: thence southerly parallel with Cayuga Street 141.61 feet: thence easterly parallel with the north line of said Lot No. 13, Township 11, Range 7, 395.25 feet to the center line of Cayuga Street: thence northerly along the center line of Cayuga Street 141.61 feet to the point of beginning.

EXCEPTING AND RESERVING THEREFROM all that portion thereof conveyed to the County of Erie by deed recorded in Liber 8228 of Deeds at page 231 and conveyed to James W. Simpson by deed recorded in Liber 8532 of Deeds at page 457.

MEETING NO. 3
February 2, 1987

Item No. 3

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

...*Denise Grace*..., 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 **FEB - 5 1987** ;
last publication **FEB - 5 1987** ;
and that no more than six days intervened be-
tween publications.

...*Denise Grace*.....

Sworn to before me this^{5th}.....

day of **February**, 19 **87**

...*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 **87**

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 18th day of February 1987 at 6:30 o'clock, p.m., Eastern Standard Time of said day for the purpose of considering the application of Richard E. Neth to Rezone from RC-Restricted Business District to CM-General Commercial District on property located at 274 Cayuga Rd. and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

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 13, Township 11, Range 7 of the Holland Land company's survey, described as follows:

BEGINNING AT THE POINT of intersection of the northerly line of said Lot No. 13, Township 11, Range 7 with the center line of Cayuga Street; thence westerly along said north line of said Lot No. 13, Township 11, Range 7, 395.26 feet to the northeast corner of lands conveyed to Elmer Stygal by deed recorded in Erie County Clerk's Office in Liber 1869 of Deeds at page 114; thence southerly parallel with Cayuga Street 141.61 feet; thence easterly parallel with the north line of said Lot No. 13, Township 11, Range 7, 395.26 feet to the center line of Cayuga Street; thence northerly along the center line of Cayuga Street 141.61 feet to the point of beginning.

EXCEPTING AND RESERVING THEREFROM all that portion thereof conveyed to the County of Erie by deed recorded in Liber 8228 of Deeds at page 231 and conveyed to James W. Simpson by deed recorded in Liber 8532 of Deeds at page 457.

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber
Councillmen

Thomas M. Johnson, Jr.
William P. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 5, 1987

Item No. 4A Motion by Councilman Kowal Seconded by Councilman Rogowski

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, AND

WHEREAS, funds have been budgeted for this purpose, 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 furnishing of equipment and operators for said public works projects, notice to be published in the CHEEKTOWAGA TIMES and the BUFFALO CRITERION, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 17th day of February, 1987 at 11:00 A.M., Eastern Standard 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 February 17, 1987 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" 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.

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

February 2, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

AFFIDAVITS - NEXT TWO PAGES

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

Denise Marie....., 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..... FEB - 5 1987 ;
last publication..... FEB - 5 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Marie.....

Sworn to before me this 5th

day of February, 19 87

Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 17, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" 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 opening thereof.

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: February 2, 1987
PUBLISH: February 5, 1987

STATE OF NEW YORK

Erie County, City of Buffalo

ss.

The BUFFALO CRITERION

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

Notice To to Bidders

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 17, 1987, at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" 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.

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: February 2, 1987

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 thereinonce..... a week for ...one.... weeks, the first insertion being on the5th... day ofFebruary....., 19..87 and the last insertion being on the day of 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this20th day of

March....., 19...87

Frank E. Merriweather

~~Notary Public~~

Commissioner of Deeds

Item No. 4B Motion by Councilman Kowal Seconded by Councilman Gabryszak

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting season for 1987.

Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, NY 14227.

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on February 18, 1987 at 11:00 A.M. in the Council Chambers of the Cheektowaga Town Hall.

NOTICE TO BIDDERS

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on February 18, 1987 at a public bid opening at 11:00 A.M. at the Town Hall, Broadway and Union Roads, Town of Cheektowaga, New York for the purpose of furnishing new trees for 1987 spring planting.

Specifications for new trees may be picked up at the office of the Superintendent of Highways, Alfred F. Wnek, 3145 Union Road, Cheektowaga, NY 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

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

RICHARD M. MOLESKI
Town Clerk

Dated: February 2, 1987

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Denise Grace*....., 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.....*FEB - 5 1987*.....;
last publication.....*FEB - 5 1987*.....;
and that no more than six days intervened be-
tween publications.

.....*Denise Grace*.....

Sworn to before me this*5th*.....

day ofFebruary....., 19*87*.....

.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

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

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 1987 at a public bid opening at 11:00 a.m. at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the purpose of furnishing new trees for 1987 spring planting.

Specifications for new trees may be picked up at the office of the Superintendent of Highways, Alfred F. Wnek, 3145 Union Rd., Cheektowaga, NY 14227, between the hours of 8:00 a.m. and 3:30 p.m., Monday thru Friday.

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

**RICHARD M. MOLESKI
TOWN CLERK
Town of Cheektowaga
PUBLISH: February 5, 1987**

Item No. 4C Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, there is need to prevent entry of storm waters into low-lying sanitary manholes through the purchase of manhole frames with self-sealing covers and in conjunction using manhole frames with vented type covers for venting purposes, AND

WHEREAS, funds have been budgeted for such remedial work, 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 furnishing of manhole frames with self-sealing covers and manhole frames with vented type covers, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 17th day of February, 1987 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 17, 1987 at 11:00 A.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of manhole frames and 24" diameter covers for the Sewer Maintenance Department.

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

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best 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: February 2, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

...*Denise Gailie*..., 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..... *FEB - 5 1987* ;
last publication..... *FEB - 5 1987* ;
and that no more than six days intervened be-
tween publications.

...*Denise Gailie*.....
Sworn to before me this *5th*
day of *February*, 19 *87*..
..... *Cecelia Westoven*

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 17, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of manhole frames and 24" diameter covers for the Sewer Maintenance Department.

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

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

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

**RICHARD M. MOLESKI
TOWN CLERK**

**DATED: February 2, 1987
PUBLISH: February 5, 1987**

MEETING NO. 3
February 2, 1987

Item No. 4D Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, it is in order that bids be advertised for the furnishing of chemical fertilizers and herbicides in the Town of Cheektowaga, AND

WHEREAS, funds have been budgeted for this purpose, 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 furnishing of chemical fertilizers and herbicides notice to be published in the CHEEKTOWAGA TIMES, AND,
BE IT FURTHER

RESOLVED that sealed bids will be received on the 17th day of February, 1987 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 17, 1987 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of chemical fertilizers and herbicides in the Town of Cheektowaga, New York.

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

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

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

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

Richard M. Moleski
Town Clerk

DATED: February 2, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabriyszak

NAYES: 0

ABSENT: 0

AFFIDAVIT ON NEXT PAGE

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

.....*Denise Grace*....., 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.....*FEB - 5 1987*..... ;
last publication.....*FEB - 5 1987*..... ;
and that no more than six days intervened be-
tween publications.

.....*Denise Grace*.....

Sworn to before me this*5th*.....

day of*February*....., 19..*87*..

.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19..*87*..

LEGAL NOTICE

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 17, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the application of chemical fertilizers and herbicides in the Town of Cheektowaga, New York.

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

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

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

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

RICHARD M. MOLESKI

TOWN CLERK

DATED: February 2, 1987

PUBLISH: February 5, 1987

Item No. 5 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on November 17, 1986 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) 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 amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 76-103. Parking time limited in designated locations; standing prohibitions.

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

A. Parking Signs; restricted and time limit

(1) No parking school days 8:00 a.m. to 4:00 p.m.

ROSEWOOD TERRACE West side from the south curblin of Northern Parkway
to a point 290 plus or minus feet southerly

Section 2. Time to take effect.

(a) These amendments 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 these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application

These amendments 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 these amendments to Chapter 76 of the Code of the Town of Cheektowaga 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 said amendments specifying the date of adoption thereof.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
 Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Denise Gracie*....., 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.....*FEB - 5 1987*.....;
last publication.....*FEB - 5 1987*.....;
and that no more than six days intervened be-
tween publications.

.....*Denise Gracie*.....

Sworn to before me this^{5th}.....

day of*February*....., 19..*87*..

.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

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 2nd day of February, 1987 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Daniel E. Weber
Councilmen:

Thomas M. Johnson, Jr.
William P. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Johnson
Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on the November 17, 1986 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) 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 amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE X

Parking, Standing & Stopping
Section 76-103. Parking time limited in designated locations; standing prohibitions.

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

A. Parking Signs; restricted and time limit

(1) No parking school days 8:00 a.m. to 4:00 p.m.

ROSEWOOD TERRACE, West Side; from the south curbline of Northern Parkway to a point 290 feet ± southerly.

Section 2. Time to take effect.

(a) These amendments 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 these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

These amendments 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 these amendments 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 said amendments specifying the date of adoption thereof.

Upon roll call...

Supervisor	
Weber	Voting AYE
Councilmen	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES: 6

NAYES: 0

ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town herein-after 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 February 2, 1987, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 5, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 2nd day of February, 1987.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 5, 1987

MEETING NO. 3
February 2, 1987

Item No. 6 Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, bids were duly received by this Town Board at a Bid Opening on January 19, 1987 for One (1) New and Unused 1986 or 1987 Step-Van to be purchased by the Town Highway Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to Maier-Schule GMC Inc., 1745 Walden Avenue, Cheektowaga NY 14225, for a 1986 New Unused Ramsey Model 2001 equipped with Electric Winch Package at a total cost of \$20,341.00, being the lowest responsible bidder meeting specifications.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 7A Motion by Councilman Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals employed in the Facilities Department be and hereby are terminated as follows:

Parks Division - #01-007110-1-0-1491-001

Effective

Earl Scherer

2/15/87

Street Lighting Division - #02-905182-1-0-1492-001

Conrad Scharmach

2/14/87

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 7B Motion by Councilman Gabryszak Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal and/or Part-time employees in the Department(s) listed:

MAIN PUMP STATION

Effective

John Johnson

2/13/87

Joseph Mazur

2/13/87

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 8A Motion by Councilman Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be hired by the Facilities Department to assist in conducting its 1986-87 winter program:

MEETING NO. 3
February 2, 1987

Item No. 8A Cont'd.

Parks Division - #01-007110-1-0-1491-001 - \$3.35 per hour Effective

Bruce Blachowski	Immediately
Felix Lampke	2/08/87
Dale Matecki	2/07/87

Street Lighting Division - #02-905182-1-0-1492-001

Francis Strong	2/08/87
Joseph Coffta	2/08/87

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 8B Motion by Councilman Gabryszak Seconded by Councilman Johnson

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal and/or Part-time Employees in the various Departments and at the rates listed:

MAIN PUMP STATION - Part-Time Clerical - \$5.00 per hour Effective

Florence Falkiewicz	2/02/87
---------------------	---------

SEWER MAINTENANCE DEPARTMENT - Part-Time Clerical - \$5.00 per hour

Rose Paa	2/02/87
----------	---------

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

Item No. 9 Upgrade salary for Part-Time employee in Facilities Department.
This item was withdrawn.

Item No. 10 Motion by Supervisor Weber Seconded by Councilman Kowal

BE IT RESOLVED that the position of General Mechanic in the Parks Department be and hereby is created, effective immediately, and BE IT FURTHER

RESOLVED that in accordance with the provisions of the current collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association, such job opening be posted for a period of ten (10) work days.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES:	0
ABSENT:	0

MEETING NO. 3
February 2, 1987

Item No. 11 Motion by Councilman Kowal Seconded by Councilman Jaworowicz

WHEREAS, there presently exist vacancies for the position of Police Officer in the Cheektowaga Police Department, and

WHEREAS, this Town Board desires to fill three of these vacancies, and

WHEREAS, candidates appearing on the Erie County Civil Service list of eligibles for this position have been canvassed and interviewed and recommendations for appointment have been made, NOW, THEREFORE, BE IT

RESOLVED that the following named individuals be and hereby are appointed to the position of Police Officer, effective immediately, at a salary in accordance with the current bargaining agreement in effect between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc.:

James J. Speyer, Jr.
Lawrence R. Bauer
David J. Zack

Depew
Depew
Cheektowaga

and BE IT FURTHER

RESOLVED that such appointments shall be provisional, pending positive results from their medical and physical examinations.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the Erie County Assessors Association has recommended that the State Legislature enact the following described legislation relating to assessment procedures and real property taxation:

1. Legislation which would finance veterans' and other similar benefit programs through state taxes rather than through local real property tax exemptions.
2. Legislation which would improve the Small Claims Assessment procedure by the inclusion of procedures to require minimum rules of evidence and simplified review of erroneous decisions made by hearing officers.
3. Legislation which would strike a fair balance between the needs of local taxpayers and the telecommunications industry.

and,

WHEREAS, this Town Board is in agreement with the aforementioned recommendations made by the Erie County Assessors Association, NOW, THEREFORE, BE IT

RESOLVED that the State Legislature and Governor Cuomo be and hereby are memorialized to enact legislation as recommended above by the Erie County Assessors Association, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Assemblyman Dennis T. Gorski, Senator Dale M. Volker, Governor Mario Cuomo and the Clerk of the State Legislature.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor Weber Seconded by Councilman Johnson

WHEREAS, in 1985, the Assembly Standing Committee on Local Governments issued a report entitled "Deep Pockets-a Study of Municipal Tort Liability" which concluded that municipal tort liability had entered a crisis stage and that insurance was both unavailable and unaffordable to hundreds of New York State local governments, and

WHEREAS, in 1986, the New York State Legislature and the Governor began to address this problem by enacting laws which modified the tort system in New York and established certain insurance reforms, and

WHEREAS, despite these new laws, insurance remains unaffordable for many towns, and in many instances, unavailable, NOW, THEREFORE, BE IT

RESOLVED that the 1986 legislation which modified joint and several liability be extended to totally abolish the joint and several liability doctrine for both economic and non-economic damages, and BE IT FURTHER

RESOLVED that a limitation of \$250,000 be imposed for non-economic damages until such time as a mechanism is established which would provide more uniform standards or schedules for compensation of non-economic damages, and BE IT FURTHER

RESOLVED that the defense of assumption of risk be modified so that an equitable personal responsibility statute for sports and recreational activities be imposed on the basis that fairness dictates that one who voluntarily assumes a known risk and is then injured because of that risk should bear the consequences of one's own behavior, and BE IT FURTHER

RESOLVED that a contingency fee schedule similar to that which was included as part of the 1985 medical malpractice legislation be imposed, and BE IT FURTHER

RESOLVED that certain procedural reforms be enacted, including:

- (a) Requiring plaintiffs and defendants to certify the truthfulness of the allegations contained in their respective pleadings;
- (b) Changing the process for jury selection to adopt the Federal process; and
- (c) Requiring all Appellate Divisions of the state to allow bifurcation for personal injury trials,

and, BE IT FURTHER

RESOLVED that the present version of court-annexed arbitration be extended so that arbitrators would be permitted to hear cases and make awards up to \$25,000, and BE IT FURTHER

RESOLVED that the statute of limitations be not changed in the area of "toxic tort" cases beyond what occurred in 1986, and BE IT FURTHER

RESOLVED that a suitable copy of this Resolution be forwarded to the Association of Towns who would be urged to adopt this as part of their resolutions and legislative program at the annual meeting in February, 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 14 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, in order to alleviate flooding in the northwest section of Town, this Town Board and the Town Engineer proposed the Mafalda/Fontaine Flood Control Project, and

Item No. 14 Cont'd.

WHEREAS, funding for such project has been requested through the Bureau of Construction Grants of the New York State Department of Environmental Conservation, and

WHEREAS, the State Department of Environmental Conservation ("DEC") has prepared a proposed contract whereby the Town would receive \$40,000.00 in funding during the 1986-87 State fiscal year for the Mafalda/Fontaine Flood Control Construction Project, and

WHEREAS, the DEC has also prepared a time extension contract to enable the town to receive such funds up to March 31, 1988, and

WHEREAS, the Town is interested in availing itself of such State funding, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Municipal Loan Assistance Contract, the amendment thereto and any other documents necessary to effectuate the aforementioned grant from the DEC, and BE IT FURTHER

RESOLVED that the Town Engineer be and hereby is directed to forward the necessary paperwork for such funding to the DEC.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15A Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which, among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga, and for the creation of an Emergency Medical Services Board (EMS Board"); and

WHEREAS, the EMS Board has completed a review and evaluation of one license application submitted for ambulance, and has recommended that the Town Board license such ambulance, and

WHEREAS, the Town Board, pursuant to Section A-5 of the Ambulance Ordinance desires to license such ambulance; NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the Emergency Medical Services Board concerning the licensing of such ambulance be and hereby is accepted and approved; and BE IT FURTHER

RESOLVED that the application for ambulance license set forth below is hereby approved for licensing by this Town Board:

AMBULANCE LICENSE

<u>OWNER</u>	<u>VEHICLE: MAKE & MODEL</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
Gold Cross Ambulance Svc.	1976 Dodge (N)	AA-1211	576

(N)* denotes new vehicle (R)* denotes replacement vehicle

and, BE IT FURTHER

RESOLVED that the Town Clerk is hereby authorized, directed and empowered to issue an ambulance license to the applicant set forth above, upon the receipt of a letter from the insurance consultant to the Town of Cheektowaga to the effect that each such ambulance so listed meets the insurance requirements set forth in the Ambulance Ordinance.

MEETING NO. 3
February 2, 1987

Item No. 15A Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15B Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowasga, and for the creation of an Emergency Medical Services Board (EMS Board), and

WHEREAS, the EMS Board has completed an initial review and evaluation of the various license applications submitted for drivers/attendants, and has recommended that the Town Board license such drivers/attendants, and

WHEREAS, this Town Board desires to license such drivers/attendants,
NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the EMS Board concerning the licensing of drivers/attendants shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the applicants for drivers/attendants licenses set forth on the annexed schedule are hereby approved for licensing by this Town Board for a period to expire upon the expiration of such driver's/attendant's Emergency Medical Technician ("EMT") card, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue drivers/attendants licenses to the applicants set forth on the annexed schedule, pursuant to the terms of this resolution.

*SEE NEXT PAGE FOR COPY OF DRIVER/ATTENDANT LICENSEES

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRES</u>
Happ, Stephen C.	Amh., NY 14226	Town	5/31/89
Wolfe, Laura	Ton., NY 14223	Gold	12/31/88
Picart, Youzi	Bflo, NY 14204	Gold	8/31/89
Krauza, Allen E.	Chktg., NY 14227	Gold	3/31/88
Smerka, Kenneth S.	Boston, NY 14025	Town	8/31/88
Snyder, Joseph W.	, Bflo, NY 14210	Town	12/31/87
Militello, Thomas M.	Chktg., NY 14227	Town	5/31/89
Valvo, Lisa Ann	, E. Amh., 14051	Town	12/31/88
Sol, Lech	, Bflo, NY 14222	Gold	12/31/87
*Prusiecki, Richard Jr.	, Chktg., 14225	Town	12/31/88
McDonald, Scott	, Lancaster 14086	Town	5/31/89
Christopher, Michael	Amh., NY 14226	Town	5/31/87
Dimitroff, Russell	, Hamburg, NY 14075	Town	12/31/88
DaPolito, David	, Hamburg, NY 14075	Gold	

*denotes attendant license only

MEETING NO. 3
February 2, 1987

Item No. 15B Cont'd.

Upon Roll Call.....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15C Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, Section 284 of the State Highway Law provides that moneys levied and collected for the repair and improvement of town highways shall be expended at such places and in such manner as agreed upon by the Town Board and Highway Superintendent and approved by the County Highway Superintendent, and

WHEREAS, the attached Agreement to Spend Town Highway Funds has been prepared for the expenditure of \$316,496.00 in 1987, and

WHEREAS, such Agreement is acceptable to the Town Highway Superintendent and this Town Board, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts and approves such Agreement, and BE IT FURTHER

RESOLVED that the attached Agreement to Spend Town Highway Funds be signed by those Town Board Members approving said Agreement.

*SEE NEXT THREE (3) PAGES FOR COPY OF AGREEMENT.

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

TOWN OF CHEEKTOWAGA
COUNTY OF ERIE

RECEIVED

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$69,496.00 may be expended for general repairs upon 183.61 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS. The following sums shall be set aside to be expended for the improvement of town highways:

(a) On the road commencing at As per attached schedule (two pages) and leading to _____, a distance of _____ miles, there shall be expended not over the sum of \$_____

Type _____ Width of traveled surface _____
Thickness _____ Subbase _____

\$69,496.00 CHIPS FUNDS to be used for Reconstruction w/heat recycling (as shown on schedule attached).

(b) On the road commencing at _____ and leading to _____, a distance of _____ miles, there shall be expended not over the sum of \$_____

Type _____ Width of traveled surface _____
Thickness _____ Subbase _____

(c) On the road commencing at _____ and leading to _____, a distance of _____ miles, there shall be expended not over the sum of \$_____

Type _____ Width of traveled surface _____
Thickness _____ Subbase _____

No moneys set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements, until the County Superintendent approves the plans, specifications and estimates for such construction.

This agreement shall take effect when it is approved by the County Superintendent of Highways.

Executed in duplicate this 14th day of January, 19 87

Daniel J. Decker
Supervisor
William P. Rozema
Town Justice - Councilman
John K. Kunk
Councilman
Patricia A. Sawin
Councilman

Dennis H. Grynjak
Town Justice - Councilman
Councilman

Alfred F. Kneke
Town Superintendent

The foregoing Agreement is hereby approved this 19 day of Jan

Howard W. Kunk
County Superintendent of Highways

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

CHEEKTOWAGA TOWN CLERK'S OFFICE

BOX #

NO.

ESTIMATE OF COST - 1987 - HEAT RECYCLING & RESURFACING - SPECIALS

<u>STREET NAME</u>	<u>FROM - TO</u>	<u>L X W</u>	<u>MI PT.</u>	<u>SQ. YARDS</u>	<u>HEAT RECYCLE</u>	<u>1½"TOP RESURFACE.</u>	<u>COST TOTAL</u>	<u>NOTE</u>
Adlon Ter.	Olcott to Pine Ridge Ter.	445 x 28	.084	1384	\$1730	\$ 4498	\$ 6228	Prep. Required
Alpine Pl.	Herbert to Genesee	935 x 27	.177	2805	3506	9116	12,622	" "
Autumnwood Dr.	Borden to Brent- wood	2360 x 28	.447	7342	9177	23,861	33,038	" "
Basswood Dr.	Starwood to Park	2095 x 28	.397	6518	8147	21,183	29,330	" "
Bell Ave.	Olcott to Pine Ridge Ter.	460 x 22	.087	1022	1277	3321	4598	" "
Brown St.	Union to new section	825 x 22	.156	2017	2521	6555	9076	" "
Dubonnet Dr.	Rear Line Bory to Rear Line Davidson	600 x 28	.114	1867	2333	6068	8401	" "
Floreis Ct.	Beryl Dr. to end	440 x 24	.083	1173	1466	3812	5278	" "
Groell St.	Union Rd. to new section	815 x 22	.154	1992	2490	6474	8964	" "
Herbert Ave.	Olcott to Pine Ridge Rd.	690 x 24	.131	1840	2300	5980	8280	" "
Kelly Dr.	French to park	650 x 28	.123	2022	2527	6571	9098	" "
Lordan Dr.	French to end	1430 x 28	.271	4449	5561	14,459	20,020	" "
Montfort Dr.	Cleveland to Redleaf	1450 x 28	.275	4511	5639	14,660	20,299	" "
No. Park Ave.	Union to Burdette	525 x 28	.099	1633	2041	5307	7348	" "
Olcott Pl.	Herbert to Genesee	1100 x 28	.208	3422	4277	11,121	15,398	" "
Park Ave.	Como to Zurbrick	1300 x 17	.246	2455	3068	7979	11,047	Prep. & Drain Improvements

ESTIMATE OF COST - 1987 - HEAT RECYCLING & RESURFACING - SPECIALS

<u>STREET NAME</u>	<u>FROM - TO</u>	<u>L X W</u>	<u>MI PT.</u>	<u>SQ. YARDS</u>	<u>HEAT RECYCLE</u>	<u>1½"TOP RESURFACE</u>	<u>COST TOTAL</u>	<u>NOTE</u>
Patrick Lane	Poinciana to Meadowlawn	1150 x 28	.218	3578	4472	\$11,628	\$16,100	Prep. Required
Pine Ridge Ter.	Genesee to End	700 x 28	.132	2178	2722	7078	9800	" "
Princeton Ct.	Cleveland Dr. north to end	300 x 28	.057	933	1166	3032	4198	" "
Redleaf Lane	Union to Terry Lane	1040 x 28	.197	3235	4044	10,514	14,558	Prep. & Drain Improvements
Sunset Rd.	Union to end	600 x 25	.114	1667	2084	5418	7502	Prep. Required
Yeager Dr.	Union to Beach	1915 x 28	.362	5958	7447	19,363	26,810	" "
Yorktown Rd.	Fairhaven to Farmingdale	650 x 28	.123	2022	2527	6571	9098	" "
Yvette Dr.	French to St.Joan	1350 x 28	.256	4200	5250	13,650	18,900	" "
					<u>\$87,772</u>	<u>\$228,219</u>	<u>\$315,991</u>	

MEETING NO. 3
February 2, 1987

Item No. 15C Cont'd.

Upon Roll Call.....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 15D Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, American Optical Scientific Instruments, Division of Warner-Lambert Technologies, Inc., has commenced proceedings against the Assessor and the Board of Assessment Review of the Town of Cheektowaga, pursuant to Article 7 of the Real Property Tax Law of the State of New York, for the tax years 1984-85 and 1985-86, 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 Petitioner, and

WHEREAS, special counsel to the Town and the Assessor have advised this Town Board that a tentative agreement has been reached for a fair and reasonable resolution of the aforementioned Article 7 proceedings, and

WHEREAS, special counsel to the Town and the Assessor have recommended the settlement agreement, a copy of which is attached hereto, be 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 (8) PAGES FOR COPY OF AGREEMENT.

JOSEPH GALVIN SACCO

ATTORNEY AT LAW

19

22 VICTORIA BOULEVARD
KENMORE, NEW YORK 14217
AC 716/875-5750

January 15, 1987

Casimir A. Kozminski, Assessor
Town of Cheektowaga
Cheektowaga Town Hall
Broadway & Union Road
Cheektowaga, New York 14227

Re: American Optical (Warner-Lambert)
vs. Assessor, et al

RECEIVED
1987 JAN 28 PM 3:29
CHEEKTOWAGA
TOWN CLERK

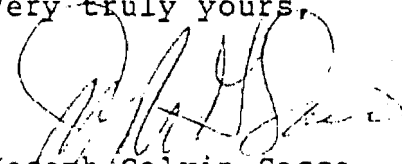
Dear Mr. Kozminski:

I am pleased to inform you that the Stipulation of Settlement in the above referenced matter has now been executed by Jerrold F. Janata, attorney for petitioner. Enclosed is a copy of same.

Please place this matter on the agenda for approval at a convenient meeting of the Town Board of the Town of Cheektowaga. We will need the usual resolution approving the terms of the agreement and authorizing execution of the agreement and any other documents necessary to bring this matter to a conclusion.

In addition to the above, notice of this agreement, by way of a copy of the Stipulation, must be forwarded to the appropriate School District with advices to them regarding that the Town Board is expected to act on same in the near future. I have forwarded a copy of the same to the County Attorney's Office inasmuch as for the year 1985-86 they served a Notice of Limited Appearance in this matter.

Very truly yours,


Joseph Galvin Sacco

JGS/hjk

Encl.

cc: Erie County Department of Law
Attention: Justyn E. Miller

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

In the Matter of :

AMERICAN OPTICAL SCIENTIFIC INSTRUMENTS
DIVISION OF WARNER-LAMBERT TECHNOLOGIES,
INC., :

Index No.

H47053

Petitioner,

-against-

THE ASSESSOR, THE BOARD OF ASSESSMENT
REVIEW, AND THE TOWN OF CHEEKTOWAGA,
COUNTY OF ERIE, NEW YORK, :

ORDER

Respondents. :

Year: 1984/85

In the Matter of :

AMERICAN OPTICAL SCIENTIFIC INSTRUMENTS
DIVISION OF WARNER-LAMBERT TECHNOLOGIES,
INC., :

Index No.

H61664

Petitioner,

-against-

THE ASSESSOR, THE BOARD OF ASSESSMENT
DIVISION OF WARNER-LAMBERT TECHNOLOGIES,
INC., :

ORDER

Respondents. :

Year: 1985/86

Petitioner, having heretofore commenced certain proceedings under Article 7 of the Real Property Tax Law of the State of New York, to review assessments placed upon real property, with the following description:

Assessment and
Parcel Description

Eggert Road
Cheektowaga, New York
SBL #91.00-1-26.1
Acct. #2-227
Land \$48,000.00
Total \$400,000.00

in the said Municipality for the taxable status dates for the said tax years; that it is now being proposed that the above entitled proceedings be settled upon terms and conditions set forth in the annexed stipulation entered into between the parties.

NOW, on joint motion of Jerrold F. Janata, Esq., attorney for petitioner, and Joseph Galvin Sacco, Esq., attorney for the respondents, it is

ORDERED, that the proposed settlement, as set forth in the stipulation executed by the parties, be and the same is hereby determined to be reasonable, just, and in the best interest of the said Municipality and that the same be and hereby is approved; and it is further

ORDERED that the parties be and they hereby are directed to comply with the terms and conditions of said stipulation; and it is further

ORDERED, that this Order, together with the supporting papers, be entered in the office of the Clerk of the said

County, and a true copy thereof, with notice of entry thereon, be filed among the permanent records of the Tax Assessors of the said Municipality.

Dated:

ENTER

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

In the Matter of :

AMERICAN OPTICAL SCIENTIFIC INSTRUMENTS
DIVISION OF WARNER-LAMBERT TECHNOLOGIES,
INC., :

Petitioner,

Index No.

H47053

-against-

THE ASSESSOR, THE BOARD OF ASSESSMENT
REVIEW, AND THE TOWN OF CHEEKTOWAGA,
COUNTY OF ERIE, NEW YORK, :

Respondents. :

STIPULATION

Year: 1984/85

In the Matter of :

AMERICAN OPTICAL SCIENTIFIC INSTRUMENTS
DIVISION OF WARNER-LAMBERT TECHNOLOGIES,
INC., :

Petitioner,

Index No.

H61664

-against-

THE ASSESSOR, THE BOARD OF ASSESSMENT
DIVISION OF WARNER-LAMBERT TECHNOLOGIES, :
INC., :

Respondents. :

STIPULATION

Year: 1985/86

It is hereby stipulated and agreed by and between the attorney for the petitioner and the attorney for the respondents that:

1. The assessed value for the real property designated as

Assessment and
Parcel Description

Eggert Road
Cheektowaga, New York

SBL #91.00-1-26.1
Acct. #2-227
Land \$58,000.00
Total \$400,000.00

shall be adjusted as follows:

1984/85 - \$350,000.00
1985/86 - \$350,000.00

This is a reduction of \$50,000.00 for each year.

2. The Board of Assessors of the said Municipality shall make or cause to be made upon the proper books and records and on the 1984/85 and 1985/86 assessment rolls of said Municipality, the entries, changes and corrections necessary to conform said assessment to such corrected and reduced valuation.


3. There shall be audited and allowed and paid to the petitioner by the said Municipality, the amount, if any, paid by said petitioner as taxes against the original assessment in excess of what the taxes would have been if said assessment had been made as determined by this stipulation and that such payment shall be without interest.

That any refund checks be sent to the attorney for the petitioner, Jerrold F. Janata, at 25-10 21st Street, Long Island City, New York 11102.

4. The parties further stipulate that the complaints and petitions presently pending shall be withdrawn.

5. An order shall be entered without further notice implementing the terms of this stipulation.

Dated:


JERROLD F. JANATA
Attorney for Petitioner

JOSEPH GALVIN SACCO
Attorney for Respondents

SETTLEMENT OF ASSESSMENT PROCEEDING

PROPERTY: Eggert Road

OWNER: American Optical Scientific Instruments,
 Division of Warner-Lambert Technologies, Inc.

	<u>1984/85</u>	<u>1985/86</u>
Assessment Made by Town	\$400,000	\$400,000
Assessment Requested by Owner	\$115,200	\$ 54,720
Proposed Settlement	\$350,000	\$350,000
	plus refunds	plus refunds
	for overpayments	for overpayments

Settlement offer and stipulation already signed by attorney for Owner.

MEETING NO. 3
February 2, 1987

Item No. 15D Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Weber Seconded by Councilman Rogowski

BE IT RESOLVED that the following fund transfer is hereby approved and made a part hereof.

GENERAL FUND

From:	01 599.00	(Appropriated Fund Balance)	\$10,000.00
To:	01 7620.4629	(Sr. Citizens-Meals on Wheels)	\$10,000.00

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 Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Supervisor Weber Seconded by Councilman Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 2nd, 1987 are hereby approved and the Supervisor is ordered to pay said warrants.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 170,699.31
SPECIAL DISTRICTS FUND	228,547.86
HIGHWAY FUND	42,981.20
CAPITAL FUND	18,817.36
TRUST AND AGENCY FUND	4,480.29
PART TOWN FUND	1,800.95
DEBT SERVICE FUND	50,909.50
SPECIAL ASSESSMENTS FUND	124,103.70
HOUSING REHABILITATION FUND	5,724.00
	<u>\$ 648,064.17</u>

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

III. FROM THE TABLE

Item No. 18 Notice to Bidders: Storm Sewer Cleaning

Motion by Councilman Kowal Seconded by Councilman Rogowski

WHEREAS, Town efforts to reduce sanitary sewer inflow are dependent on the minimizing of street flooding, AND

MEETING NO. 3
February 2, 1987

Item No. 18 Cont'd.

WHEREAS, maximum use of the existing storm sewer system can only be accomplished by a storm sewer cleaning system, AND

WHEREAS, the Town Engineering Department is requesting that storm sewer cleaning work be contracted in order to fully utilize the existing Town storm sewer system, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning work for the year of 1987, in accordance with specifications prepared by the Town of Cheektowaga Engineering Department, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 2nd day of February, 1987 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

Motion by Councilman Johnson Seconded by Councilman Kowal to amend the above resolution regarding the date of accepting bids, and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AMENDED RESOLUTION

Motion by Councilman Kowal Seconded by Councilman Rogowski

WHEREAS, Town efforts to reduce sanitary sewer inflow are dependent on the minimizing of street flooding, AND

WHEREAS, maximum use of the existing storm sewer system can only be accomplished by a storm sewer cleaning system, AND

WHEREAS, the Town Engineering Department is requesting that storm sewer cleaning work be contracted in order to fully utilize the existing Town storm sewer system, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning work for the year of 1987, in accordance with specifications prepared by the Town of Cheektowaga Engineering Department, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 18th day of February, 1987 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 1987 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for storm sewer cleaning work in the Town of Cheektowaga.

MEETING NO. 3
February 2, 1987

Item No. 18 Cont'd.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Sewer Cleaning Work" 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.

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: February 2, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Gracie, 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..... FEB - 5 1987 ;
last publication..... FEB - 5 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Gracie
Sworn to before me this 5th
day of February, 19 87.
Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for storm sewer cleaning work in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Sewer Cleaning Work" 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 opening thereof.

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: February 2, 1987

PUBLISH: February 5, 1987

MEETING NO. 3
February 2, 1987

IV. DEPARTMENTAL COMMUNICATIONS

- Item No. 19 Building Permits
Received and filed.
- Item No. 20 Chief of Police, Leonard J. Smolarek: Letter notifying Town Board of
intention to retire.
Received and filed.
- Item No. 21 Town Justices, Henry R. Gabryszak & John V. Rogowski: 1986 Justice
Court Report.
Received and filed.
- Item No. 22A Cheektowaga Public Library Board: Minutes of January 1987 meeting
and 1986 Annual Report.
Received and filed.
- Item No. 22B Cheektowaga Traffic Safety Commission: Minutes of January 1987
meeting.
Received and filed.

V. GENERAL COMMUNICATIONS

- Item No. 23A Notice of Claim: Barbara Kupczyk vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Laverack & Haines, Town's Insurance Carrier;
Alfred Wnek, Highway Superintendent; and James Burst, Sewer
Maintenance Department.
Received and filed.
- Item No. 23B Notice of Claim: Richard D. Weber vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Laverack & Haines, Town's Insurance Carrier
and Alfred Wnek, Highway Superintendent.
Received and filed.
- Item No. 23C Notice of Claim: Albert Falzone vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Joseph J. Naples & Associates, Town's
Insurance Carrier and Alfred Wnek, Highway Superintendent.
Received and filed.
- Item No. 23D Notice of Claim: Donna A. Pestka vs. Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Laverack & Haines, Town's Insurance Carrier,
and Alfred Wnek, Highway Superintendent.
Received and filed.

MEETING NO. 3
February 2, 1987

Item No. 23E Notice of Claim: Willibald A. and Janet A. Michno for estate of William A. Michno vs. Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Laverack & Haines, Town's Insurance Carrier, and Chief of Police.
Received and filed.

* * * * *

Motion by Councilman Johnson Seconded by Supervisor Weber to suspend the rules to include the following four items, and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak

NAYES: 0

ABSENT: 0

* * * * *

VI. SUSPENSION OF RULES

Item No. 24 Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, effective October 23, 1986, upon the resignation of Town Councilman John V. Rogowski, a vacancy was created in the Office of Town Councilman, and

WHEREAS, pursuant to Section 64 of the Town Law and Section 42 of the Public Officers Law of the State of New York the Town Board has the authority to fill such a vacancy until the end of the calendar year following the next general election, and

WHEREAS, this Town Board has accepted applications and conducted interviews for the vacant Town Councilman position, and

WHEREAS, after due consideration of all applicants this Board is of the opinion that the best candidate for Town Councilman is Rudy A. Santa Maria, NOW, THEREFORE, BE IT

RESOLVED that Rudy A. Santa Maria of Cheektowaga, New York be and hereby is appointed to the position of Town Councilman effective immediately at the prevailing Town Councilman salary, and BE IT FURTHER

RESOLVED that such appointment shall terminate at the end of 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak

NAYES: 0

ABSENT: 0

Item No. 25 Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is a member of the Northeast Communities Solid Waste Management Board (Northeast Board), AND

WHEREAS, the members of the aforesaid Board desire to obtain contract proposals for solid waste disposal services, AND

WHEREAS, the Town of Cheektowaga has been authorized to obtain such proposals, AND

MEETING NO. 3
February 2, 1987

Item No. 25 Cont'd.

WHEREAS, the members of the Northeast Board desire to enter into an agreement which will provide that each member still be able to participate in any contract for the disposal of solid waste which is obtained by the Town of Cheektowaga through the authority vested in municipalities under Article 5(G) of the General Municipal Law of the State of New York, AND

WHEREAS, the Town Attorney has reviewed and approved an agreement between the members of the Northeast Board, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga hereby authorizes the Supervisor of the Town of Cheektowaga to execute an agreement providing for the participation in a contract negotiation by the Town of Cheektowaga for solid waste disposal services.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga is the owner of property located on the southeast corner of Union Road and Orchard Place, and

WHEREAS, on numerous occasions, it appears that motor vehicles are being parked on such property without the permission of the Town, and

WHEREAS, a potential liability exists to the Town from the parking of such vehicles in that such property has an open drainage ditch thereon into which vehicles could accidentally drive, NOW, THEREFORE, BE IT

RESOLVED that the Town Superintendent of Highways be and hereby is directed to post "No Trespassing/No Parking" signs on this property, and BE IT FURTHER

RESOLVED that the Police Department be and hereby is authorized and directed to issue tickets to and/or tow vehicles illegally parked on such property.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, the New York State Association of Traffic Safety Boards is holding its quarterly meeting in Albany, New York, on February 17 and 18, 1987, and

WHEREAS, the Cheektowaga Traffic Safety Commission has requested that its Chairman, Mr. Carl Perlino, attend said meeting and be reimbursed for any expenses associated with the meeting, NOW, THEREFORE, BE IT

RESOLVED that Mr. Carl Perlino be and hereby is authorized to attend the quarterly meeting of the New York State Association of Traffic Safety Boards on February 17 and 18, 1987, and shall be reimbursed for all necessary and reasonable expenses not to exceed \$225.00.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal and Gabryszak
NAYES: 0
ABSENT: 0

MEETING NO. 3
February 2, 1987

Item No. 28 Motion by Supervisor Weber Seconded by Councilman Jaworowicz to adjourn the meeting in memory of Stanley Kolbert, Father of Tom Kolbert, Clerk of the Justice Court.

RICHARD M. MOLESKI
Town Clerk

February 2, 1987

MEETING NO. 4
February 18, 1987

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 February, 1987 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak
Councilman Rudy A. Santa Maria

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor; Ron Marten, Building and Plumbing Inspector; Robert Lis, Chief of Police; Chester Bryan, Town Engineer; Donald Wegner, Chairman of Zoning Board of Appeals; Pat Wojcik, Recreation Director-Senior Citizens; Sal LaGreca, Employment and Training Director II; Ray Pugh, Member of Planning Board.

I. RESOLUTIONS

Item No. 2a Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, this Town Board held a public hearing on February 2, 1987 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) 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 amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

C. No parking here to corner.

Ridge Park Avenue	East side	from the north curbline of Walden Avenue northerly a distance of 70 feet.
-------------------	-----------	--

Section 2. Time to take effect.

(a) These amendments 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.

Item No. 2a cont'd

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

Section 3. Territorial Application

These amendments 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 these amendments to Chapter 76 of the Code of the Town of Cheektowaga 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 said amendments specifying the date of adoption thereof.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Dennis Grace*....., 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.....**FEB 26 1987**.....;
last publication.....**FEB 26 1987**.....;
and that no more than six days intervened be-
tween publications.

.....*Dennis Grace*.....

Sworn to before me this*26th*.....

day of**February**....., 19*87*..

.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

**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 February, 1987 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Daniel E. Weber
Councilmen:

Thomas M. Johnson, Jr.
William P. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak
Rudy A. Santa Maria

ABSENT: 0

Motion by Councilman Johnson
Seconded by Councilman Kowal
WHEREAS, this Town Board held a public hearing on February 2, 1987 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) 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 amendments to Chapter 76 of the code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted.

ARTICLE X

Parking, Standing and Stopping
Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

C. No Parking here to corner Ridge Park Avenue; East Side; from the north curbline of Walden Avenue northerly a distance of 70 feet.

Section 2. Time to take effect.

(a) These amendments 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 these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

These amendments 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 these amendments to Chapter 76 of the Code of the Town of Cheektowaga 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 said amendments specifying the date of adoption thereof.

Upon roll call...

Supervisor

Weber

Voting AYE

Councilmen

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

Santa Maria

Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

**STATE OF NEW YORK
COUNTY OF ERIE**

I, RICHARD M. MOLESKI, Town Clerk of the Town herein-after 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 February 18, 1987, 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. 2a, 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 February, 1987.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 26, 1987

MEETING NO. 4
February 18, 1987

Item No. 2b Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

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

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning Ordinance and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 2nd day February, 1987 at 7:00 P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

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

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

* * * * *

1. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 D (3) which pertains to front yard landscaping shall be amended by deletion of the last sentence so that this Section shall read as follows:

(3) Notwithstanding anything contained in §82-32 to the contrary, front yards, to a minimum of twenty-five (25) feet, shall be landscaped, and parking shall be prohibited in said area.

2. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 D (8) which pertains to landscaping trees shall be amended by the insertion of an additional sentence so that this section shall read as follows:

(8) All deciduous trees planted shall have a minimum caliper of two and one-half (2 1/2) inches, measured six (6) inches above the ground. All coniferous trees shall have a minimum height of five (5) feet above the finished grade. Plastic or other types of artificial plantings or vegetation shall not be permitted.

3. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 D (9) which pertains to artificial plantings shall be amended by the deletion of the present sentence and the addition of a new sentence so that this Section shall read as follows:

(9) The requirements of Section 82-20.1D may be reduced if after a study of the landscaping plan the Planning Board recommends in writing to the Building Inspector that such reduction is justified.

4. RESOLVED THAT ARTICLE I - GENERAL PROVISIONS, Section 82-20.1 E which pertains to existing and new development shall be amended by the deletion of the phrase "or modernize" in the second sentence so that this Section shall read as follows:

E. Existing and New Development. Existing development, in all districts, completed prior to the enactment of this section that may require a rezoning, a change in use or a building permit to expand shall comply with the requirements of Subsections D(1) through D(9) inclusive. New developments etc. ...

MEETING NO. 4
February 18, 1987

Item No. 2b cont'd

5. RESOLVED THAT ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 82-23.1 which pertains to Senior Citizens Housing shall be amended by the deletion of the present title section and the insertion of a new title section so that this section shall read as follows:

82-23.1 RS SENIOR CITIZEN HOUSING DISTRICT

6. RESOLVED THAT ARTICLE VI - SUPPLEMENTAL REGULATIONS.

Section 82-44 B., which pertains to modification for deeper front yards on selected streets, shall be amended to read as follows:

B. Front yard modification for deeper front yards on selected streets. In order to improve residential quality the following residential collector streets shall have a minimum front yard requirement of:

(1) Fifty (50) feet:

- a. Losson Road, from the former Penn Central Railroad line on the west to Transit Road on the east.
- b. Borden Road, from the Depew Village line on the north to the town limits on the south.
- c. Towers Boulevard, from LeHavre Drive to Losson Road.
- d. Any future streets designated as residential collector streets on the Master Plan and adopted as such by resolution of the Town Board.

(2) Thirty-Five (35) feet:

- a. Losson Road, from Union Road on the west to the former Penn Central Railroad line on the east.

7. RESOLVED THAT ARTICLE VIII - ADMINISTRATION AND ENFORCEMENT, Section 82-57A which pertains to penalties and offenses shall be amended by the deletion of the phrase "six (6) months" in the first sentence and the insertion of the phrase "fifteen (15) days" in its place so this section shall read as follows:

- A. Pursuant to §268 of Article 16 of the Town Law, a violation of this chapter is hereby declared to be an offense punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not to exceed fifteen (15) days, or both. The continuation etc. ...

* * * * *

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 February 18, 1987; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

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

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal and Gabryszak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Gracie....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... 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..... FEB 26 1987..... ;
last publication..... FEB 26 1987..... ;
and that no more than six days intervened be-
tween publications.

Denise Gracie.....
Sworn to before me this 26th.....
day of February....., 19..87..
..... Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

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 February, 1987 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

Rudy A. Santa Maria

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman Kowal
WHEREAS, the Building and Plumbing Inspector and the Planning Board of the Town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended and
WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning Ordinance and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 2nd day of February, 1987 at 7:00 p.m.; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

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

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

1. RESOLVED THAT ARTICLE I — GENERAL PROVISIONS, Section 82-20.1 D (3) which pertains to front yard landscaping shall be amended by the deletion of the last sentence so that this Section shall read as follows:

(3) Notwithstanding anything contained in §82-32 to the contrary front yards, to a minimum of twenty-five (25) feet, shall be landscaped, and parking shall be prohibited in said area.

2. RESOLVED THAT ARTICLE I — GENERAL PROVISIONS, Section 82-20.1 D (8) which pertains to landscaping trees shall be amended by the insertion of an additional sentence so that this section shall read as follows:

(8) All deciduous trees planted shall have a minimum caliper of two and one-half (2½) inches, measured six (6) inches above the ground. All coniferous trees shall have a minimum height of five (5) feet above the finished grade. Plastic or other types of artificial plantings or vegetation shall not be permitted.

3. RESOLVED THAT ARTICLE I — GENERAL PROVISIONS, Section 82-20.1 D (9) which pertains to artificial plantings shall be amended by the deletion of the present sentence and the addition of a new sentence so that this Section shall read as follows:

(9) The requirements of Section 82-20.1 D may be reduced if after a study of the landscaping plan the Planning Board recommends in writing to the Building Inspector that such reduction is justified.

4. RESOLVED THAT ARTICLE I — GENERAL PROVISIONS, Section 82-20.1 E which pertains to existing and new development shall be amended by the deletion of the phrase "or modernize" in the second sentence so that this Section shall read as follows:

E. Existing and New Development. Existing development, in all districts, completed prior to the enactment of this section that may require a rezoning, a change in use or a building permit to expand shall comply with the requirements of Subsections D (1) through D (9) inclusive. New Developments etc. ...

5. RESOLVED THAT ARTICLE II — RESIDENCE DISTRICT REGULATIONS, Section 82-23.1 which pertains to Senior Citizens Housing shall be amended by the deletion of the present title section and the insertion of a new title section so that this section shall read as follows:

82-23.1 RS SENIOR CITIZEN HOUSING DISTRICT.

6. RESOLVED THAT ARTICLE VI — SUPPLEMENTAL REGULATIONS, Section 82-44 B., which pertains to modification for deeper front yards on selected streets, shall be amended to read as follows:

B. Front yard modification for deeper front yards on selected streets. In order to improve residential quality the following residential collector streets shall have a minimum front yard requirement of:

(1) Fifty (50) feet:

a. Losson Road, from the former Penn Central Railroad line on the west to Transit Road on the east.

b. Borden Road, from the Depew Village line on the north to the town limits on the south.

c. Towers Boulevard, from Le-Havre Drive to Losson Road.

d. Any future streets designated as residential collector streets on the Master Plan and adopted as such by resolution of the Town Board.

2. Thirty-Five (35) feet:

a. Losson Road, from Union Road on the west to the former Penn Central Railroad line on the east.

7. RESOLVED THAT ARTICLE VII — ADMINISTRATION AND ENFORCEMENT, Section 82-57 A which pertains to penalties and offenses shall be amended by the deletion of the phrase "six (6) months" in the first sentence and the insertion of the phrase "fifteen (15) days" in its place so that this section shall read as follows:

A. Pursuant to §268 of Article 16 of the Town Law, a violation of this chapter is hereby declared to be an offense punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not to exceed fifteen (15) days, or both. The continuation etc. ... 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 February 18, 1987, and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

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

Upon roll call...

Supervisor Weber	Voting	AYE
Councilman:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE
Santa Maria	Voting	AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town herein-after 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 February 18, 1987, 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. 2b, 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 February, 1987.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 26, 1987

MEETING NO. 4
February 18, 1987

Item No. 2c Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, Carl F. Bessing has petitioned for the rezoning from R-Residential District to C-Retail Business District of property owned by him and located at 440 Borden Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petitioned was held before this Town Board on the 19th day of January, 1987 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. Applicant shall strictly comply with his "Plot and Drainage Plan" dated 9/5/86 (revised 12/2/86).
2. The required landscaping shall be completed by May 15, 1987.

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," and 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 Carl F. Bessing for the rezoning from R-Residential District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board, and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

*See next page for legal description

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

THAT TRACT OR PARCEL OF LAND situate in the TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK, being part of LOT No. 51, TOWNSHIP 10, RANGE 7 of the BUFFALO CREEK RESERVATION, bounded and described as follows:

Beginning at a point in the east line of Lot Number 51, distant 429.30 feet southerly from the intersection of the northeast corner of said Lot Number 51, and which point of beginning is also in the center line of Borden Road, running thence westerly at an angle of 90° with the east line of Lot Number 51, a distance of 190 feet to a point; running thence northerly on a line parallel with the east line of Lot Number 51 a distance of 75 feet to a point; running thence easterly on a line drawn at right angles with the east line of Lot Number 51, a distance of 190 feet to a point in the east line of Lot Number 51;

running thence Southerly and along the east line of Lot Number 51, a distance of 75 feet to the point or place of beginning.

Excepting that portion conveyed to the County of Erie under

Liber 8401 at Page 491.

This description being intended to describe and convey property listed in ERIE COUNTY REAL PROPERTY TAX DIVISION as SECTION 125.12 BLOCK 13 LOT 11.

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

Denise Gracie, 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..... FEB 26 1987 ;
last publication..... FEB 26 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Gracie
Sworn to before me this 26th
day of February, 1987.
Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

**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 February, 1987 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

Rudy A. Santa Maria

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman Johnson

WHEREAS, Carl F. Bessing has petitioned for the rezoning from R-Residential District to C-Retail Business District of property owned by him and located at 440 Borden 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 January, 1987 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. Applicant shall strictly comply with his "Plot and Drainage Plan" dated 9-5-86 (revised 12-2-86).

2. The required landscaping shall be completed by May 15, 1987, 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 Carl F. Bessing for the rezoning from R-Residential District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and, BE IT FURTHER

RESOLVED, that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

Upon roll call...

Supervisor Weber

Voting AYE

Councilman:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

Santa Maria

Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

THAT TRACT OR PARCEL OF LAND situate in the TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK, being part of LOT NO. 51, TOWNSHIP 10, RANGE 7 of the BUFFALO CREEK RESERVATION, bounded and described as follows:

Beginning at a point in the east line of Lot Number 51, distant 429.30 feet southerly from the intersection of the northeast corner of said Lot Number 51, and which point of beginning is also in the center line of Borden Road, running thence westerly at an angle of 90° with the east line of Lot Number 51, a distance of 190 feet to a point; running thence northerly on a line parallel with the east line of Lot number 51 a distance of 75 feet to a point; running thence easterly on a line drawn at right angles with the east line of Lot Number 51, a distance of 190 feet to a point in the east line of Lot Number 51; running thence Southerly and along the east line of Lot Number 51, a distance of 75 feet to the point or place of beginning.

Excepting that portion conveyed to the County of Erie under Liber 8402 at page 491.

This description being intended to describe and convey property listed in ERIE COUNTY REAL PROPERTY TAX DIVISION as SECTION 125.12 BLOCK 13 LOT 11.

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town herein-after 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 February 18, 1987, 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. 2c, 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 February, 1987.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 26, 1987

MEETING NO. 4
February 18, 1987

Item No. 2d Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, Anthony Guadagna, contract purchaser, has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by Martin T. Palermo and located at 848 Dick 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 January, 1987 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. There will be no gasoline sales on the property.
2. There will be no collision work or painting allowed on this property.
3. No salvage or junk cars will be stored on the premises.
4. Some trees be included in the landscaping along Dick Road, Broad Street and the south depth of the property.
5. Landscaping should be completed no later than May 15, 1987 with sufficient certified funds being deposited with the Town until completion of the landscaping.

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 Anthony Guadagna 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 granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board, and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

* See next page for legal description

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

SCHEDULE "A"-3

PARCEL "A"

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot Nos. 192, 193 and 194 as shown on a map filed in the Erie County Clerk's Office under Cover No. 1243.

EXCEPTING AND RESERVING THEREFROM the Easterly 50 feet of Subdivision Lot No. 192.

ALSO EXCEPTING AND RESERVING THEREFROM that portion of Subdivision Lots Nos. 193 and 194 conveyed to the County of Erie by Deed recorded in Liber 8832 of Deeds at page 593.

PARCEL "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 Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey, and also distinguished as being part of Subdivision Lot No. 192 of a certain subdivision filed under Map Cover No. 1243 in the Erie County Clerk's Office, and more particularly described as follows: BEGINNING at a point of intersection between the existing westerly highway bounds of Dick Road, C.R. No. 317, and a division line dividing the lands of Mobil Oil Corp. (reputed owner) on the south and the lands of County of Erie (reputed owner) on the north, said point being also distant 60 feet westerly at right angles to the center line of Dick Road, C.R. No. 317, as established by the Erie County Department of Public Works, Division of Highways, at Station 95+64.66±; thence south 89° 43' 26" west and on the first mentioned division line a distance of 23.98 feet more or less to a point, said point being also distant 83 feet westerly at right angles to the said existing center line of Dick Road, C.R. No. 317 at Station 95+71.11±; thence north 15° 57' 04" west parallel to the said existing center line of Dick Road, C.R. No. 317, and distant 83 feet westerly therefrom a distance of 45.74 feet more or less to a point on the existing southerly highway bounds of Broad Street, said point being also distant 83 feet westerly at right angles to the existing center line of Dick Road, C.R. No. 317 at Station 96+16.85±; thence north 89° 43' 26" east and on the last mentioned highway bounds a distance of 23.89 feet more or less to a point, said point being also distant 60 feet westerly at right angles to the said existing center line of Dick Road, C.R. No. 317 at Station 96+10.40±; thence south 15° 57' 04" east a distance of 45.74 feet to the point of beginning, containing an area of 0.024 of an acre more or less.

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

.....*Denise Gracie*....., 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.....*FEB 26 1987*..... ;
last publication.....*FEB 26 1987*..... ;
and that no more than six days intervened be-
tween publications.

.....*Denise Gracie*.....

Sworn to before me this*26th*.....

day ofFebruary....., 19..*87*..

.....*Cecilia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19..*87*..

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town
Board of the Town of Cheektowa-
ga, a town located in the County of
Erie, State of New York, was duly
held on February 18, 1987, 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 min-
utes of meetings of said Board, and
such minutes appear at item No.
2d, inclusive, of said book.

2. I have compared the attached
extract with said minutes so re-
corded and said extract is a true
copy of said minutes and of the
whole thereof insofar as said min-
utes 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 mem-
bers of said Board who attended
said meeting.

IN WITNESS WHEREOF, I
have hereunto set my hand and
have hereunto affixed the corpo-
rate seal of said Town, this 18th
day of February, 1987.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: February 26, 1987

LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD

At a regular meeting of the Town
Board of the Town of Cheektowa-
ga, Erie County, New York held at
the Town Hall, corner of Broadway
and Union Roads, in said Town on
the 18th day of February, 1987 at
7:00 o'clock p.m. Eastern Standard
Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

Rudy A. Santa Maria

ABSENT: 0

Motion by Councilman Jaworo-
wicz

Seconded by Councilman John-
son

WHEREAS, Anthony Guadagna,
contract purchaser, has petitioned
for the rezoning from C-Retail
Business District to CM-General
Commercial District of Property
owned by Martin T. Palermo and
located at 848 Dick Road, Cheek-
towaga, 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 18th day of Jan-
uary, 1987 at 6:30 o'clock P.M.,
after publication and service of the
notices required by the provisions
of the Code of the Town of Cheek-
towaga ("Zoning Ordinance"), and
the Town Law; and all interested
parties were given an opportunity
to be heard at such hearing, AND

WHEREAS, the Cheektowaga
Planning Board has reviewed such
application and has recommended
approval thereof subject to the
following conditions:

1. There will be no gasoline sales
on the property.

2. There will be no collision work
or painting allowed on the prop-
erty.

3. No salvage or junk cars will be
stored on the premises.

4. Some trees be included in the
landscaping along Dick Road,
Broad Street and the south depth of
the property.

5. Landscaping should be com-
pleted no later than May 15, 1987
with sufficient certified funds be-
ing deposited with the Town until
completion of the landscaping.
and

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

NOW, THEREFORE, BE IT RE-
SOLVED that the application of
Anthony Guadagna for the rezon-
ing from C-retail Business District
to CM-General Commercial Dis-
trict of the property specified in
the attached legal description be
and the same is hereby granted
subject to the aforementioned con-
ditions recommended by the
Cheektowaga Planning Board and,

BE IT FURTHER

RESOLVED, that the Zoning
Map and Ordinance of the Town of
Cheektowaga be amended in ac-
cordance with the above.

Upon roll call...

Supervisor Weber Voting AYE

Councilman:

Johnson Voting AYE

W.P. Rogowski Voting AYE

Jaworowicz Voting AYE

Kowal Voting AYE

Gabryszak Voting AYE

Santa Maria Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

Schedule "A"-3

PARCEL "A"

ALL THAT TRACT OR PARCEL
OF LAND situate in the Town of
Cheektowaga, County of Erie and
State of New York, being part of
Lot No. 12, Township 11, and Range
7 of the Holland Land Company's
Survey and further distinguished
as Subdivision Lot Nos. 192, 193 and
194 as shown on a map filed in the
Erie County Clerk's Office under
cover No. 1243.

EXCEPTING AND RESERV-
ING THEREFROM the Easterly
50 feet of Subdivision Lot No. 192.

ALSO EXCEPTING AND RE-
SERVING THEREFROM that
portion of Subdivision Lots Nos. 193
and 194 conveyed to the County of
Erie by Deed recorded in Liber
8832 of Deeds at page 593.

PARCEL "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
Lot No. 12, Township 11, Range 7 of
the Holland Land Company's Sur-
vey, and also distinguished as be-
ing part of Subdivision Lot No. 192
of a certain subdivision filed under
Map Cover No. 1243 in the Erie
County Clerk's Office, and more
particularly described as follows:

BEGINNING at a point of in-
tersection between the existing
westerly highway bounds of Dick
Road, C.R. No. 317, and a division
line dividing the lands of Mobil Oil
Corp. (reputed owner) on the south
and the lands of County of Erie
(reputed owner) on the north, said
point being also distant 60 feet
westerly at right angles to the
center line of Dick Road, C.R. No.
317, as established by the Erie
County Department of Public
Works, Division of Highways, at
Station 95+64.66±; thence south
89° 43' 26" west and on the first
mentioned division line a distance
of 23.98 feet more or less to a point,
said point being also distant 83 feet
westerly at right angles to the said
existing center line of Dick Road,
C.R. No. 317 at Station 95+71.11±;
thence north 15° 57' 04" west
parallel to the said existing center
line of Dick Road, C.R. No. 317, and
distant 83 feet westerly therefrom
a distance of 45.74 feet more or less
to a point on the existing southerly
highway bounds of Broad Street,
said point being also distant 83 feet
westerly at right angles to the ex-
isting center line of Dick Road,
C.R. No. 317 at Station 96+16.85±;
thence north 89° 43' 26" east and on
the last mentioned highway bounds
a distance of 23.89 feet more or less
to a point, said point being also dis-
tant 60 feet westerly at right angles
to the said existing center line of
Dick Road, C.R. No. 317 at Station
96+10.40±; thence south 15° 57'
04" east a distance of 45.74 feet to
the point of beginning, containing
an area of 0.024 of an acre more or
less.

MEETING NO. 4
February 18, 1987

Item No. 2e Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, Anthony Guadagna applied for a Special Permit for a public garage on property located at 848 Dick Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); 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 19th day of January, 1987 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following conditions:

1. There will be no gasoline sales on the property.
2. There will be no collision work or painting allowed on this property.
3. No salvage or junk cars will be stored on the premises.
4. Some trees be included in the landscaping along Dick Road, Broad Street and the south depth of the property.
5. Landscaping should be completed no later than May 15, 1987 with sufficient certified funds being deposited with the Town until completion of the landscaping.

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 848 Dick Road, and has redendered a determination that the Special Permit will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the aforementioned conditions as recommended by the Cheektowaga Planning Board.

* See next page for legal description

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

SCHEDULE "A"-3

PARCEL "A"

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot Nos. 192, 193 and 194 as shown on a map filed in the Erie County Clerk's Office under Cover No. 1243.

EXCEPTING AND RESERVING THEREFROM the Easterly 50 feet of Subdivision Lot No. 192.

ALSO EXCEPTING AND RESERVING THEREFROM that portion of Subdivision Lots Nos. 193 and 194 conveyed to the County of Erie by Deed recorded in Liber 8832 of Deeds at page 593.

PARCEL "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 Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey, and also distinguished as being part of Subdivision Lot No. 192 of a certain subdivision filed under Map Cover No. 1243 in the Erie County Clerk's Office, and more particularly described as follows: BEGINNING at a point of intersection between the existing westerly highway bounds of Dick Road, C.R. No. 317, and a division line dividing the lands of Mobil Oil Corp. (reputed owner) on the south and the lands of County of Erie (reputed owner) on the north, said point being also distant 60 feet westerly at right angles to the center line of Dick Road, C.R. No. 317, as established by the Erie County Department of Public Works, Division of Highways, at Station 95+64.66±; thence south 89° 43' 26" west and on the first mentioned division line a distance of 23.98 feet more or less to a point, said point being also distant 83 feet westerly at right angles to the said existing center line of Dick Road, C.R. No. 317 at Station 95+71.11±; thence north 15° 57' 04" west parallel to the said existing center line of Dick Road, C.R. No. 317, and distant 83 feet westerly therefrom a distance of 45.74 feet more or less to a point on the existing southerly highway bounds of Broad Street, said point being also distant 83 feet westerly at right angles to the existing center line of Dick Road, C.R. No. 317 at Station 96+16.85±; thence north 89° 43' 26" east and on the last mentioned highway bounds a distance of 23.89 feet more or less to a point, said point being also distant 60 feet westerly at right angles to the said existing center line of Dick Road, C.R. No. 317 at Station 96+10.40±; thence south 15° 57' 04" east a distance of 45.74 feet to the point of beginning, containing an area of 0.024 of an acre more or less.

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

Denise Gracie....., 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.....FEB 26 1987.....;
last publication.....FEB 26 1987.....;
and that no more than six days intervened be-
tween publications.

Denise Gracie.....

Sworn to before me this26th.....
day ofFebruary....., 19..87..
.....Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town
Board of the Town of Cheektowa-
ga, a town located in the County of
Erie, State of New York, was duly
held on February 18, 1987, 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 min-
utes of meetings of said Board, and
such minutes appear at item No.
2e, inclusive, of said book.

2. I have compared the attached
extract with said minutes so re-
corded and said extract is a true
copy of said minutes and of the
whole thereof insofar as said min-
utes 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 mem-
bers of said Board who attended
said meeting.

IN WITNESS WHEREOF, I
have hereunto set my hand and
have hereunto affixed the corpo-
rate seal of said Town, this 18th
day of February, 1987.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 26, 1987

LEGAL NOTICE
EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD

At a regular meeting of the Town
Board of the Town of Cheektowa-
ga, Erie County, New York held at
the Town Hall, corner of Broadway
and Union Roads, in said Town on
the 18th day of February, 1987 at
7:00 o'clock p.m. Eastern Standard
Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

Rudy A. Santa Maria

ABSENT: 0

Motion by Councilman Jaworo-
wicz

Seconded by Councilman John-
son

WHEREAS, Anthony Guadagna
applied for a Special Permit for a
public garage on property located
at 848 Dick Road, Cheektowaga,
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of the Code of the Town of Cheekto-
waga ("Zoning Ordinance"); 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 19th day of
January, 1987 at 6:30 o'clock P.M.
of said day for the purpose of con-
sidering said application for a
Special Permit, after publication
and service of the notices required
by the provisions of the Zoning Or-
dinance and the Town Law; and all
interested parties were given an
opportunity to be heard at such
hearing, AND

WHEREAS, the Cheektowaga
Planning Board has recommended
approval of the Special Permit
subject to the following conditions:

1. There will be no gasoline sales
on the property.

2. There will be no collision work
or painting allowed on the prop-
erty.

3. No salvage or junk cars will be
stored on the premises.

4. Some trees be included in the
landscaping along Dick Road,
Broad Street and the south depth of
the property.

5. Landscaping should be com-
pleted no later than May 15, 1987
with sufficient certified funds be-
ing deposited with the Town until
completion of the landscaping.
and

WHEREAS, the Environmental
Advisory Committee of the Town
of Cheektowaga, pursuant to the
"Environmental Impact Review
Ordinance of the Town of Cheek-
towaga" has also duly considered
the application for the Special Per-
mit for the above-referenced prop-
erty located at 848 Dick Road, and
has rendered a determination that
the Special Permit will not have a
significant effect on the environ-
ment.

NOW, THEREFORE, BE IT RE-
SOLVED that said Special Permit
be and hereby is granted, subject
to the aforementioned conditions
as recommended by the Cheekto-
waga Planning Board.

Upon roll call...

Supervisor Weber	Voting	AYE
Councilman:		
Johnson	Voting	AYE
W.P. Rogowski	Voting	AYE
Jaworowicz	Voting	AYE
Kowal	Voting	AYE
Gabryszak	Voting	AYE
Santa Maria	Voting	AYE

AYES: 7

NAYES: 0

ABSENT: 0

Schedule "A"-3

PARCEL "A"

ALL THAT TRACT OR PARCEL
OF LAND situate in the Town of
Cheektowaga, County of Erie and
State of New York, being part of
Lot No. 12, Township 11, and Range
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and 194 conveyed to the County of
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PARCEL "B"

ALL THAT TRACT OR PARCEL
OF LAND situate in the Town of
Cheektowaga, County of Erie and
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Lot No. 12, Township 11, Range 7 of
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vey, and also distinguished as be-
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of a certain subdivision filed under
Map Cover No. 1243 in the Erie
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tersection between the existing
westerly highway bounds of Dick
Road, C.R. No. 317, and a division
line dividing the lands of Mobil Oil
Corp. (reputed owner) on the south
and the lands of County of Erie
(reputed owner) on the north, said
point being also distant 60 feet
westerly at right angles to the
center line of Dick Road, C.R. No.
317, as established by the Erie
County Department of Public
Works, Division of Highways, at
Station 96+64.66±; thence south
89° 43' 26" west and on the first
mentioned division line a distance
of 23.98 feet more or less to a point,
said point being also distant 83 feet
westerly at right angles to the said
existing center line of Dick Road,
C.R. No. 317 at Station 95+71.11±;
thence north 15° 57' 04" west
parallel to the said existing center
line of Dick Road, C.R. No. 317, and
distant 83 feet westerly therefrom
a distance of 45.74 feet more or less
to a point on the existing southerly
highway bounds of Broad Street,
said point being also distant 83 feet
westerly at right angles to the ex-
isting center line of Dick Road,
C.R. No. 317 at Station 96+16.85±;
thence north 89° 43' 26" east and on
the last mentioned highway bounds
a distance of 23.89 feet more or less
to a point, said point being also dis-
tant 60 feet westerly at right angles
to the said existing center line of
Dick Road, C.R. No. 317 at Station
96+10.40±; thence south 15° 57'
04" east a distance of 45.74 feet to
the point of beginning, containing
an area of 0.024 of an acre more or
less.

MEETING NO. 4
February 18, 1987

Item No. 3 Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, by resolution dated February 2, 1987, this Town Board awarded a bid for a "1986 New Unused Ramsey Model 2001 equipped with Electric Winch Package" to Maier-Schule GMC for 20,341.00, and

WHEREAS, the bid item awarded should have been referred to as a "1986 New unused G.M.C. Step-Van equipped with a Ramsey Model 2001 Electric Winch Package", NOW, THEREFORE, BE IT

RESOLVED that the "RESOLVED" clause of the aforementioned bid award resolution be amended to read as follows:

RESOLVED that the bid be awarded to Maier-Schule GMC, Inc., 1745 Walden Avenue, Cheektowaga, N.Y. 14225 for a New Unused G.M.C. Step-Van equipped with a Ramsey Model 2001 Electric Winch Package at a total cost of \$20,341.00, being the lowest responsible bidder meeting specifications.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 4a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, Bid Proposals were received for furnishing Athletic White Stripe to the Facilities Department on February 2, 1987, and

WHEREAS, said proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards said bid for Athletic White Stripe to:

Quikrete-Buffalo
11 Steelawanna Avenue
P.O. Box B
Lackawanna, New York 14218 at \$.0588 per lb.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 4b Motion by Councilman Rogowski, Seconded by Councilman Kowal

WHEREAS, Bid Proposals were received for the Leasing and Servicing of Portable Chemical Toilets on February 2, 1987, and

WHEREAS, said proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards said Bid for the Leasing and Servicing of Portable Chemical Toilets to:

Johnny-on-the-Spot, Inc.
986 Oliver Street
North Tonawanda, New York 14120

for

Category I
Items 1,2,3 - @ \$1.80 per day

MEETING NO. 4
February 18, 1987

Item No. 4b cont'd

Category II
Items 1,2 - @ \$30.00 per day

Category III
Item 1 - @ \$5.00 per day

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 4c Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, bids were duly received and opened at the February 2, 1987 public bid opening as the result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees, that said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 11, 1987, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of work uniforms to the Town of Cheektowaga employees, as recommended by the Town Engineer, be and the same is hereby awarded to:

Amherst Wholesalers, Inc.
29 Oakridge Drive
Amherst, New York 14221

for:

ITEM I	Work Pants (sizes up to 42)	\$ 9.50 ea.
ITEM II	Work Pants (sizes 44 and up)	\$10.30 ea.
ITEM III	Shirts (long sleeve, sizes up to 17 1/2	\$ 8.25 ea.
ITEM IV	Shirts (long sleeve, sizes 18 and up)	\$ 9.00 ea.
ITEM V	Chambray Shirts (long sleeve, sizes up to 17 1/2)	\$ 7.45 ea.
ITEM VI	Chambray Shirts (long sleeve, sizes up and up)	\$ 8.25 ea.
ITEM VI	Shirts (short sleeve, sizes up to 17 1/2)	\$ 7.20 ea.
ITEM VII	Shirts (short sleeve, sizes 18 and up)	\$ 8.05 ea.
ITEM IX	Chambray shirts (short sleeve, sizes up to 17 1/2)	\$ 6.35 ea.
ITEM X	Coveralls (long sleeve, sizes 36-52 regular)	\$15.50 ea.
ITEM XI	Coveralls (long sleeve, sizes 36-52 long)	\$15.50 ea.
ITEM XII	Denim Jeans (Sizes up to 42)	\$ 8.00 ea.
ITEM XIII	Denim Jeans (Sizes 44 and up)	\$ 9.25 ea.
ITEM XIV	Bib Overalls	\$13.35 ea.

said bid being a responsible bidder meeting the requirements of the specifications.

* See next two (2) pages for letter

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0



Town of Cheektowaga

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

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

February 11, 1987

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Work Uniforms

Gentlemen:

On February 2, 1987 bids were received and opened for the furnishing of work uniforms to Town employees as required through the Cheektowaga Employees Association Agreement. Five (5) bidders submitted bids on fourteen (14) items of the specifications. The totals of the bids submitted are as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Amherst Wholesalers	\$10,613.90
K. W. Textile	\$10,799.27
United Uniform	\$11,689.00
Coyne Textile Services	\$12,317.18
Wear Guard	\$14,556.10

Listed below are the specification requirements for the three (3) lowest bidders.

	<u>AMHERST WHOLESALERS</u>		<u>K-W TEXTILE</u>		<u>UNITED UNIFORM</u>	
	meets specs	does not meet spec/quality	meets specs	does not meet spec/quality	meets specs	does not meet spec/quality
Work Pants	X		X		X	
Work Shirts	X		X		X	
Chambray Shirts	X		X		X	
Coveralls	X		X		X	
Denim Jeans	X		X			X
Bib Overalls	X		X		X	

TO THE SUPERVISOR AND
TOWN BOARD MEMBERS

February 11, 1987
Page 2


It is recommended, therefore, that the bid be awarded to Amherst Wholesalers, 29 Oakridge Drive, Amherst, New York 14221 for the furnishing of work uniforms, said bid being the lowest bid meeting Town requirements.

This bid will be awarded on the basis of unit prices which are quoted as follows:

Item I	Work Pants (sizes up to 42)	\$ 9.50 each
Item II	Work Pants (sizes 44 and up)	\$10.30 each
Item III	Shirts (long sleeve, sizes up to 17½)	\$ 8.25 each
Item IV	Shirts (long sleeve, sizes 18 and up)	\$ 9.00 each
Item V	Chambray Shirts (long sleeve, sizes up to 17½)	\$ 7.45 each
Item VI	Chambray Shirts (long sleeve, sizes 18 and up)	\$ 8.25 each
Item VII	Shirts (short sleeve, sizes up to 17½)	\$ 7.20 each
Item VIII	Shirts (short sleeve, sizes 18 and up)	\$ 8.05 each
Item IX	Chambray Shirts (short sleeve, sizes up to 17½)	\$ 6.35 each
Item X	Coveralls (long sleeve, sizes 36-52 regular)	\$15.50 each
Item XI	Coveralls (long sleeve, sizes 36-52 long)	\$15.50 each
Item XII	Denim Jeans (sizes up to 42)	\$ 8.00 each
Item XIII	Denim Jeans (sizes 44 and up)	\$ 9.25 each
Item XIV	Bib Overalls	\$13.35 each

Very truly yours,

TOWN OF CHEEKTOWAGA



Allan B. Blachowski
Sr. Engineer Assistant

ABB:dms

MEETING NO. 4
February 18, 1987

Item No. 5a Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe and reinforced concrete pipe requirements for the 1987 calendar year, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of corrugated metal pipe and reinforced concrete pipe, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 2nd day of March, 1987 at 11:00 A.M., Eastern Standard 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 by the Town of Cheektowaga on March 2, 1987 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe for the 1987 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 18, 1987

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Grace....., 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..... FEB 19 1987 ;
last publication..... FEB 19 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Grace.....

Sworn to before me this 19th

day of February, 19⁸⁷

..... Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19⁸⁸

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 2, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the 1987 calendar year.

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

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

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

**RICHARD M. MOLESKI
TOWN CLERK**

**DATED: February 18, 1987
PUBLISH: February 19, 1987**

Item No. 5b Motion by Councilman Kowal, Seconded by Councilman Rogowski

WHEREAS, the removal of trees along the right-of-way is imperative prior to the reconstruction of Pfohl Road in the Town of Cheektowaga, and

WHEREAS, bids for the cost of men and machinery necessary to cut and haul away both stumps, branches and logs from the site are necessary, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of men and machinery to perform the needed tree removal, said notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED that sealed bids will be received on February 27, 1987 at 11:00 A.M., Eastern Standard 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 by the Town of Cheektowaga on February 27, 1987 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of men and equipment necessary to cut and remove marked trees on Pfohl Road.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 18, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Grace....., 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..... **FEB 19 1987** ;
last publication..... **FEB 19 1987** ;
and that no more than six days intervened be-
tween publications.

Denise Grace.....
Sworn to before me this **19th**
day of **February** , 19**87**.....
..... Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19**87**

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 2, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of men and equipment necessary to cut and remove marked trees on Pfohl Road.

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

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

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

**RICHARD M. MOLESKI
TOWN CLERK**

**DATED: February 18, 1987
PUBLISH: February 19, 1987**

Item No. 5c Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bid be advertised to cover the purchase of traffic control signs, street name signs and brackets for the 1987 calendar year, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of traffic control signs, street name signs and brackets, said notice to be published in THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 2nd day of March, 1987 at 11:00 A.M., Eastern Standard 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 March 2, 1987 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, street name signs and brackets for the 1987 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: February 18, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Denise Gracie*....., 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.....*FEB 19 1987*..... ;
last publication.....*FEB 19 1987*..... ;
and that no more than six days intervened be-
tween publications.

.....*Denise Gracie*.....
Sworn to before me this*19th*.....
day of*February*....., 19*87*..
.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 2, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of traffic control signs, street name signs and brackets for the 1987 calendar year.

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

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

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

RICHARD M. MOLESKI

TOWN CLERK

**DATED: February 18, 1987
PUBLISH: February 19, 1987**

Item No. 5d Motion by Councilman Kowal, Seconded by Councilman Gabryszak

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of One (1) New and Unused 1987 Model Year Stump Cutter for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, N.Y. 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday, 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 March 2nd, 1987 in the Council Chambers of the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN THAT sealed proposals will be received, opened and read by the Town Clerk of the Town of Cheektowaga at a bid opening to be held at the Town Hall Council Chambers on March 2nd, 1987 at 11:00 A.M. for

ONE (1) NEW AND UNUSED 1987 MODEL YEAR STUMP CUTTER

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of opening thereof. Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Highway Superintendent, located at 3145 Union Road, Cheektowaga, New York 14227. Proposals must be enclosed and sealed in opaque envelopes, plainly marked with the name of the bidder, also marked "SEALED BID FOR ONE NEW STUMP CUTTER."

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH BIDS.

RICHARD M. MOLESKI
Town Clerk

DATED: February 18, 1987

PUBLISHED: February 19, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Marie....., 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..... FEB 19 1987 ;
last publication..... FEB 19 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Marie.....

Sworn to before me this 19th
day of February , 19⁸⁷

..... Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19⁸⁷

LEGAL NOTICE

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN THAT sealed proposals will be received, opened and read by the Town Clerk of the Town of Cheektowaga at a bid opening to be held at the Town Hall Council Chambers on March 2nd, 1987 at 11:00 a.m. for

ONE (1) NEW AND UNUSED 1987 MODEL YEAR STUMP CUTTER

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of opening thereof. Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Highway Superintendent, located at 3145 Union Road, Cheektowaga NY 14227. Proposals must be enclosed and sealed in opaque envelopes, plainly marked with the name of the bidder, also marked "SEALED BID FOR ONE NEW STUMP CUTTER."

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH BIDS.

RICHARD M. MOLESKI

Town Clerk

DATED: February 18, 1987

PUBLISH: February 19, 1987

MEETING NO. 4
February 18, 1987

Item No. 6a Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, the Town's present Loss Control and Safety Program is in need of modification, and

WHEREAS, the Town Labor Management Committee and the Safety Committees of the various Town employee unions have reviewed and revised the Loss Control and Safety Program, and

WHEREAS, it is beneficial to both the Town and the Town's employees to accept this revised program and the safety rules and guidelines contained therein, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the attached Loss Control and Safety Program as the official Town Loss Control and Safety Program, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute the attached Policy Statements concerning the new Loss Control and Safety Program.

* See next twenty-one (21) pages for Policy Statements

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

POLICY STATEMENT
concerning
Control and Treatment
of
Alcoholism and Drug Dependency

The Town of Cheektowaga, and the Town of Cheektowaga Employees Association, Supervisory Union, Captains and Lieutenants Union, and P.B.A. Union, hereby agree to deal cooperatively and constructively with the problems of Alcoholism and Drug Dependence among employees of the Town.

Alcoholism and Drug Dependence are recognized by medical and public health authorities as diseases which are treatable. Excessive use of alcohol or drugs by employees impairs their ability to function competently or safely. It contributes to increased absenteeism, tardiness, accidents, and compensation cases. This in turn disrupts work schedules creating problems for the majority of the employees who are trying to do a conscientious job.

The following principals will be pursued:

1. Alcoholism and drug dependence are diseases for which there is effective treatment and rehabilitation.
2. The primary objective of the "Employee Assistance Program" is to achieve restoration of health and full recovery of affected employees by identifying the disease and motivating affected employees to seek early treatment.
3. Mutual cooperation is imperative in encouraging the employee to seek diagnosis and treatment, as needed, and all parties agree that no such employee will have either job security or promotional opportunities jeopardized by his/her request, per se, for diagnosis and treatment. To this end, the confidential nature of the medical records and handling of individuals with diagnosed alcoholism or drug dependence will be strictly preserved.

To the extent provided in the Town of Cheektowaga's group insurance contracts, benefits will be available for individuals who accept medically approved treatment for alcoholism or drug dependence.

4. Nothing in this statement is to be interpreted as constituting and waiver of management's responsibility to maintain discipline or the right to invoke disciplinary measures in the case of misconduct which may result from, or be associated with the use of alcohol or drugs; the union may exercise its contractual right to process grievances concerning such matters in accordance with the current agreement.

TOWN SUPERVISOR

TOWN OF CHEEKTOWAGA EMPLOYEES UNION

SUPERVISORY UNION

CAPT. & LT. UNION

P.B.A. UNION

SUBJECT TO MODIFICATION AND APPROVAL

TOWN OF CHEEKTOWAGA STATEMENT AND POLICY

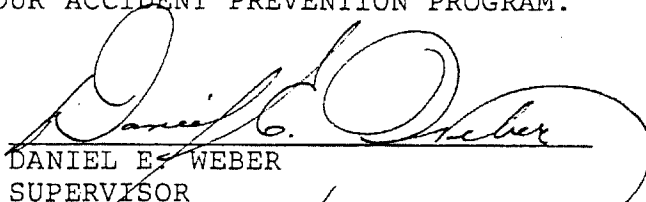
THE MANAGEMENT OF THE TOWN OF CHEEKTOWAGA FEELS THAT ACCIDENT PREVENTION IS A JOINT EFFORT OF BOTH MANAGEMENT AND EMPLOYEES.


WITH THIS IN MIND, SUPERVISION AND EMPLOYEES ARE EXPECTED TO RECOGNIZE HIS OR HER RESPONSIBILITY FOR THE PREVENTION OF ACCIDENT LOSS. THIS NOT ONLY REFERS TO INJURY PRODUCING ACCIDENTS, BUT ALL OTHERS AS WELL.

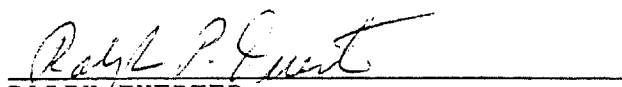
INJURIES ARE ALWAYS COSTLY TO THE INJURED WORKMAN AND CAN BE DISASTROUS TO HIS FUTURE AND THE SECURITY OF HIS FAMILY.

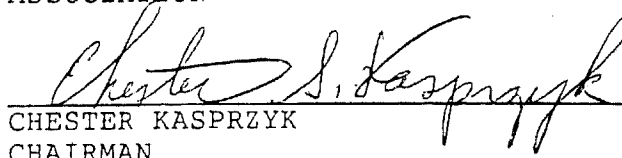
IT IS OUR DESIRE TO MAKE EVERY REASONABLE EFFORT TO PROVIDE SAFE WORKING CONDITIONS. TO ACCOMPLISH THIS, WE WILL PROVIDE ALL REASONABLE SAFEGUARDS AND SAFE WORKING EQUIPMENT.

ALL EMPLOYEES ARE EXPECTED TO FOLLOW SAFE WORK PRACTICES AND TO TAKE AN ACTIVE PART IN OUR ACCIDENT PREVENTION PROGRAM.


DANIEL E. WEBER
SUPERVISOR


CHRISTOPHER KOWAL
COUNCILMAN, CHAIRMAN
LABOR MANAGEMENT COMMITTEE


RALPH FUERTER
PRESIDENT
TOWN OF CHEEKTOWAGA EMPLOYEE'S
ASSOCIATION


CHESTER KASPRZYK
CHAIRMAN
SAFETY COMMITTEE

TOWN OF CHEEKTOWAGA

LOSS CONTROL AND SAFETY PROGRAM

Adopted and Effective as of February 18, 1987

LOSS CONTROL AND SAFETY PROGRAM

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LOSS CONTROL & SAFETY PROGRAM

The Town of Cheektowaga Safety Program is hereby accepted as the official Town Safety program. This action indicates support by the Town Board, which directs the program be implemented and the Safety Rules and Guidelines be enforced after a two-week period of personnel indoctrination.

The employer shall provide a safe and healthful workplace and correct all hazards. Nothing shall imply that the Town of Cheektowaga Employee's Association has undertaken or assumed any portion of that responsibility.

Employees and the Union may exercise all their legal rights to secure a safe and healthful workplace without threats, loss of pay or other reprisals of any kind.

All department heads will develop and effect a motor vehicle preventive maintenance program and arrange for repair of defective equipment.

INTRODUCTION

The following safety rules and guidelines have been established to insure the health and safety of the town's employees and the general public. They are applicable to all personnel. In addition, specific Departmental Safety Rules and Guidelines apply to all employees in that department.

THE VIOLATION OF CERTAIN SAFETY RULES, DESIGNATED WITH AN ASTERISK (*) WILL BE CONSIDERED "SERIOUS VIOLATIONS." IN THE EVENT OF A SERIOUS VIOLATION, THE EMPLOYEE MAY BE IMMEDIATELY SUSPENDED, AND PROCEDURE UNDER RESPECTIVE BARGAINING AGREEMENT SHALL BE COMPLIED WITH.

THE VIOLATION OF ALL OTHER SAFETY RULES AND GUIDELINES WILL RESULT IN PROGRESSIVELY MORE SERIOUS WARNINGS WITH TERMINATION OF EMPLOYMENT FOR REPEATED VIOLATIONS.

Please re-read the employee's responsibility for safety above and bear in mind these rules and guidelines have been established primarily for your protection. In general, injuries result from unsafe acts and unsafe conditions, both of which are often under the control of the injured employee. You should value your life and limb and that of your co-workers ahead of personal possessions or comfort.

Please strive to make your workplace (and your co-worker's) as accident and injury free as possible.

GENERAL SAFETY RULES

APPLICABLE TO ALL PERSONNEL

- * 1. Consumption of alcoholic beverages or the use of illegal drugs during work hours is strictly forbidden. Furthermore, reporting for work while under the influence of alcoholic beverages or drugs will not be tolerated.

NOTES: Employees taking drugs prescribed by a physician, or nonprescription medication that causes drowsiness, shall report same to his/her supervisor upon reporting for work.

An employee may demand a breathalyzer test to demonstrate compliance with this rule.

- * 2. Horseplay and fighting will not be tolerated.
- * 3. Firearms and weapons are not to be carried during work hours and are prohibited at work places.
- * 4. Immediately report all accidents causing injury to persons and/or damage to property (including Town property) to your supervisor.
- * 5. Report all dangerous hazards and equipment defects to your supervisor and safety committee upon discovery (in writing).

GENERAL RULES - PERSONAL SAFETY

1. Do not remove protective guards or alter safety devices on machinery or equipment.
2. Flashing lights will be used when working on or near vehicular traffic areas.
3. First aid kits will be provided to work crews and installed in each truck.
4. No person shall ride on or in the back of any vehicle cargo area or outside of vehicle.
5. No person shall stand on back or side of a moving vehicle or on the cab top at any time.
6. Safety chains and protective guards will be provided by the town and shall be used by employees.
7. Retaining walls (shoring) and ladders shall be provided where employees are assigned to work in excavations in excess of 5 feet in depth.
8. Testing will be done for harmful gases before employees enter a manhole.
9. Blindshields for eye protection and portable blind shields will be provided for weld shops.
10. Building/garages will be properly ventilated with special provisions made in those garages where vehicles are left running.
11. All work areas will be properly illuminated.
12. Do not extend legs or arms over side or rear of vehicles.
13. Safety classes will be provided for employees.
14. All employees may receive tetanus and typhoid vaccinations at town expense, as required.
15. No raw sewage shall be transported in enclosed vans where employees are not separated from such storage area.
16. Sneakers and shorts may not be worn to perform daily assignments.

FIRE & EXPLOSION PREVENTION

RULES

1. Do not smoke cigarettes, cigars, pipes, etc., or ignite matches, lighters, or torches in prohibited areas, near fuel tanks, or in the presence of fumes, flammable gases or substances.
2. Prohibited areas shall be conspicuously marked.
3. Dust and powdered substances in the air are highly explosive. Employees shall not use flammable liquids near open flames or electrical panels or switches.
4. Vehicles carrying/hauling gas, oil, etc. must be marked accordingly and fire extinguishers
5. Smoke detectors shall comply with town ordinance.
6. Sprinkler systems shall comply with town ordinance.
7. Contents of contrainers/drums will be plainly marked.
8. 'No Smoking' signs will be posted in restricted areas.
9. Fire extinguishers will be provided in all work areas.
10. Tires will be placed in cage and lock rim checked when inflated after repair.
11. Cylinders, gas tanks, drums, will be stored in safe, marked areas. In weld shops they will be placed upright and chained.
12. Fire extinguishers will be provided for all trucks.
13. Waste oil contrainers shall be covered at all times and marked as 'Waste Oil'.
14. Evacuation plans shall be conspicuously posted in all buildings.

GUIDELINES

1. Know the location of fire fighting equipment and alarms and how to use them.
2. Do not block exits, entrances, electrical panel boxes or switches.
3. Shut off vehicles while refueling.

MOTOR VEHICLE SAFETY RULES AND GUIDELINES

INTRODUCTION

Motor vehicle safety is a combination of: driver training, vehicle inspection and maintenance; and most importantly, proper operation and use of vehicle by driver.

While much of the responsibility rests with management, the driver's responsibility for routine inspection, and maintenance of the vehicle he operates is necessary for an effective safety program. A driver generally knows when a vehicle should not be driven.

The following rules and guidelines should be considered the minimum standards governing the operation of all Town of Cheektowaga motor vehicles.

DRIVER QUALIFICATIONS AND TRAINING

RULES

1. All current and prospective drivers must be licensed in New York State to drive the type of vehicle being used. A Class 1 or 3 license is required for trucks exceeding 18,000 pounds MGW; a Class 1, 3, 4 or 5 license is satisfactory for passenger cars and trucks 18,000 pounds or less MGW. This rule applies even if the town vehicle is driven only on town premises. Persons with a driver's permit or Class 6 license may not drive town vehicles without authorization.

DRIVER'S RULES AND GUIDELINES

RULES

1. Inspect vehicle and attachments in accordance with department rules and guidelines or the Vehicle and Equipment Care and Safety Check List.
2. Report any suspension or revocation of your driver's license immediately.
3. Place a tag on any defective vehicle or equipment that is not to be used until repaired or replaced.
4. Vehicles or equipment found to have steering, braking or other serious defects during the period of operation shall not be driven, but shall be towed to the garage for repairs.
5. Operate all motor vehicles under posted or legal speed limits.
6. Operate all motor vehicles in a "defensive driving" manner and within the laws governing the use of the vehicle on the highway.

7. Report any information directly relating to your ability to safely operate a motor vehicle to your supervisor without delay. Also report any conviction of a moving traffic violation during work. Exhibit your ticket stub to your supervisor upon request.
8. Be sure any cargo, load or attachments on your vehicle are secure or fastened at all times.
9. When backing vehicle, be sure no pedestrians are crossing at the rear and look for small children in particular. When possible passenger should be outside vehicle directing driver.
10. Rear doors on trucks must be closed or strapped when trucks are in motion.
11. If materials extend/project over rear of truck, doors must be tied and flag attached to end of materials.
12. Block wheels before jacking vehicle or equipment and be sure jacks are properly supported.
13. Detour traffic around work site with cones or barricades.
14. Check vehicle for air packs, flares and other safety equipment before leaving garage area.
15. Be sure all person's in work area, particularly those working under vehicles are warned before moving vehicles or equipment in or near work area.

GUIDELINES

1. Do not follow closer than the distance required to stop your vehicle before striking another vehicle ahead or a fixed object. Use the "two second rule" as a guide when appropriate.
2. Keep the inside of vehicle cab clean and free of all litter.
3. Be alert to changing conditions (road conditions, weather, nearby schools, playgrounds, etc.)
4. Drive with particular care and caution; At all intersections (watch pedestrian crossings.) Stop fully before making legal right turns at red signals

When changing lanes, signal your plan ahead of time. Avoid "squeeze plays." Yield to passing vehicles (blind spots are not a valid excuse for an accident.

5. Garage areas will be posted with a speed limit of 5 M.P.H.

Driver's Guidelines (con't.)

6. At expressway exit and entrance ramps, be sure speed is sufficiently reduced to avoid skidding on exit curves, particularly under slippery road conditions.
7. Honk horn twice to warn employees of oncoming vehicle (s).
8. If parking on incline, block wheels.
9. Tailgates must be raised and equipment or load secured.

PROTECTIVE CLOTHING

RULES

1. Wear clothing appropriate to your job. Protective clothing and/or equipment issued or required to perform your duties must be worn in designated work areas and required work situations.
2. Hard hats are to be worn when working below any work detail, when working on ladders, scaffolds, low ceilings, when entering manholes, sewers, excavations or when working around excavation equipment, lawn maintenance equipment and grass cutting equipment.

Employees must wear hard hats when working behind trucks.

When in doubt, wear your safety hat.

3. Safety goggles must be worn at all times when grinding, chiseling, performing tree work, chipping branches, grinding stumps, operating power equipment (eg. saws, blow torches, etc.), welding and when using chemicals. Also to be worn where flying debris or dust is possible and when operating air compressors or jackhammers.
4. Safety shoes must be worn by all employees (excluding office personnel) effective 1/1/88.
5. Safety reflector clothing must be worn when working on or near highways, at all times.
6. Gloves shall be worn when appropriate.
7. Ear protectors must be worn when using air compressors , jack hammers , tree/branch chipper, vac-alls.
8. Safety harness must be worn when entering a manhole.
9. Employees shall be provided with particle filter masks when working with chemicals, dust exposure or paint.

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Protective Clothing (con't.)

10. Protective clothing and equipment must be used by welders. Leather gloves and vest (bib) will be worn and proper colored glasses.
11. No gloves will be worn when operating power saws or grinders.

HOUSEKEEPING

RULES

1. Work areas will be kept orderly at all times.
2. Spills and loose debris will be cleaned up immediately.
3. Keep inside of truck cab clean from all litter.
4. Proper containers will be utilized for the disposal of waste, oily rags and scrap
5. Floors, steps and hallways should be kept clean and free of obstructions.

GUIDELINES

1. Pick up and return tools and other items to proper place when finished and before leaving your work area.
2. "Wet Floor" signs must be used when mopping or waxing floors.
3. Be sure all lighting in your work area is maintained in proper operating condition.
4. Employees shall not place extension cords, cables, etc., across sidewalks, aisles, hallways or other walkways. Use care in the placement of extension cords, cables, etc., to avoid tripping hazards.
5. Keep filing cabinet, desk, and other drawers closed.
6. No boxes, shelves or chairs are to be used to gain heights. Use ladders only.
7. No tools will be placed on ladder tops or steps.
8. When using electric tools and equipment, only grounded plugs and cords are permitted.

ACCIDENT REPORTING

The Cheektowaga Police Department will be notified in the event of a vehicular accident.

Secure names and addresses of witnesses and license number(s) of vehicle(s) involved prior to arrival of police.

Assist in any investigation or inquiry of an accident or damage occurring while you are in charge of vehicle.

Personal injuries shall be reported immediately to your supervisor and employee designated to complete necessary accident/compensation forms.

MAINTENANCE

RULES - APPLICABLE TO ALL PERSONNEL

1. Warning tags must be placed on circuit breakers or plugs of machinery being repaired or worked on. Only the person who placed the tag, or an authorized person, may remove it.
2. Read and heed all 'Warning' and 'Instruction' labels on equipment, chemicals and other materials and follow accordingly. If you do not fully understand the warning or instruction, ask your supervisor for assistance.
3. Keep all gas bottles chained at all times to prevent their falling or rolling.

SEWAGE TREATMENT PLANT/SEWER MAINTENANCE DEPARTMENT

CHLORINE AND CHLORINATION

RULES

1. Check ventilation in Chlorine Room daily.
2. A minimum of two (2) employees to remove empty tanks and replace full tanks.
3. Check to make sure valves are closed on chlorine container when disconnecting flexible connection.

4. Use Scott's Air Pak when correcting any leaks from Chlorine tank.

GUIDELINES

1. Use extreme care in lifting tanks with hoist; do not drop tanks at any time (empty or full).
2. Keep Chlorine Room in clean condition at all times.

PUMPS AND SLUDGE REMOVAL

GUIDELINES

1. Clean all pumps from sludge, oil, and grease.
2. Check electrical equipment for bare wires.
3. Use ventilation provided.
4. Use gloves, eye protection and respirator when using air borne chemicals.
5. Hoses that are used for cleaning pump areas are to be hung up on proper rack.

LABORATORY

GUIDELINES

1. Do not handle chemicals with bare hands.
2. Check labels on bottles or containers for proper chemical to be used.
3. Use tongs or suitable tool when handling hot equipment.
4. Avoid smoking and eating except at scheduled breaks or lunch period.
5. Use suction bulb when working with pipette.
6. Check safety shower and emergency eye wash weekly.
7. Vent all fumes.
8. Use safety glasses at all times.
9. Do not use laboratory glassware for food or liquid to be used for lunch.

10. Wear laboratory coats that are provided.
11. "Water-Acid"--Always add the acid to the water, never the reverse.

FACILITIES DEPARTMENT - RULE

At least two employees shall be assigned to ice maintenance.

HIGHWAY - RULE

Be sure that safety chain is attached to snow wing at all times when it is on the truck and truck is not in use.

RECREATION - GUIDELINES

1. Wear clothing suitable to the activity being pursued. Sneakers and other athletic footwear will be permitted as appropriate and bare feet will be permitted in the pool area, locker rooms and showers.
2. Work shoes will be worn by employees excluding officer personnel and those described in #1.
3. Use appropriate protective equipment when engaged in athletic activities requiring such equipment.
4. Learn and follow the Recreation Department Training Manual and activity rules published.

SANITATION DEPARTMENT - RULES

1. Pick up on one side of the street. Do not cross traffic lanes when picking up refuse, except where specific exception is made by Department Head.
2. Step away from falling containers.
3. Do not overfill hopper.
4. Do not dump while hopper is operating.
5. Stand to the side of hopper while it is pacing (rather than behind it).
6. Do not throw containers filled with unknown substances into hopper.
7. Do not run behind truck where materials could fall from or be ejected by packer

GUIDELINES

1. Establish driver-rider coordination. Lifter should use hand signals to direct driver in backing.
2. Driver shall not move truck until both employees are securely placed on the steps or in the cab (except when proceeding or backing at the direction of a lifter.)

OPERATION OF PACKER CONTROLS

RULES

1. Never try to dislodge, catch, or push back waste while the packer is operating. Keep away from hopper while it is in operation.
2. Lay boards and other long items in hopper so that they do not stick out or swing about when compacted.

GUIDELINES

1. Use left hand if controls are on right side; signal co-workers before operating packer.
2. Check positions of hands before closing tailgate.

MOUNTING AND DISMOUNTING

GUIDELINES

1. Mount and dismount only when truck has stopped and completed its backward lurching motion that occurs when stopping.
2. Watch where you place your feet.
3. Grasp handholds firmly. Always use two hands before mounting and until both feet are securely on the ground when dismounting.
4. Step up firmly and steadily when mounting, and dismount backwards (do not jump).
5. Inspect welds and braces supporting steps for cracks at the start of each shift.

RIDING IN OR ON TRUCK - GENERAL - ALL EMPLOYEES

RULES

1. No employee is to ride on step if the truck is moving beyond two blocks.
2. Do not ride on truck when truck is backing.

PROPER LIFTING TECHNIQUES

GENERAL GUIDELINES - ALL PERSONNEL

1. Rock containers to determine approximate weight before lifting.
2. Use two-man crews to lift overweight containers in a slow, steady lift in unison.
3. Always maintain a firm grip on containers and keep them close to body.
4. Take a step while turning to dump, do not jerk or twist while lifting.
5. Know how much you can lift and use correct lifting techniques. Do not attempt to lift or carry anything by hand that is too heavy or bulky for one person to handle safely. Use the correct lifting device for the job.

GUIDELINES - GENERAL

1. Report all unsafe conditions to supervisor promptly.
2. Familiarize yourself with your duties and the tools and equipment used to perform those duties. Recognize the hazards of your job and equipment and do not take unnecessary risks.
3. No employee shall misuse, overload or overextend any town equipment or vehicle. Employees shall use correct tools and equipment for the work to be performed. Employees will check the condition of town equipment or vehicles for safety prior to use.

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4. The Town of Cheektowaga Police Department will investigate all accidents involving Town motor vehicles, maintain a record thereof, and assist department heads and supervisors in the furtherance of this program.
 5. Supervisors or department heads will assist driver's in reporting all accidents, filing appropriate reports with the Town's insurer, the State of New York (when required) and the Town Supervisor.

Each Department shall retain a copy of all accident reports and investigations with a copy included in the driver's file.

GUIDELINES - EQUIPMENT - GENERAL

1. Always check ladders, steps, scaffolds, lifts, chainfalls, chains, chokers, cables, hooks, ropes, slings, hoists, jacks, grates, guards, etc., for wear or unsafe condition before use.
2. All machinery and power tools should be inspected for wear and hazardous conditions before use. Defective or hazardous equipment should be tagged and reported to your supervisor.
3. Do not operate power equipment and tools unless and until properly instructed in the safe use and handling of such equipment.

DEPARTMENT HEAD, SUPERVISOR AND FOREMEN

RULES AND GUIDELINES

RULES

1. Become fully acquainted with the Town Loss Control and Safety Program and the Safety Rules and Guidelines.
2. Always enforce the General, Motor Vehicle and Department Safety Rules and Guidelines, and treat suspected violators impartially.
3. Be sure all employees, particularly new employees, are made aware of the Town Loss Control and Safety Program and are instructed in the safe manner of performing their work.
4. On the job training shall be provided.
5. Personally inspect and record the condition of all safety and fire fighting equipment at least monthly.
6. Review the Daily Maintenance and Care Check Lists and establish a schedule of periodic maintenance for all vehicles, equipment and tools.

Arrange promptly for the repair of all defective or hazardous tools and equipment.

7. Develop ways to improve upon the General, Motor Vehicle and Department Safety Rules and Guidelines and reduce the number of accidents and injuries. The Town Supervisor and the Town Safety Committee should be informed of any proposed changes.
8. Take a personal interest in the operation of your Department Safety Committee. Review their work and investigations of accident causes. Encourage the development of a positive attitude toward a safe place to work.
9. Take all reasonable steps to comply with our Insurer's recommendations and promptly advise the Insurer, the Town Supervisor and the Town Safety Committee of compliance or compliance problems.

GUIDELINES

1. Whenever possible, rely on re-training and explanation of hazards, which the Safety Rules and Guidelines are designed to avoid. Do not, however, fail to impose appropriate penalties for repeated violations. Consider job reassignments for persons unable to safely perform their assigned duties at all times.
2. Read and become familiar with the "Supervisor's" Safety Guide Book and other safety publications and books (available from the Safety Committee and local libraries).

DISCIPLINARY ACTION

The primary purpose of disciplinary action is to obtain the supervisor's and employee's willingness to comply with rules and regulations. The object is to change the employee's behavior regarding established rules of conduct and safety without stimulating undesirable results.

Frankly, it often takes some doing to get compliance with rules willingly and, at the same, retain a cooperative and productive employee.

We believe the vast majority of employees will respond to education, reinstruction and persuasion when confronted with safety rule violations. There may, however, be some chronic rule breakers who will require special handling and individual attention.

We recognize the handling of "safety problem" employees is difficult and usually distasteful to supervisors. Supervisors and Department Heads must strive vigorously to overcome any tendency to "let this one go by" for whatever reason.

Only if violations are handled skillfully, fairly and always with respect to an individual's dignity, will this program and the humane benefits it holds be accomplished.

A better understanding of safety is essential and all Supervisors and Department Heads should be able to find information available to assist him/her. A basic understanding of safety can be obtained from the booklet entitled "Supervisor's Safety Guide Book." A copy has been given to each Department Head. Supervisors wishing to have a copy need only ask. In addition, the local libraries have been asked to stock books or reading matter on this subject and the Town Safety Committee has safety and loss control material available.

PENALTIES FOR RULE AND GUIDELINE VIOLATIONS

1. SERIOUS VIOLATIONS:

Violation of a safety rule marked by an asterisk(*) will be treated as a serious violation under Article 19 and the employee charged is subject to possible suspension.

2. VIOLATION OF REGULAR SAFETY RULE:

- A. First violation will result in a documented oral reprimand.
- B. Second violation within a one-year period will result in a documented written reprimand.
- C. Third violation within a one-year period will result in a labor-management conference and possible suspension under collective-bargaining contract procedures.

3. VIOLATION OF SAFETY GUIDELINES:

- A. First violation will result in a safety reminder slip (copies to be provided to employee, Union and personnel file).
- B. Second violation within one year will result in issuance of second reminder slip as above.
- C. Third violation within one year will result in issuance of oral reprimand.
- D. Fourth violation within one year will result in a formal written reprimand.
- E. Fifth violation within one year will result in a labor/management conference and possible suspension under collective-bargaining contract procedures.

CONCLUSION

The work of operating a town encompasses many diverse operations which makes it impossible to prepare rules for each and every function or hazard. Thus, only a general set of rules can be formulated. Common sense, consciousness of one's activity and interest in safety is a requirement of each employee.

Safety is to be the concern of all and no job should be started unless thought and effort is given to providing for a safe operation.

Although safety starts with supervision, it is not enough for a supervisor and foremen to be conscious of performing safely on the job, but is the responsibility of each employee to be aware of his or her own safety and that of his/her fellow workers.

Accident prevention is a consideration from a humanitarian point of view and is an important obligation that we bear, and it must be remembered that each of us has a stake in safety.

MEETING NO. 4
February 18, 1987

Item No. 6b Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, the Town has a major sanitary sewer pipeline under land owned by BB & H Enterprises and located at 4565 Genesee Street, and

WHEREAS, the Town has requested an easement from BB & H Enterprises for such sewer line, and

WHEREAS, BB & H Enterprises has executed the necessary easement to the Town, NOW, THEREFORE, BE IT

RESOLVED that the easement executed by BB & H be and hereby is accepted by the Town, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute such easement on behalf of the Town, and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is directed to file such easement in the Erie County Clerk's Office.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 7 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, there is a need to undertake sewer remedial projects at eight (8) locations in Sanitary Sewer District #5 and two (2) locations in Sanitary Sewer District #3, which remedial work is needed in order to alleviate conditions during storm water periods, which areas have been targeted for remedial work by the Town Engineer, and

WHEREAS, funds have been budgeted for such sanitary sewer system upgrading, NOW, THEREFORE, BE It

RESOLVED that the proposal as submitted by Nussbaumer & Clarke, Inc. to the Town Engineer and dated January 29, 1987 be and hereby is accepted and approved for the provision of professional services, including field survey, preparation of plans and specifications and provision of services during construction be and hereby is accepted and approved, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said proposal on behalf of this Town Board, and BE IT FURTHER

RESOLVED that costs for survey, plan and specification preparation in the amount of \$22,700.00 for Sewer Districts #5 & #7 and \$4,600.00 for Sewer District #3 and the costs for services during construction in the amount of \$7,900.00 for Sewer Districts #5 & #7 and \$1,300.00 for Sewer District #3 are to be chargeable to WWFR Remedial Account #508125.4543.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 8 Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, it is the intention of the Town to sponsor a Polish-American Arts Festival from August 21-23, 1987, and

WHEREAS, financial assistance is available through the New York State Council on the Arts toward the cost of said Festival, and

Item No. 8 cont'd

WHEREAS, an application for such assistance is being prepared requesting \$5,000 from the New York State Council on the Arts for the presentation of the Town's Polish-American Arts Festival, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said application and any and all related documents on behalf of the Town Board for submission to the New York State Council on the Arts, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Assemblyman Dennis T. Gorski, and Senator Dale M. Volker.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Kowal, Seconded by Councilman Rogowski

RESOLVED that the salaries of the following Town Officials and employees who are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1987:

Town Attorney	\$34,278
Deputy Town Attorney (2)	19,449
Town Engineer	46,857
Supervising Accountant	33,075
Building and Plumbing Inspector	35,536
Assessor	33,031
Real Property Appraiser	30,960
Executive Director - Youth Bureau	32,390
Director of Recreation	30,609
Senior Recreation Supervisor	22,594
Clerk of Justice Court	29,243
Clerk to Justice Court	22,772
Secretary to Supervisor	22,782
Deputy Receiver of Taxes	21,718
First Deputy Town Clerk	23,044
Second Deputy Town Clerk	21,718
Council Secretary	22,782
Working Crew Chief - Sanitation	32,549
Senior Citizens Director	27,250
Program Coordinator - Youth Bureau	21,446
Deputy Highway Superintendent	33,979
Director of Community Development	30,735
Employment & Training Services Director	37,787
Disaster Coordinator (part-time)	8,876
Mail Clerk (part-time)	5,215
Recreation Attendant (part-time Recreation)	7,294
Planning Board (5)	2,469
Secretary (1)	3,126
Chairman (1)	3,648
Zoning Board (4)	2,911
Chairman (1)	4,042
Assessment Review Board (4)	1,025
Chairman (1)	1,275
Bingo Inspectors (5)	5,110
Chairman (1)	5,350
Police Matrons (2)	7,665

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

MEETING NO. 4
February 18, 1987

Item No. 10a Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, the Board of Plumbing and Drainage Examiners of the Town of Cheektowaga consists of five (5) members, including the Town Engineer, the Town Building and Plumbing Inspector, and three (3) persons who have actively engaged in the plumbing business for at least ten (10) years next preceding their membership, and

WHEREAS, the last three (3) members shall be appointed by the Supervisor, be and with the consent of the other members of the Town Board, and must be residents of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are appointed to the Board of Plumbing and Drainage Examiners of the Town of Cheektowaga for a term of two years, at a compensation not to exceed Two Hundred Fifty Dollars (\$250) per year.

Joseph V. Schmigel, Cheektowaga, New York

Louis Costrino, , Cheektowaga, New York

Joseph A. Piccione, Cheektowaga, New York

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 10b Appointment of Cleaner in Facilities Department
This item was withdrawn.

Item No. 10c Apointment of General Mechanic in Facilities Department (promotional)
This item was withdrawn.

Item No. 11a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individual employed in the Facilities Department be and hereby is terminated as follows:

Parks Division - #01-007110-1-0-1491-001

Effective

Joseph Lenartowicz

3/1/87

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 11b Motion by Councilman Gabryszak, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal and/or Part-Time Employees in the various Departments as listed:

EFFECTIVE

SANITATION DEPARTMENT

Richard Somogye

1/30/87

ASSESSOR'S OFFICE

Judy Golas

2/27/87

MEETING NO. 4
February 18, 1987

Item No. 11b cont'd

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 12a Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be hired by the Facilities Department to assist in conducting its 1986-87 winter program:

Effective

Parks Division - #01-007110-1-0-1491-001 - \$3.35 per hour

Earl Sherer retroactive to 1/26/87

Street Lighting Division - #02-905182-1-0-1492-001

Conrad Scharmach retroactive to 2/16/87

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 12b Motion by Councilman Rogowski, Seconded by Councilman Kowal

RESOLVED that the following hourly wages be set for part-time personnel in the Department of Senior Services for 1987, retroactive to January 1st:

CRAFT TEACHER	- Virginia Carlin	- \$4.50 an hour
CERAMIC TEACHER	- Mary Jane Chirico	- \$4.00 an hour
REC ATTENDANT	- Carol Malkiewicz	- \$4.25 an hour
VAN DRIVERS	- William Boye	- \$4.25 an hour
	- Casimir Dukat	- "
	- Richard Faber	- "
	- Nick LaBruna	- "
	- Henry Szczepaniak	- "
	- Robert Taber	- "
	- Henry Zdarsky	- "
SITE MANAGERS	- Mildred Fournier	- \$4.25 an hour
	- Patricia Hamme	- "
	- Lynn Kolb	- "
	- Adele Makowski	- "
	- Dorothy McManus	- "

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 12c Motion by Councilman Gabryszak, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal and/or Part-Time Employees in the Department(s) listed:

EFFECTIVE

MAIN PUMP STATION - Seasonal - \$3.75 per hour

Joseph Mazur

2/16/87

MEETING NO. 4
February 18, 1987

Item No. 12c cont'd

MAIN PUMP STATION - Seasonal - \$4.00 per hour

John Johnson

2/16/87

and BE IT FURTHER

RESOLVED that the rate of pay for the following employee in the Town Clerk's Office be set at \$5.00 per hour:

Sophie Sunday

2/17/87

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 13 Motion by Councilman Gabryszak, Seconded by Councilman Kowal

WHEREAS, John R. Harrison, an employee in the Central Garage Department has applied for a Military Leave of Absence from March 2, 1987 through March 13, 1987 and his order to report for Military duty has been forwarded to the Town Clerk, and

WHEREAS, Section 242 of the Military Law of the State of New York, allows a military leave for the purpose of reporting for Military duty pursuant to an Order up to a period of six months, and

WHEREAS, said section 242 of the Military Law also provided for the payment of the salary of such public employee for a period of thirty (30) days while on said military leave duty, NOW, THEREFORE, BE IT

RESOLVED that John R. Harrison, an employee in the Central Garage is granted a military leave of absence from March 2, 1987 through March 13, 1987, and BE IT FURTHER

RESOLVED that John R. Harrison, be paid his salary or other compensation while on such military leave.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 14 Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, the Town Superintendent of Highways has requested permission to send three of his foremen to a paving seminar to be held by the Asphalt Institute in Baltimore, Maryland from March 16-18, 1987, and

WHEREAS, this seminar will enable the Highway Department foremen to keep up-to-date with respect to advances in the field of paving, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are authorized to attend the aforementioned seminar:

Robert Karaszewski
Robert Nader
Alfred F. Wnek, Jr.

and BE IT FURTHER

MEETING NO. 4
February 18, 1987

Item No. 14 cont'd

RESOLVED that such Town employees be reimbursed for registration fees, travel, hotel and other reasonable expenses incurred in their attendance at such seminar, such expenses to be paid out of the Highway Budget, line item number 45130-4-0-4082-001.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Kowal, Seconded by Councilman Rogowski

WHEREAS, the current Collective Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employee's Association permits Tuition Reimbursement of twenty-five percent (25%) for job related courses under Section 25.08, and

WHEREAS, the Facilities Department employees have submitted the necessary certification papers from the Board of Cooperative Education Services, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approves the Tuition Reimbursement to the following employees at twenty-five percent (25%) of the tuition cost incurred by said employees.

Francis Keefe

Cheektowaga, New York 14225 \$20.00

David Wass

Sloan, New York 14212 \$20.00

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Weber, Seconded by Councilman Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 18, 1987 are hereby approved and made a part hereof.

FUND	AMOUNT
GENERAL FUND	\$117,785.70
SPECIAL DISTRICT FUND	51,898.38
HIGHWAY FUND	77,786.93
TRUST & AGENCY FUND	3,278.00
FEDERAL REVENUE SHARING FUND	1,120.00
PART TOWN FUND	2,347.37
CAPITAL FUND	10,318.80
	<u>\$264,535.18</u>

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 17 Supervisor's Statement of Funds
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 18 Letter regarding petition submitted on behalf of N.Y.S. Cable
Television Association
Copies were sent to: James Kirisits, Town Attorney; Town Board
Members.
Received and Filed.

Item No. 19 SUMMONS & COMPLAINT - Roxanne Gates & Lawrence Austin vs Town of
Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Robert Lis, Chief of Police; Laverack/Haines,
Insurance Company.
Received and Filed.

Item No. 20 NOTICE OF CLAIM - Elaine Perrera vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,
Accounting Department; Robert Lis, Chief of Police; Laverack/Haines,
Insurance Company.
Received and Filed.

Item No. 21 Petition from residents protesting building of mall on Walden Avenue
near PVT. Leonard Post 6251
Copies were sent to: Sal LaGreca, Planning Commission Chairman;
Town Board.
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Councilman Johnson, Seconded by Councilman Rogowski
to suspend the rules to include the following item.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 22 Motion by Councilman Jaworowicz, Seconded by Councilman Santa Maria

WHEREAS, Pasquale A. Marrano has petitioned for the rezoning from
CM-General Commercial District to R-Residential District of property owned by
H.O.M. Development and located at Jessica Lane and Transit Road, Cheektowaga, New
York, which property is more particularly described in the attached legal descrip-
tion, and

WHEREAS, a public hearing on such petition was held before this Town
Board on the 2nd day of February, 1987 at 6:30 o'clock P.M., after publication and
service of the notices required by the provisions of the Code of the Town of
Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were
given an opportunity to be heard at such hearing, and

Item No. 22 cont'd

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. the setback of buildings erected on applicant's property shall be a minimum of 40 feet on Transit Road

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 provided the setback on Transit Road is at least 40 feet.

NOW, THEREFORE, BE IT RESOLVED that the application of Pasquale A. Marrano for the rezoning from CM-General Commercial District to R-Residential District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned condition recommended by the Cheektowaga Planning Board and the Environmental Advisory Committee, and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

* See next page for description.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES:	0
ABSENT:	0

Suggested Description
Job 84003
December 11, 1986

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York and being part of Lot 43, Township 10, Range 7 bounded and described as follows:

BEGINNING AT THE POINT of intersection of the northerly line of Lot 43 with the westerly boundary line of Transit Road.

THENCE: S-00°-45'-15"-W along the westerly boundary line of Transit Road a distance of 140.62 feet to its intersection with the northerly boundary line of Jessica Lane as said Jessica Lane is shown on a map of Green Wood Village Subdivision filed in the Erie County Clerk's Office under Map Cover 2463.

THENCE: S-89°-51'-28"-W, along the northerly boundary line of Jessica Lane a distance of 299.99 feet to the southeasterly corner of Subdivision Lot 1 as shown on said map referred to above.

THENCE: N-00°-45'-15"-E, along the easterly line of Subdivision Lot 1 a distance of 140.62 feet to the northeasterly corner thereof; which point is in the northerly line of Lot 43.

THENCE: N-89°-51'-28"-E, along the northerly line of Lot 43 a distance of 299.99 feet to the POINT OF BEGINNING containing 42,181 Square Feet be the same more or less.

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

Denise Gracie, 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..... FEB 26 1987 ;
last publication..... FEB 26 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Gracie
Sworn to before me this 26th
day of February , 19.87..
..... Cecelia Westover

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

**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 February, 1987 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

Rudy A. Santa Maria

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman Santa Maria

WHEREAS, Pasquale A. Marrano has petitioned for the rezoning from CM-General Commercial District to R-Residential District of property owned by H.O.M. Development and located at Jessica Lane and Transit 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 2nd day of February, 1987 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. the setback of buildings erected on applicant's property shall be a minimum of 40 feet on Transit Road 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 provided the setback on Transit Road is at least 40 feet.

NOW, THEREFORE, BE IT RESOLVED that the application of Pasquale A. Marrano for the rezoning from CM-General Commercial District to R-Residential District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and the Environmental Advisory Committee and, BE IT FURTHER

RESOLVED, that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

Upon roll call...

Supervisor Weber Voting AYE

Councilman:

Johnson Voting AYE

W.P. Rogowski Voting AYE

Jaworowicz Voting AYE

Kowal Voting AYE

Gabryszak Voting AYE

Santa Maria Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

SUGGESTED DESCRIPTION

JOB 84003

DECEMBER 11, 1986

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York and being part of Lot 43, Township 10, Range 7 bounded and described as follows:

BEGINNING AT THE POINT of intersection of the northerly line of Lot 43 with the westerly boundary line of Transit Road.

THENCE: S-00°-45'-15"-W along the westerly boundary line of Transit Road a distance of 140.62 feet to its intersection with the northerly boundary line of Jessica Lane as said Jessica Lane is shown on a map of Green Wood Village Subdivision filed in the Erie County Clerk's Office under Map Cover 2463.

THENCE: S-89°-51'-28"-W, along the northerly boundary line of Jessica Lane a distance of 299.99 feet to the southeasterly corner of Subdivision Lot 1 as shown on said map referred to above.

THENCE: N-00°-45'-15"-E, along the easterly line of Subdivision Lot 1 a distance of 140.62 feet to the northeasterly corner thereof, which point is in the northerly line of Lot 43.

THENCE: N-89°-51'-28"-E, along the northerly line of Lot 43 a distance of 299.99 feet to the POINT OF BEGINNING containing 42, 181 square feet be the same more or less.

**STATE OF NEW YORK
COUNTY OF ERIE**

I, RICHARD M. MOLESKI, Town Clerk of the Town herein after 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 February 18, 1987, 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. 22, 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 February, 1987.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: February 26, 1987

MEETING NO. 4
February 18, 1987

Item No. 23 Motion by Supervisor Weber, Seconded by Councilman Santa Maria
to adjourn the meeting in memory of Felix Wroblewski, Wanda Fath and Norma
Wolf-Wansart.

RICHARD M. MOLESKI
Town Clerk

PUBLIC HEARINGS held at 6:30 P.M.

NO.

ITEM

Meeting No. 6 March 16, 1987

- 1 Community Development Block Grant funds - Statement of objectives and proposed use

Meeting No. 7 April 6, 1987

- 1 580 Cayuga Road - Special Use Permit for offices and equipment storage
- 2 760 Dick Road - Rezoning from RA-Apartment District to CM-General Commercial District
- 3 2437 Union Road - Rezoning from RC-Restricted Business District to CM-General Commercial District

PUBLIC HEARINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 6 March 16, 1987</u>	
2	Amendment to T.O. - Article X "Parking, Standing, Stopping" - Marne, Bell, Olcott	1-2

RESOLUTIONS

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2	Decision on Rezoning - 274 Cayuga Road	1-2
3	CALL FOR PUBLIC HEARING: a. Amendment to T.O. - Art. X: Parking, Standing, Stopping - MARNE ROAD, BELL ST., and OLCOTT PLACE b. Use of Community Development Funds	2-3 4
4	Notice to Bidders - Twelve (12) new police vehicles	5
5	AWARD OF BIDS: a. New trees for spring planting for 1987 b. Furnishing of manhole frames and covers c. Equipment and operators for public works projects d. Furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning e. Chemical fertilizers and herbicides	6-7 7 7-8 9 10
6	TERMINATIONS: a. Employees in Facilities Department b. Seasonal/Part-time employees in various departments c. Cheektowaga Youth Bureau Administrative Intern Program	11 11 11
7	Termination and hiring in Department of Senior Services	12
8	HIRING: a. Facilities Winter Program b. Seasonal/Part-time employees in various departments	12 12
9	Abolish position of Captain in Police Department	12-13
10	Create position of Sergeant in Police Department	13
11	Amend resolution of 2/18/87 regarding authorization for Highway Foreman to attend seminar	13
12	Retain services of Conservation Consultants	13-14
13	AUTHORIZE: a. Supervisor to sign agreement between Chief of Police and Assistant Chief of Police b. Supervisor to sign contract for sale of tractor c. Chief of Police and Assistant Chief of Police to attend seminar	14 14 14
14	APPROVAL OF: a. Settlement of assessment Review Proceeding b. New Ambulance Driver/Attendant Licenses c. Ambulance Driver/Attendant Renewal Licenses	15 15-16 16
15	PERMISSION: a. for St. Mary's High School to conduct Walk-A-Thon b. to install one (1) hydrant on Ely Road	17 18
16	Transfer of Funds	18
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Meeting No. 6 March 16, 1987

3	Decision on Special Use permit - 468 Kennedy Road	2
4	Request N.Y.S. to enact legislation regarding establishment of hazardous materials response teams	3-4
5	Request for tax notices from E.C. Industrial Development Agency	4
6	AFFIRMATION OF RECOMMENDATIONS MADE BY SEQR ADVISORY COMMITTEE DATED: a. January 27, 1987 b. March 4, 1987	5 6
7	AWARD OF BIDS: a. Traffic control signs, street name signs & brackets b. Corrugated metal pipe and reinforced concrete pipe	7-8 9-10
8	Notice to Bidders - installation & reconstruction of sidewalks	11

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
9	Authorize Lancer Development to submit Draft Environmental Impact Statement regarding proposed shopping mall	12
10	AUTHORIZE SUPERVISOR TO SIGN:	
	a. Agreement regarding Community Development Funds	12-13
	b. Agreement for engineering services for solid waste management services & project development	13
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	d. Proposal with Babinsky/Klein Engineering regarding installation of air-conditioning system in several Town buildings	14
	e. Agreement with Trautman Associates regarding replacement of roofs on several Town buildings	14-15
11	Agreement to defend, indemnify and hold harmless the Cheektowaga Maryvale School district from claims arising out of the Town's use of Maryvale High School facilities	15
12	Permission for Chief of Police to dispose of unrepairable and/or obsolete equipment	15-16
13	Permission for Western New York Chapter of March of Dimes Birth Defects Foundation to conduct walk-a-thon	17
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	c. Assistant Superintendent - Wastewater Pump Station (Permanent)	19
	d. Housing Inspector	20
18	HIRING OF PART-TIME/SEASONAL:	
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	c. Various	21
19	AUTHORIZATION TO ATTEND CONFERENCE/COURSE	
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	b. Recreation Director	21-22
	c. Fire Inspector	22
20	Transfer of Funds	22
21	Warrant List	23

Meeting No. 7 April 6, 1987

2	CALL FOR PUBLIC HEARINGS:	
	a. Special Use Permit for Harlem Road & Walden Ave (Thruway Mall) for go-kart track	1
	b. Amendment to Traffic Ordinance: Art. VIII "Stop & Yield Intersections: HARVEST LANE and Art. X "Parking, Standing and Stopping: AUTUMN LANE and HARVEST LANE	2
3	Decision on amendment to T.O. - Art. X Parking, Standing, Stopping MARNE RD., BELL ST. and OLCOTT PLACE	3
4	NOTICE TO BIDDERS:	
	a. Two (2) new and unused 1988 Model Single Drive Axle Dump Trucks/snow plow, wing and plow Rigging for Highway	5
	b. One (1) new and unused 1987 Model Year Stump Cutter for Highway	6
	c. Football equipment for Recreation Dept.	
	d. Extension of sanitary sewer along south side of Walden Ave, east of Dick Road	8-9
	e. Reconstruction of Pfohl Road	10-11
	f. Labor, materials and equipment for remodeling Roycroft Pump Station	12-13
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RESOLUTIONS cont'd

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5	MEMORIALIZE: a. State Assembly, Senate and Governor Cuomo to establish State Revenue Sharing appropriations b. State Legislature to enact tax reform measures to offset effects of Federal Tax Reform Act c. State Legislature and Governor Cuomo to repeal Section 101 of General Municipal Law (Wicks Law)	17 17-18 18
6	TERMINATION OF SEASONAL/PART-TIME EMPLOYEES IN: a. Various Departments b. Facilities Department c. Youth Bureau's Administrative Intern Program	18 18-19 19
7	HIRING OF SEASONAL/PART-TIME EMPLOYEES IN: a. Various Departments b. Recreation Department Winter Program c. Facilities Department Summer Program	19 20 20
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10	AUTHORIZATION FOR: a. Three (3) Highway Department employees to attend course on diesel engines b. Two (2) employees to attend conference on health and safety hazards	22 22
11	Change termination dates of members of Assessment Board of Review	22-23
12	AUTHORIZE SUPERVISOR TO SIGN AGREEMENTS: a. between Chief of Police and Assistant Chief of Police b. with County of Erie for STOP-DWI Program c. with Nussbaumer & Clarke, for highway and drainage improvements for Huth Road d. with Nussbaumer & Clarke for highway and drainage improvements for Mapleview Road e. between Town and Cheektowaga Historical Association for use of Historical Museum f. for claims administration and loss control service contract with Laverack and Haines, Inc.	23 24 25 25 25-26 27
13	Authorize Town Attorney to prepare legal easement descriptions for obtaining drainage easements from two (2) property owners on Mafalda Drive	27
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15	APPROVAL OF: a. New Ambulance Driver/Attendant licenses b. Renewal Ambulance Driver/Attendant licenses c. Ambulance (Vehicle) licenses d. Public Improvement Permit for Phase 6 of Losson Green Estates Subdivision e. Community Development loan funds f. Change Order No. 1 for reconstruction of Rein Road Bridge	28-29 29 30 31 31 31-32
16	Acceptance of cash in escrow in lieu of performance bond regarding Public Improvement Permit for extension of Ely Road	33
17	Convert certain towed vehicle to Town use	33-34
18	Permission to install one (1) hydrant on east side of Hillpine Rd.	34
19	AUTHORIZE N.Y.S. ELECTRIC AND GAS TO: a. Remove one light fixture b. Energize 20 high pressure luminaires at Losson Green Estates	34 35
20	Restore checks to cash	36
21	Transfer of Funds	36
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GENERAL COMMUNICATIONS

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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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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 March, 1987 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak
Councilman Rudy A. Santa Maria

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; James Kirisits, Town Attorney; Casimir Kozminski, Town Assessor; Sal LaGreca, Employment and Training Director II; Robert Lis, Chief of Police; Ronald Marten, Building Inspector; Julia Reinstein, Town Historian; and Patricia Wojcik, Senior Citizens Coordinator.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Santa Maria Seconded by Councilman Jaworowicz

WHEREAS, Richard E. Neth has petitioned for the rezoning from RC-Restricted Business District to CM-General Commercial District of property owned by him and located at 274 Cayuga 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 18th day of February, 1987 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended denial thereof because it would represent spot zoning and would also be detrimental to the adjoining residential area, 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 recommended denial of the application because it would be spot zoning and would not be in the Town's or the residents' best interests,

NOW, THEREFORE, BE IT RESOLVED, that the application of Richard E. Neth for the rezoning from RC-Restricted Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby denied based on the aforementioned recommendations and reasons stated by the Cheektowaga Planning Board and the Town Environmental Advisory Committee.

*SEE NEXT PAGE FOR COPY OF LEGAL DESCRIPTION

Item No. 2 Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 3A Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that the vehicle and traffic regulations of the Town be amended, NOW, THEREFORE,

BE IT RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on March 16, 1987 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 amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 5th day of March, 1987, said amendments being set forth in the Notice of Hearing.

* * * * *

NOTICE OF PUBLIC 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 March 16, 1987 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations shall be amended by deleting therefrom the following:

Marne Road	east side:	from the north curb of East Delavan Avenue to the south line of Rowan Road
Bell Street	south side:	from Pine Ridge Terrace westerly to the east line of Olcott Place
Olcott Place	west side:	from the south curb of Genesee Street to the north line of Herbert Avenue

Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

Marne Road	west side:	from the north curblines of East Delavan Avenue to the south curblines of Rowan Road
Bell Street	north side:	from the east curblines of Olcott Place to the west curblines of Pine Ridge Terrace
Olcott Place	east side:	from the south curblines of Genesee Street to the north curblines of Herbert Avenue

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

Dated: March 2, 1987

* * * * *

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

BEGINNING at the point of intersection of the northerly line of said Lot No. 13, Township 11, Range 7 with the center line of Cayuga Street: thence westerly along said north line of said Lot No. 13, Township 11, Range 7, 395.26 feet to the northeast corner of lands conveyed to Elmer Stygall by deed recorded in Erie County Clerk's Office in Liber 1869 of Deeds at page 114: thence southerly parallel with Cayuga Street 141.61 feet: thence easterly parallel with the north line of said Lot No. 13, Township 11, Range 7, 395.26 feet to the center line of Cayuga Street: thence northerly along the center line of Cayuga Street 141.61 feet to the point of beginning.

EXCEPTING AND RESERVING THEREFROM all that portion thereof conveyed to the County of Erie by deed recorded in Liber 8228 of Deeds at page 231 and conveyed to James W. Simpson by deed recorded in Liber 8532 of Deeds at page 457.

Item No. 3A Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....*Denise Grace*....., 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.....*MAR - 5 1987*..... ;
last publication.....*MAR - 5 1987*..... ;
and that no more than six days intervened be-
tween publications.

.....*Denise Grace*.....

Sworn to before me this*5th*.....

day of*March*....., 19*87*...

.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

LEGAL NOTICE

NOTICE OF PUBLIC 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 March 16, 1987 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations shall be amended by deleting therefrom the following:

Marne Road; east side: from the north curb of East Delavan Avenue to the south line of Rowan Road
Bell Street; south side: from Pine Ridge Terrace Westerly to the east line of Olcott Place

Olcott Place; west side: from the south curb of Genesee Street to the north line of Herbert Avenue

Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

Marne Road; west side: from the north curblane of East Delavan Avenue to the South curblane of Rowan Road

Bell Street; north side: from the east curblane of Olcott Place to the west curblane of Pine Ridge Terrace

Olcott Place; east side: from the south curblane of Genesee Street to the north curblane of Herbert Avenue.

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

RICHARD M. MOLESKI

Town Clerk

DATED: March 2, 1987

PUBLISH: March 5, 1987

Item No. 3B Motion by Councilman Jaworowicz Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga is eligible to receive up to \$687,000 in Community Development Block Grant funds for the 1987-88 Program Year, and

WHEREAS, the Town of Cheektowaga is required to hold a public hearing for the purpose of obtaining the views of Town residents regarding community development and housing needs, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on March 16, 1987, at 6:30 P.M. at Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the above said purpose, and BE IT

FURTHER RESOLVED that a notice of such public hearing also contain a notice of proposed community development objectives and use of funds and a statement of the range of allowed activities under the Community Development Program, be published in the Cheektowaga Times on March 5, 1987.

* * * * *

NOTICE OF PUBLIC HEARING

STATEMENT OF OBJECTIVES AND PROPOSED USE OF FUNDS

The Town of Cheektowaga will hold a Public Hearing on Monday, March 16, 1987 at 6:30 P.M., at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, regarding the Town's 1987-88 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew, Sloan, and Williamsville are eligible to receive up to \$687,000 under Title I of the Housing and Community Development Act of 1977, as amended. The purpose of this hearing is to provide the citizens of the Town of Cheektowaga with the opportunity to express their views and opinions on housing and community development needs in the Town. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew, and Williamsville to foster and maintain strong and viable communities through the use and expenditure of Federal Community Development Block Grant funds. Further, said funds shall be assigned to areas deemed most needy on the basis of social, economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and industrial development. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, 2600 Harlem Road, Cheektowaga, New York, 14225, between the hours of 9:00 A.M. and 4:30 P.M., weekdays, or can be discussed with the Community Development Director by calling 896-1700 between 9:00 A.M. and 4:30 P.M., Monday through Friday.

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Gracie....., 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 MAR - 5 1987 ;
last publication MAR - 5 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Gracie.....

Sworn to before me this 5th.....

day of March....., 1987..

Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
STATEMENT OF OBJECTIVES
AND PROPOSED USE
OF FUNDS**

The Town of Cheektowaga will hold a Public Hearing on Monday, March 16, 1987 at 6:30 P.M., at Cheektowaga Town Hall, Broadway & Union Road, Cheektowaga, New York, regarding the Town's 1987-88 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew, Sloan, and Williamsville are eligible to receive up to \$687,000 under Title I of the Housing and Community Development Act of 1977, as amended. The purpose of this hearing is to provide the citizens of the Town of Cheektowaga with the opportunity to express their views and opinions on housing and community development needs in the Town. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew, and Williamsville to foster and maintain strong and viable communities through the use and expenditure of federal Community Development Block Grant funds. Further, said funds shall be assigned to areas deemed most needy on the basis of social, economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and industrial development. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, 2600 Harlem Road, Cheektowaga, New York, 14225, between the hours of 9:00 A.M. and 4:30 P.M., weekdays, or can be discussed with the Community Development Director by calling 896-1700 between 9:00 A.M. and 4:30 P.M., Monday through Friday.

PUBLISH: March 5, 1987

Item No.4 Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, the Police Department is in need of twelve (12) new police vehicles, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders in the CHEEKTOWAGA TIMES and BUFFALO NEWS, and BE IT

FURTHER RESOLVED that the Town Clerk be and hereby is authorized to open such bids on March 16, 1987 at 11:00 A.M. in the Council Chambers of the Town Hall, Broadway and Union Roads, Cheektowaga, New York.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on March 16, 1987 at 11:00 A.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the purchase of twelve (12) 1987 Model, Full-Size Four Door Sedans for use by the Police Department.

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

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

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

Richard M. Moleski
Town Clerk

Dated: March 2, 1987

* * * * *

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

AFFIDAVITS - NEXT TWO PAGES

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

.....*Denise Gracie*....., 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.....*MAR - 5 1987*..... ;
last publication.....*MAR - 5 1987*..... ;
and that no more than six days intervened be-
tween publications.

.....*Denise Gracie*.....

Sworn to before me this^{5th}.....

day of*March*....., 19⁸⁷.....

.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19⁸⁷

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received by the Town of Cheektowaga on March 16, 1987 at 11:00 a.m. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the purchase of (12) 1987 Model, Full-size Four Door Sedans for use by the Police Department.

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

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

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

**RICHARD M. MOLESKI
TOWN CLERK**

**DATED: March 2, 1987
PUBLISH: March 5, 1987**

State of New York
ERIE COUNTY
CITY OF BUFFALO

NOTICE TO BIDDERS
Sealed proposals will be received by the Town of Cheektowaga on March 16, 1987 at 1:00 P.M. Eastern Standard Time, at the Town Hall, corner of Broadway & Union Road, for the purchase of twelve (12) 1987 Model Full-Size Four Door Sedans for use by the Police Department.
Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.
The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.
By the order of the Town Board of the Town of Cheektowaga, Erie County, New York.
RICHARD M. MOLESKI
Town Clerk
Dated: March 2, 1987

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that ^s he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of THE BUFFALO 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 ~~two~~ times for ~~two~~ one week, the first insertion being on the 5th day of March 19 87 and the last insertion being on the 5th day of March 19 87.

D. Eileen Perry

Sworn to before me this 5th day of March 19 87

Harold A. Mann

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 1988
Notary Public, Erie County, N.Y.

MEETING NO. 5
March 2, 1987

Item No. 5A Motion by Councilman Kowal Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received by this Town Board at a public bid opening for the purchase of new trees for spring planting by the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to Schichtel Nursery, 6745 Chestnut Ridge Road, Orchard Park, New York, 14127; said bidder being the sole and lowest bidder meeting the specifications as set forth in the tabulation attached hereto and made a part hereof.

*SEE NEXT TWO (2) PAGES FOR COPY OF LETTER FROM TOWN HIGHWAY SUPERINTENDENT CONTAINING ANALYSIS, TABULATION AND REPORT.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 686-3450



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

February 19, 1987

Daniel E. Weber, Supervisor
Honorable Town Board
Town Hall
Cheektowaga, NY 14225

Honorable Town Board Members:

RE: AWARD OF CONTRACT FOR NEW TREE PLANTING-87

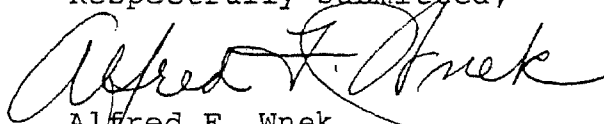
As a result of recent advertisement to supply the Town of Cheektowaga Highway Department with new trees for spring planting, please be advised that after review of submitted bid, I recommend that the Honorable Body award the contract to:

Schichtel's Nursery, 6745 Chestnut Ridge Rd., Orchard Park, NY 14127.

Schichtel's Nursery was the sole bidder. Quotes as per attached listing.

I trust my recommendation meets with your approval.

Respectfully submitted,


Alfred F. Wnek
Superintendent of Highways

ji

cc: Town Attorney
Town Clerk

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



Item No. 5A Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 5B Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of manhole frames with self-sealing covers and manhole frames with vented covers, which bids were duly received and opened at the February 17, 1987 public bid opening, AND

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

WHEREAS, bids were reviewed and it is recommended that the award be made to the lowest responsible bidder meeting the requirements of the specifications, AND

WHEREAS, funds are available in the WWFR Remedial Program, Account #508125.4543, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of manhole frames and covers be and hereby is awarded to the following at the bid prices listed:

<u>BIDDER</u>		<u>QUANTITY</u>	<u>UNIT BID PRICE *</u>
Syracuse Castings Sales Corporation P.O. Box 190 South Bay Road Cicero, NY 13039	Frame w/24" dia. self sealing cover (set)	100	\$102.00 ea
	Replacement Gasket	25	\$ 2.50 ea
Vellano Bros. Inc. 4401 Walden Avenue Lancaster, NY 14086	Frame w/24" dia. vented cover (set)	50	\$ 84.61 ea

*Delivered Price

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 Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 5C Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, as a result of advertisement, bids were received on February 17, 1987 for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 25, 1987, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga be awarded to Tom Greenauer Development, Inc., 2699 Transit Road, Elma, New York 14059 for submission

SPECIFICATIONS AND BID SHEET FOR NEW TREES
TOWN OF CHEEKTOWAGA, NEW YORK

1. Height of tree shall be measured from the ground level to the top of the tree.
2. Calipur of the tree shall be measured at a point 6" above ground level.
3. All trees must be branched.
4. F.O.B., 3145 Union Rd., Cheektowaga, New York, 14227.
5. ALL TREES SHALL BE SUPPLIED TO THE CHEEKTOWAGA HIGHWAY DEPARTMENT COMMENCING ON April 6, 1987 AND NOT LATER THAN April 24, 1987.

TYPE OF TREE	HEIGHT AND CALIPUR	UNIT BID PRICE
1. NORWAY MAPLE (platanoides)	(up to 200) 8'-10' / 1½"-1½" dia.	16.30
2. LITTLELEAF LINDEN MAPLE (Tilia Cordata)	(up to 100) 8'-10' / 1½"-1½" dia.	26.30
3. BRADFORD PEAR (pyrus calleryana Bradford) Alt.	(up to 200) 6'-8' / 1½"-1½" dia. 8'-10' / 1-1½"	26.30 (Alternate) (Size)
4. PYRAMIDAL EUROPEAN HORNBEAM (carpinus betulus fastigiata) Alt.	(up to 50) 8'-10' / 1½"-1½" dia. 6-8' / 1-1½"	32.00 (Alternate) (Size)
5. REDBUD (pear) Alt. (Armstrong Maple - narrow - No flowers) (Acer rubrum Armstrong)	(up to 150) 6'-8' / 1½"-1½" dia.	26.30 (Alternate) (Variety)

NAME OF COMPANY SCHICHTEL'S NURSERY

ADDRESS 6745 Chestnut Ridge Rd.

Orchard Park, NY 14127

TELEPHONE NO. (716) 662-9896

AUTHORIZED SIGNATURE OF OWNER OR AGENT

Roger Schichtel OWNER

DATED: February 16, 1987

MEETING NO. 5
March 2, 1987

Item No. 5C Cont'd.

of the lowest bid meeting the requirements of the specifications as per the unit bid prices of:

Item 1	Hydraulic Backhoe	\$560.00 per 8 hour day
Item 2	Tractor with Front End Loader	\$400.00 per 8 hour day
Item 3	Dozer	\$400.00 per 8 hour day
Item 4	Dozer	\$480.00 per 8 hour day
Item 5	Dozer	\$480.00 per 8 hour day
Item 6	Tandem Dump Truck	\$304.00 per 8 hour day
Item 7	Landscape Type Tractor	\$ 16.00 per 8 hour day
Item 8	Hydraulic Backhoe	\$280.00 per 8 hour day
Item 9	Laborers	\$ 96.00 per 8 hour day
Item 10	Hydraulic Backhoe	\$560.00 per 8 hour day

AND, BE IT FURTHER

RESOLVED that payment for said equipment and operators for public works projects is to be chargeable to the Erosion Control and Drainage Budget Accounts #008540.4571, #008540.4573 and #008540.4009.

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

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0



Town of Cheektowaga

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

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

February 25, 1987

CHEEKTOWAGA
TOWN CLERK

1987 FEB 26 AM 11:41

RECEIVED

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Equipment & Operators for
Public Works Projects

Gentlemen:

Bids were received and opened on February 17, 1987 for the furnishing of equipment and operators for public works projects. One (1) bid was received and is as follows:

BIDDER

ITEMS 1-10

Tom Greenauer Development, Inc.

\$3,576.00

It is recommended that the bid be awarded to Tom Greenauer Development, Inc., 2699 Transit Road, Elma, New York 14059 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

MEETING NO. 5
March 2, 1987

Item No. 5D Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning for 1987, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

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

RESOLVED that the contract for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning for 1987 be awarded to Superior Pipecleaning, Inc., S-3313 Woodlawn Avenue, Woodlawn, New York 14219 for the following bid prices:

<u>Item</u>	<u>Storm Sewer Diameter to Be Cleaned</u>	<u>Price Per Crew for 8 Hour Day</u>
I	8" - 12"	\$544.00
II	15" - 24"	\$544.00
III	30" - 48"	\$544.00

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

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0



Town of Cheektowaga

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

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

February 25, 1987

RECEIVED
1987 FEB 26 AM 11:41
CHEEKTOWAGA
TOWN CLERK

TO SUPERVISOR DANIEL WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Storm Sewer Cleaning

Gentlemen:

Bids were received and publicly opened on February 18, 1987 for the cleaning of storm sewers in the Town of Cheektowaga. Two (2) bids were received and are as follows:

	<u>Item I</u>	<u>Item II</u>	<u>Item III</u>
	8"-12" Dia. Per Crew <u>8 Hour Day</u>	15"-24" Dia. Per Crew <u>8 Hour Day</u>	30"-48" Dia. Per Crew <u>8 Hour Day</u>
Superior Pipecleaning Woodlawn, New York	\$544.00	\$544.00	\$544.00
Skanex Pipe Services Victor, New York	\$600.00	\$600.00	\$640.00

It is recommended that the bid be awarded to Superior Pipecleaning, Inc. for submission of the lowest bid meeting the requirements of the specifications. The Town of Cheektowaga may contract work as funds become available for the year of 1987.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

MEETING NO. 5
March 2, 1987

Item No. 5E Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, bids were received on February 17, 1987 for the application of chemical fertilizers and herbicides, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 25, 1987, NOW, THEREFORE, BE IT

RESOLVED that the contract for the application of chemical fertilizers and herbicides for the year of 1987 be awarded to Wright Lawn and Tree Care, Inc., 9505 High Street, Clarence Center, New York 14032 at the following total and unit bid prices:

Item 1	\$4,399.96
Item 2	\$2,744.51
Item 3	\$ 257.40
Item 4	\$.0034 per square foot
Item 5	\$.00252 per square foot
Item 6	\$.00252 per square foot
Item 7	\$ 421.50
Item 8	\$ 24.61
Item 9	\$ 210.00
Item 10	\$1,561.21

Total Bid for Items 1, 2, 3, 7, 8, 9 and 10 - \$9,619.19

AND, BE IT FURTHER

RESOLVED that payment for the application of chemical fertilizers and herbicides be funded from Erosion Control and Drainage Account #8540.4587.

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

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0



Town of Cheektowaga

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

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

RECEIVED
1987 FEB 26 AM 11:41
CHEEKTOWAGA
TOWN CLERK

February 25, 1987

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Chemical Fertilizers
and Herbicides

Gentlemen:

Bids were received and opened on February 17, 1987 for the application of chemical fertilizers and herbicides for the year of 1987. Two (2) bids were submitted and their totals are as follows:

<u>BIDDER</u>	<u>TOTAL BID</u>
Wright Lawn & Tree Care, Inc.	\$ 9,619.19
Erbaugh Corp., dba/Lawnmark	\$10,609.95

It is recommended that the bid be awarded to Wright Lawn & Tree Care, Inc., 9505 High Street, Clarence Center, New York 14032 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

Item No. 6A Motion by Councilman Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals employed in the Facilities Department be and hereby are terminated as follows:

Parks Division - #01-007110-1-0-1491-001

Effective

John Mueller	3/15/87
William Rogowski	3/15/87
Thomas Wertz	3/15/87

Street Lighting Division - #02-905182-1-0-1492-001

Donald Havernick	3/21/87
John Kochel	3/15/87
Steven Dunkowski	3/15/87
Terry Hughes	immediately

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES:	0
ABSENT:	0

Item No. 6B Motion by Councilman Gabryszak Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal and/or Part-Time Employees in the various Departments listed:

EFFECTIVE

SEWER MAINTENANCE DEPARTMENT

Ray Nowak	3/16/87
Jeff Mrugalski	3/16/87
Alex Pajak	3/16/87
Bob Fissler	3/16/87
James Kosobucki	3/16/87

MAIN PUMP STATION

Chester Kensey	3/10/87
Victor Podyma	3/11/87

POLICE DEPARTMENT

Kathleen Dilleuth	3/13/87
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Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES:	0
ABSENT:	0

Item No. 6C Motion by Councilman Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the below listed individual be terminated from the Cheektowaga Youth Bureau's Administrative Intern Program Line Item 7310-1804:

Suzanne Batycki	14225
-----------------	-------

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES:	0
ABSENT:	0

Item No. 7 Motion by Councilman Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that Richard F. Faber, , be terminated as
an employee in the Department of Senior Services,

BE IT FURTHER RESOLVED that Richard A. Majchrzak,
Depew, NY 14043 be hired as a part-time Van Driver at \$4.25 per hour.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 8A Motion by Councilman Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individual be hired by the
Facilities Department to assist in conducting its 1986-87 winter program:

Parks Division - #01-007110-1-0-1491-001 - \$3.35 per hour Effective

Joseph Lenartowicz 3/2/87

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 8B Motion by Councilman Kowal Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired
as Seasonal and/or Part-time employees in the various Departments and at the rates
listed:

EFFECTIVE

ASSESSOR'S OFFICE - PART TIME CLERICAL - \$5.00 per hour

Judy Golas 3/2/87

JUSTICE COURT - PART TIME CLERICAL - \$3.75 per hour

Kristen Eldridge Immediately

ASSESSOR'S OFFICE - SEASONAL - \$3.75 per hour

Dorothy Glowacki 3/3/87

Jeanette McGuire 3/3/87

ASSESSOR'S OFFICE - PART TIME CLERICAL - \$4.00 per hour

Kelly Mulcahy 3/2/87

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 9 Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, due to the promotion of Bruce D. Chamberlin from Captain to
Assistant Chief of Police, there is a vacancy in the position of Captain in the
Police Department, AND

Item No. 9 Cont'd.

WHEREAS, the Chief of Police has recommended that such Captain's position be eliminated, AND

WHEREAS, Section 19.03 of the Agreement between the Town and the Captains and Lieutenants Association authorizes the Town Board to eliminate such a position, NOW, THEREFORE, BE IT

RESOLVED that the position of Captain formerly held by Bruce D. Chamberlin be and hereby is abolished, effective immediately.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, the Chief of Police has recommended that this Town Board create an additional position of Sergeant in the Police Department as a result of the abolition of one Captain's position, NOW, THEREFORE, BE IT

RESOLVED that an additional position of Sergeant be created in the Police Department.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, by resolution dated February 18, 1987, this Town Board authorized Town Highway Department Foremen Robert Karaszewski, Robert Nader and Alfred F. Wnek, Jr. to attend a paving seminar from March 16-18, 1987 in Baltimore, Maryland, AND

WHEREAS, the Town Highway Superintendent has now advised this Board that Alfred F. Wnek, Jr. will be attending such seminar from March 16-20, 1987, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned resolution dated February 18, 1987 be amended to authorize Alfred F. Wnek, Jr. to attend the paving seminar in Baltimore, Maryland from March 16-20, 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Rogowski Seconded by Councilman Kowal

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-eight dollars (\$28.00) per hour for the services of a conservation consultant, said rate to apply for the calendar year of

Item No. 12 Cont'd.

1987, 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 chargeable to the Miscellaneous Erosion Control Budget Item 008540.4009.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 13A Authorize Supervisor to sign agreement between Chief and Assistant Chief of Police.
THIS ITEM WAS WITHDRAWN.

Item No. 13B Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, the Town is the owner of a Ford Tractor, Model #2000, Serial #C446908, which is in the possession of the Facilities Department, AND

WHEREAS, such vehicle is surplus to the Town's needs, AND

WHEREAS, Cheektowaga Southside Little League, Inc. has offered the Town \$2,000.00 for such tractor, AND

WHEREAS, such tractor is valued at \$2,000.00, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby agrees to sell the aforementioned tractor to Cheektowaga Southside Little League, Inc. for a sales price of \$2,000.00, payable in installments of \$700.00 on 6/15/87; \$650.00 on 6/15/88; and \$650.00 on 6/15/89, AND, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute any contracts, documents, etc. necessary to effectuate this sale.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 13C Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, the Chief of Police has requested permission for himself and the Assistant Chief of Police to attend a seminar on hiring, discipline and firing in Amherst, New York on April 2, 1987, and

WHEREAS, such seminar will enable the Chief and Assistant Chief to learn more about these three important employment skills and thus to create a better department, NOW, THEREFORE, BE IT

RESOLVED that the Chief of Police and Assistant Chief of Police be and hereby are authorized to attend the aforementioned seminar, and BE IT FURTHER

RESOLVED that the registration fee of \$96.00 per person be paid by the Town out of the General Fund.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

MEETING NO. 5
March 2, 1987

Item No. 14A Motion by Councilman Santa Maria Seconded by Councilman Jaworowicz

WHEREAS, Cheektowaga Holding Corporation and Sorrento Cheese Co., Inc. 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 years 1981-82, 1982-83, 1983-84, 1985-86 and 1986-87, 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 Petitioner(s), AND

WHEREAS, special counsel to the Town and the Assessor have advised this Town Board that a tentative agreement has been reached for a fair and reasonable resolution of the aforementioned Article 7 proceedings, AND

WHEREAS, special counsel to the Town and the Assessor have recommended the settlement agreement, a copy of which is attached hereto, be 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.

* * * * *

Motion by Councilman Johnson Seconded by Councilman Santa Maria to table the above resolution and the vote to table was as follows:

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

*THE ABOVE RESOLUTION WAS TABLED!!!!

Item No. 14B Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which, among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga, and for the creation of an Emergency Medical Services Board ("EMS BOARD"), and

WHEREAS, the EMS Board has completed an initial review and evaluation of the various license application(s) submitted for driver(s)/attendant(s), and has recommended that the Town Board license such driver(s)/attendant(s), and

WHEREAS, this Town Board desires to license such driver(s)/attendant(s), NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the EMS Board concerning the licensing of driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the applicant(s) for driver(s)/attendant(s) license(s) set forth on the annexed schedule are hereby approved for licensing by this Town Board for a period to expire upon the expiration of such driver(s)/attendant(s) Emergency Medical Technician ("EMT") card, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue driver(s)/attendant(s) license(s) to the applicant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

*SEE NEXT PAGE FOR LIST OF NEW DRIVER/ATTENDANT LICENSEES

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDANT LICENSES

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRES</u>
*Lynette R. Trudeau	Nia. Falls, NY 14301	Gold	5/31/89
Robert S. Sessamen	West Falls 14170	Gold	5/31/89
Brian P. Markott	Bflo, 14207	Gold	12/31/89
William Dawson	Yorkshire, 14173	Gold	5/31/89
Jeffrey M. Stumpf	O. Pk, 14127	Gold	1/31/89
David P. Stricker	, Bflo, 14213	Gold	12/31/89
Michael Georgal	, Bflo. 14201	Gold	5/31/88
Joseph E.O'Conor, Jr.	Bflo, 14209	Gold	5/31/87
William Jarosz	Chktg. 14225	Gold	5/31/89

*LICENSE APPROVED FOR ATTENDANT ONLY!!

Item No. 14B Cont'd.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 14C Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which, among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga, and for the creation of an Emergency Medical Services Board (EMS Board), and

WHEREAS, the EMS Board has completed a review and evaluation of the license renewal applications for drivers/attendants, and has recommended that the Town Board renew such licenses, and

WHEREAS, this Town Board desires to renew such drivers/attendants licenses, NOW, THEREFORE, BE IT

RESOLVED that the recommendations of EMS Board concerning the renewal of the licenses for drivers/attendants shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the renewal applications for drivers/attendants set forth on the annexed schedule be and hereby are approved for a period to expire upon the expiration of such driver'(s)/attendant'(s) Emergency Medical Technician ("EMT") card, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue renewal licenses to the drivers/attendants set forth on the annexed schedule, pursuant to the terms of this resolution.

*SEE NEXT PAGE FOR LIST OF DRIVER/ATTENDANT RENEWAL LICENSEES

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDANT LICENSE RENEWALS

<u>NAME</u>	<u>ADDRESS</u>	<u>AMBULANCE COMPANY</u>	<u>EMT EXPIRES</u>
Jay P. Boardway	Bflo, 14213	Gold	8/31/87
John T. Forbes	14085	Gold	5/31/89
Paul Makowski	Bflo. 14210	Gold	5/31/89

MEETING NO. 5
March 2, 1987

Item No. 15A Motion by Councilman Rogowski Seconded by Councilman Santa Maria

WHEREAS, the St. Mary's High School Varsity Club is sponsoring its Annual Walk-A-Thon on Friday, May 1, 1987, beginning on the school grounds in Lancaster, New York, at 8:30 A.M., AND

WHEREAS, the 20-kilometer Walk-A-Thon route includes portions of Como Park Boulevard and Borden Road in the Town of Cheektowaga, AND

WHEREAS, St. Mary's High School Varsity Club has requested permission for their walkers, runners and bikers to use above stated streets as part of their Walk-A-Thon route, NOW, THEREFORE, BE IT

RESOLVED that the St. Mary's High School Varsity Club be and hereby is granted permission to use the portions of Como Park Boulevard and Borden Road indicated in the attached route map, as part of their Walk-A-Thon on Friday, May 1, 1987, AND, BE IT FURTHER

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.

*SEE NEXT PAGE FOR COPY OF ROUTE MAP

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

MEETING NO. 5
March 2, 1987

Item No. 15B Motion by Councilman Kowal Seconded by Councilman Jaworowicz

WHEREAS, land developers must install water mains along the right-of-ways of new subdivisions, AND

WHEREAS, one (1) hydrant must be installed as part of the extension of Ely Road before the Erie County Water Authority accepts said water main extension as part of their water transmission system, NOW, THEREFORE, BE IT

RESOLVED that permission is hereby granted to the subdivision developer to install one (1) hydrant in the Bellevue Fire District No. 9. The hydrant location was approved by the Board of Fire Commissioners of Bellevue Fire District No.9 at a regular meeting held on February 23, 1987, being located on the south side of Ely Road, fifteen (15') feet east of the east lot line of Sublot 67.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Weber Seconded by Councilman Rogowski

BE IT RESOLVED that the following budget transfer is hereby approved for the 1987 budget year.

GENERAL FUND

FROM:	1910.4711	(Contingency Account)	\$8,900.00
TO:	1220.2205	(Copier - Supervisor)	\$5,000.00
	1110.1391	(Part-Time Clerical)	\$3,900.00

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

William L. Wielinski.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

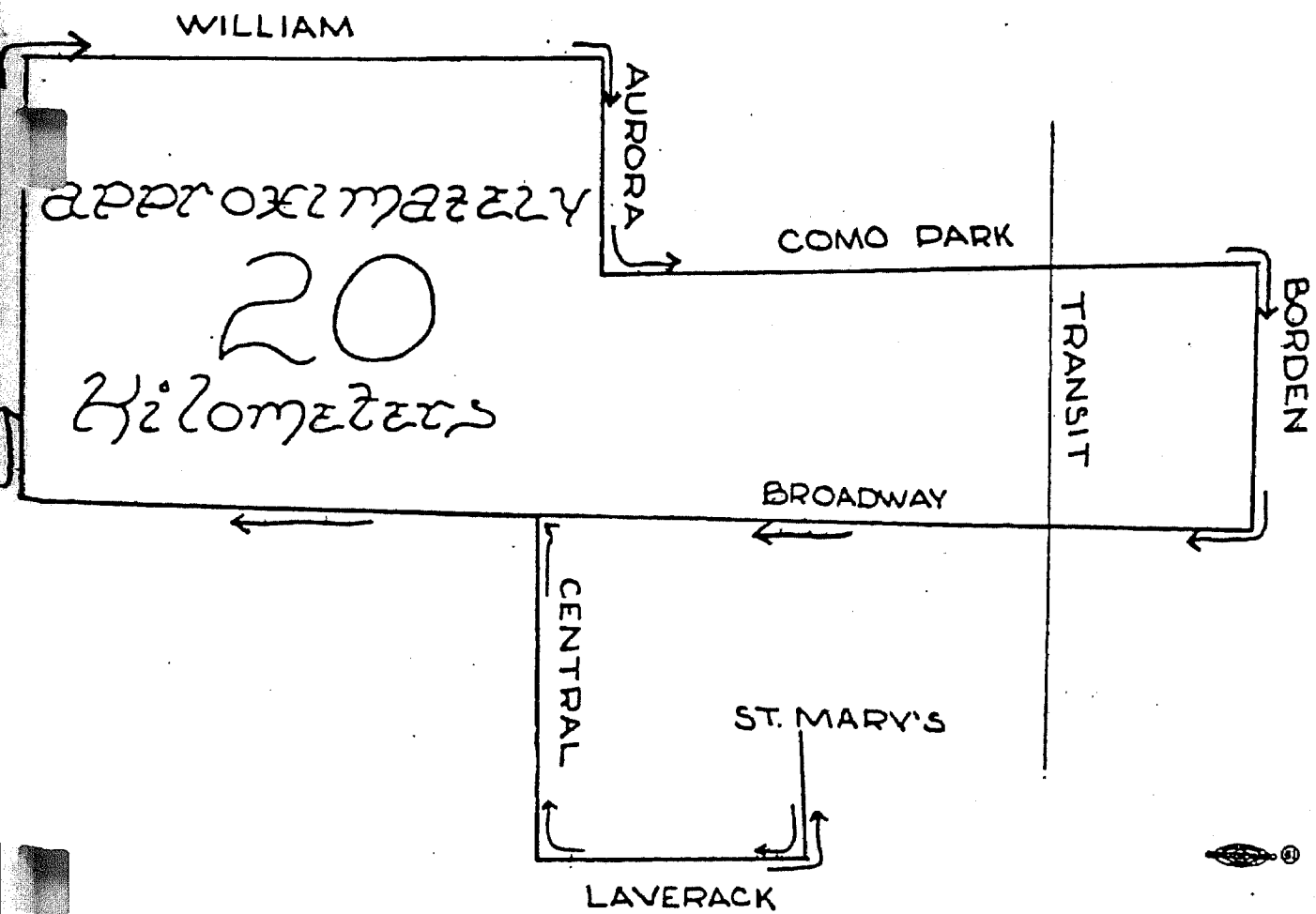
Item No. 17 Motion by Supervisor Weber Seconded by Councilman Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 2, are hereby approved and the Supervisor is ordered to pay said warrants.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$121,233.11
SPECIAL DISTRICTS	118,286.41
HIGHWAY FUND	57,938.45
TRUST & AGENCY FUND	1,501.10
PART TOWN FUND	2,881.14
CAPITAL PROJECTS FUND	22,245.92
COMMUNITY DEVELOPMENT	18,551.06
	<u>\$342,637.19</u>

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0



II. DEPARTMENTAL COMMUNICATIONS

- Item No. 18 Building Permits
Received and filed.
- Item No. 19 Rudy A. Santa Maria, Councilman: Letter of resignation from
Assessment Board of Review.
Received and filed.
- Item No. 20A Cheektowaga Public Library Board: Minutes of February 1987 meeting.
Received and filed.
- Item No. 20B Cheektowaga Planning Board: Minutes of January 1987 meeting.
Received and filed.
- Item No. 20C Cheektowaga Traffic Safety Commission: Minutes of February 1987
meeting.
Received and filed.

III. GENERAL COMMUNICATIONS

- Item No. 21 New York State Department of Transportation: Notice of Public
Hearing for two proposed projects:
1) Construction of new diamond interchange between N.Y.S. Thruway
and William Street.
2) Reconstructing approximately 1.3 miles of William Street.
Copies of this Notice were sent to: Daniel E. Weber, Supervisor;
Karen McAuley, Council Secretary; Chester Bryan, Town Engineer;
Alfred Wnek, Highway Superintendent; and William Street Taxpayers
Association.
Received and filed.
- Item No. 22 Petition from Cheektowaga Adapted Recreation Parent Support Group
regarding support for Town's purchase of Alexander Street School
Received and filed.

Motion by Supervisor Weber Seconded by Councilman Johnson to suspend
the rules to include the following item, and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

IV. SUSPENSION OF RULES

- Item No. 23 Award of Bid: Removal of trees and stumps along Pfohl Road.
Motion by Councilman Kowal Seconded by Councilman Rogowski
WHEREAS, a Notice to Bidders was published for the receipt of bids
for the removal of trees and stumps along Pfohl Road in order to effect savings in

Item No. 23 Cont'd.

the proposed reconstruction of Pfohl Road, which bids were duly received and opened at the February 27, 1987 public bid opening, AND

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

WHEREAS, said bids were reviewed and it is recommended that award be made to the lowest responsible bidder meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the Contract for the removal of trees and stumps along Pfohl Road be awarded to Ken's Tree Service, 28 Grove Street, Warsaw, New York 14569 for their bid of \$15,546.00, said bid being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed and authorized to sign said contract with Ken's Tree Service on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED that the cost for said tree removal is to be charged to the Pfohl Road Reconstruction Project and the proceeds to be paid out of the bond for the resurfacing of various Town streets as approved by the resolution dated June 16, 1986.

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES:	0
ABSENT:	0

Item No. 24 Motion by Supervisor Weber Seconded by Councilman Santa Maria to adjourn the meeting in memory of Paul Redlinski, Sr.

Richard M. Moleski
Town Clerk

March 2, 1987

MEETING NO. 6
March 16, 1987

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 March, 1987 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak
Councilman Rudy A. Santa Maria

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Ron Marten, Building and Plumbing Inspector; Jerry Gabryszak, Community Development Director; Michael Stachowski, Deputy Town Attorney; Andrew Kulyk, Member-Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; Ray Pugh, Member-Planning Board; Sal LaGreca, Employment and Training Director II; Sam Tadio, Economic Development Committee; Don Wegner, Chairman-Zoning Board of Appeals; Pat Wojcik, Recreation Supervisor-Senior Citizens; Robert M. Lis, Chief of Police; Julia Reinstein, Town Historian; Chester Bryan, Town Engineer; Ron Zoeller, Working Foreman in Sanitation; Casey Kozminski, Town Assessor.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) 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 amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations shall be amended by deleting therefrom the following:

Marne Road	east side:	from the north curb of East Delavan Avenue to the south line of Rowan Road
Bell Street	south side:	from Pine Ridge Terrace westerly to the east line of Olcott Place
Olcott Place	west side:	from the south curb of Genesee Street to the north line of Herbert Avenue

Section 76-102. Parking prohibited in designated locations shall be amended by adding thereto the following:

Marne Road	west side:	from the north curblines of East Delavan Avenue to the south curblines of Rowan Road
------------	------------	--

Item No. 2 cont'd

Bell Street north side: from the east curbline of Olcott Place
to the west curbline of Pine Ridge Ter-
race

Olcott Place east side: from the south curbline of Genesee
Street to the north curbline of
Herbert Avenue

* * * * *

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 Councilman Jaworowicz, Seconded by Councilman Santa Maria

WHEREAS, William F. Burke has applied for a Special Permit for automotive repair and towing service on property located at 468 Kennedy Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); 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 21st day of April, 1986 at 6:30 P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following conditions:

1. No collision work or painting be allowed on the premises
2. Such business only be allowed to operate between the hours of 8:00 A.M. and 9:00 P.M.

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 468 Kennedy Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment, provided that the following conditions are complied with:

1. A six (6) foot high stockade privacy fence be installed along the rear property line
2. Only two (2) tow trucks be located on the site
3. No towed cars be stored outside

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the aforementioned conditions, as recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee.

* See next page for legal description

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

ALL that certain lot, piece or parcel of land, situate, lying and being in the Town
of Cheektowaga County of Erie and State of New York,
bounded and described as follows: being part of Lot No. 23, Township 11, Range 7
of the Holland Land Company's Survey, and further distinguished as
Subdivision Lots Nos. 64 and 65 as shown on Map filed in Erie County
Clerk's Office under Cover No. 342, being 60 feet front and rear by
116.50 feet in depth, west side of Kennedy Street, south of Broadway.

This mortgage is given to secure part of the purchase price of the
above described real property.

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

.....*Denise Gracie*....., 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.....*MAR 19 1987*.....;
last publication.....*MAR 19 1987*.....;
and that no more than six days intervened be-
tween publications.

.....*Denise Gracie*.....

Sworn to before me this*19th*.....

day of*March*....., 19..*87*..

.....*Cecelia Westoven*.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*87*

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 16th day of March, 1987 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

Rudy A. Santa Maria

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman Santa Maria

WHEREAS, William F. Burke has applied for a Special Permit for automotive repair and towing service on property located at 468 Kennedy Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); 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 21st day of April, 1986 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following conditions:

1. No collision work or painting be allowed on the premises

2. Such business only be allowed to operate between the hours of 8:00 a.m. and 9:00 p.m. 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 468 Kennedy Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment, provided that the following conditions are complied with:

1. A six (6) foot high stockade privacy fence be installed along the rear property line.

2. Only two (2) tow trucks be located on the site.

3. No towed cars be stored outside.

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted, subject to the aforementioned conditions as recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee.

ALL that certain lot, piece or parcel of land, situate, lying and being in the Town of Cheektowaga, County of Erie, and State of New York, bounded and described as follows: Being part of Lot No. 23, Township 11, Range 7, of the Holland Land Company's Survey, and further distinguished as Subdivision Lots Nos. 64 and 65 as shown on Map filed in Erie County Clerk's Office under Cover No. 342, being 60 feet front and rear by 118.50 feet in depth, west side of Kennedy Street, south of Broadway.

This mortgage is given to secure part of the purchase price of the above described real property.

Upon roll call:

Supervisor Weber

Voting AYE

Councilman:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

Santa Maria

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 March 16, 1987, 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 16th day of March, 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 19, 1987

Item No. 4 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the General Municipal Law of the State of New York does not presently authorize counties, cities, towns, villages or fire districts to establish hazardous materials response (Haz-Mat) teams, and

WHEREAS, members of the State Senate and Assembly have proposed an amendment (Legislative Bill 16046-01-6) to authorize counties, towns, cities, villages and fire districts to establish Haz-Mat teams and also to authorize counties to designate one or more fire departments or fire companies as county Haz-Mat teams, and

WHEREAS, State government officials have determined that county Haz-Mat plans may include the following:

- procedures for emergency call-up;
- procedures for sharing and storage of equipment;
- agreements for the bulk purchasing of equipment;
- acceptance of donations;
- requirements for membership;
- methods of selection of the members;
- participation in training and drills; and
- provisions for coordination with industry hazardous materials emergency response plans,

and

WHEREAS, State officials have further proposed that two or more counties be authorized to form one or more regional Haz-Mat teams by mutual agreement, and that resulting Haz-Mat plans include the aforementioned provisions plus an additional provision for the selection and designation of a regional coordinator, and

WHEREAS, the proposed State legislative amendment provides for the designation of personnel who are not members of a fire department or fire company but who, by experience or training are qualified to be members of a Haz-Mat team, to serve in that capacity, and

WHEREAS, proposed amendments to the General Municipal Law and Volunteer Firemen's Benefit Law provide that any such person who services voluntarily and without compensation be protected against liability and also qualify for the following benefits which are provided to volunteer firefighters: death benefits; disability pensions for permanent total and partial disabilities and temporary total and partial disabilities; and any medical expenses incurred for examination, tests, treatment or rehabilitation required for injuries which result from services performed in the line of duty, and

WHEREAS, no part of the proposed legislation precludes a county, city, town, village or fire district from making any agreements for either self-insurance or with private insurance carriers to assume partial or full liability coverage (in addition to that provided by the Volunteer Firemen's Benefit Law) for personal or property damage incurred when an individual is rendering service as a member of a Haz-Mat team, and

WHEREAS, the Erie County Legislature has previously passed legislation authorizing the County to establish a Haz-Mat team and putting in place the administration for such a team, and

WHEREAS, various fire districts within the Town of Cheektowaga have inaugurated individual and mutual aid efforts to develop an effective Haz-Mat response capability, and

WHEREAS, the Cheektowaga Town Board is supportive of these efforts,
NOW, THEREFORE, BE IT

RESOLVED that this Town Board is in full support of Legislative Bill 16046-01-6, and BE IT FURTHER

Item No. 4 cont'd

RESOLVED that this Town Board urges the State of New York to enact this legislation during the current legislative session in order that the counties, cities, towns, villages and fire departments of this State, in the best interests of the citizens of this state, can proceed with the business of implementing Haz-Mat teams as quickly as possible, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized and directed to forward certified copies of this resolution to Governor Mario Cuomo, Senator Dale Volker and Assemblyman Dennis T. Gorski.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilman Johnson, Seconded by Supervisor Weber

WHEREAS, the Erie County Industrial Development Agency was formed by authority of Article 18-A of the General Municipal Law of the State of New York, and

WHEREAS, pursuant to such law, the ECIDA has the power to acquire by purchase, grant, lease, or gift or otherwise real property within the Town limits and to issue bonds for such purposes, and

WHEREAS, the duly elected members of the Town Board are charged with the duty of representing the interests of all residents of the Town, both individual and corporate, and

WHEREAS, the Town Board members are also charged with the duty of providing a full range of municipal services to its residents at the lowest cost possible, and

WHEREAS, for the most part, municipal services are paid for by the levy and collection of taxes from the various taxable parcels, and

WHEREAS, the ECIDA, a public benefit corporation, is itself tax exempt, and

WHEREAS, the Town Board believes that, prior to the execution of any agreement between the ECIDA and a third party which contains an "in lieu of tax provision", this Town Board should be notified and given the opportunity to assess the fiscal impact of such a provision and should also be given the right to present its position, if any, on such a provision, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests that the ECIDA notify this Town Board of the contents of any "in lieu of taxes" agreement between the ECIDA and a third party prior to the execution and implementation of same, and BE IT FURTHER

RESOLVED that this Town Board requests that the ECIDA, in each such instance, give the Town an opportunity to comment upon each "in lieu of tax" agreement prior to its execution, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the ECIDA.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 6a Motion by Councilman Jaworowicz, Seconded by Councilman Santa Maria

WHEREAS, pursuant to the Environmental Advisory Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee reviews various applications for building permits, rezonings, special permits, etc. and renders its determination of environmental significance of such applications, and

WHEREAS, the Town Board pursuant to the Environmental Advisory Review Ordinance of the Town of Cheektowaga, is designated the lead agency in most instances, and

WHEREAS, since the Town Board is the lead agency, it must affirm or reject the recommendations submitted to it by the Advisory Committee, and

WHEREAS, the Advisory Committee, at its meeting held on January 23, 1987, rendered the determinations shown on the attached memo dated January 27, 1987, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby affirms the recommendations made by the Advisory Committee with respect to the following referenced items which appear on the January 27, 1987 memo attached hereto:

Item III 580 Cayuga Road

* See next four (4) pages

Upon Roll Call....

AYES:	Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES:	0
ABSENT:	0

Office of
BUILDING and PLUMBING INSPECTIONS

RONALD MARTEN
Building and Plumbing Inspector



M E M O

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

Town Hall, Broadway and Union Road
Cheektowaga, New York 14227
686-3470

TO: Supervisor Daniel Weber
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

FROM: Thomas Adamczak
Assistant Building Inspector

DATE: January 27, 1987

The following is a summary of the proposals which have been reviewed by the Town Environmental Quality Review Advisory Committee at a meeting held on January 23, 1987, in the Town Hall Council Chambers.

ITEM I 2150-2190 Walden Avenue - Proposed Additions To Three Existing Buildings -
Totalling 19,300 Sq. Feet.

Applicant: Benderson Development Corporation

Determination: Tabled - Present at the meeting were representatives of Benderson Development, Mr. Bob Alonzo and Mr. David Wybieracki. The proposed development would be used for distribution/warehousing space with accessory offices. After some discussion it was decided that the proposed project would tend to over-develop the property. A number of potential problems were shown to exist. Access for fire fighting equipment to the rear of the parcel was discussed. The access roads between the buildings were shown to be 16 ft. wide but it was indicated that at least 5 ft. of this was obstructed by exterior gas meters. Mr. Wybieracki indicated that gas meters as well as an underground fuel tank at the rear of the property would be relocated so they would not pose any type of safety hazard. This was to be noted on plans. The drainage was shown to be sloped pavement towards Walden Avenue. The Engineering Department determined that this was inadequate and is requesting a detailed drainage plan with existing and proposed elevations shown, as well as pipe sizes and outfalls. The additions would not meet the Zoning Ordinance requirements for set-backs and the Benderson people were questioned on this. The hardship for a reduced side yard is self-created and it was strongly recommended that this project be re-designed to conform to the Town Zoning Ordinance. Landscaping was shown to be within the Walden Avenue right-of-way. This project must be presented to the Town Planning Board for their approval/recommendations. The project will be referred to the Traffic Safety Commission for their comment before any further action is taken.

RECEIVED
FEB 2 1987
TOWN ATTORNEY

ITEM II Rear of 55 Benbro - Proposed 13,050 Sq. Ft.
 Building

Applicant: Benderson Development Corp.

Determination: Tabled - The representatives for Benderson Development indicated that this building would be utilized for warehouse distribution with accessory offices. The only landscaping that exists on this property is a grass area to the rear. This landscaped area would be eliminated with the construction of the building. Therefore this project must also be reviewed by the Town Planning Board and their recommendations followed. As in the case of the Walden Avenue project, the drainage plan was inadequate and a new drainage plan was requested showing existing and proposed elevations and drainage system for the property. The building would be closer to the side yards than the Zoning Ordinance allows and the Committee recommended to the developer that the building be re-designed to comply with all Town Zoning Ordinance requirements. It was mentioned that the Benderson people at this time are considering a landscaping plan for the entire Benbro Drive Complex but no preliminary plan has been submitted to the Town for review.

ITEM III 580 Cayuga Road - Proposed Conversion Of The
 Former Four Wall Racquetball
 Courts To Offices And Public
 Garage

Applicant: Dennis Hernandez

Determination: Non-Significant - With Stipulations
Mr. Hernandez was present at the meeting and explained that the company that would be utilizing the building is Del Prince & Sons Paving. They intend to use part of the front for their offices with the remainder to be leased out to other tenants for offices. The rear portion of the building which formerly consisted of racquetball courts would be remodeled as a storage garage for paving equipment which includes pavers, bulldozers, backhoes, and dump trucks. No equipment would be stored in the exterior except one flatbed trailer. Mr. Hernandez also indicated that to the rear of the building additional paving would be installed as well as a stockade or batten board fence along the South and rear property lines. The fence would be installed both for aesthetics and security reasons. The Environmental Advisory Committee recommends that the Town Board include as stipulations for the Special Use Permit the following:
1) All construction equipment other than one flatbed trailer and the employee's personal vehicles be stored inside the building
2) That a detailed drainage plan be submitted to the Town Engineer for approval

ITEM IV 1025 French Road - Proposed Office Building

Applicant: Donato Construction

Determination: Tabled - The plan that was submitted to the Committee does not meet all the requirements of the Town Zoning Ordinance. The site lacks the 10 foot perimeter landscaping around the rear parking area. Also a detailed drainage plan must be submitted to the Engineering Department for their approval. After some discussion it was decided that the East, West and South walls of the building, which were shown to be plain concrete block on the building plan elevations, should be finished in such a manner as to make it aesthetically compatible with the adjacent or neighboring residential homes.

ITEM V 180 Stradtman - Proposed 80 X 130
Distribution Warehouse

Applicant: Bernard DiPizio

Determination: Tabled - The building would be located in the Anchor Industrial Park - the site of the former Anchor Concrete Products. A number of concerns were expressed by the members of the Committee. The Town Engineer and Highway Engineer indicated that there were drainage problems in that area and the best way to correct them would be for on site retention of storm waters. This would be accomplished through proper grading of the parking area and proper pipe sizing of the drainage system. The existing drainage system on the site is connected to storm water receivers which are located near an existing fuel island and there was concern that an accidental spill will result in fuel flowing through the Town's storm sewer system. It was recommended that the drainage be designed to eliminate the possibility of fuel flowing into the storm sewer or to devise a spill control system. The site does not meet the Zoning Ordinance Landscaping requirement therefore the developer would have to establish landscaping, preferably with berms along Girard Avenue or to present his proposal to the Town Planning Board for relief. It was brought to the attention of the Committee by the Town Fire Inspector that a fire hydrant must be installed at the rear of this complex. He also relayed to the Committee that the developer is requesting the fire district to install a hydrant along Stradtman to further improve the water supply for fire fighting purposes.

Re: SEQR Meeting January 23, 1987
Page 4

ITEM VI 274 Cayuga Road

- Proposed Rezoning For Storage
Of Roofing Materials And
Equipment

Applicant: Richard Neth

Determination: The Town Environmental Quality Review Advisory Committee has reviewed the proposed site plan for the new building and other improvements on the site. Although the owner would make considerable improvements in way of landscaping, traffic control as well as removing unsightly and deteriorated buildings, the Advisory Committee cannot recommend that the rezoning be granted. This stretch of Cayuga Road from Genesee Street to Cleveland Drive is composed of retail sales, offices and residential properties. There are only three uses in this stretch of Cayuga Road that are incompatible with these classifications. They are Neth & Sons Roofing - 274 Cayuga Road; Tri-Electronics - 390 Cayuga Road; and Ace Paving - 244 Cayuga Road. The two businesses, other than Neth & Sons, existed prior to the present Town Zoning Ordinance and Master Plan. The present Master Plan has designated, with the exception of Tri-Electronics, this stretch of Cayuga Road to be zoned for retail sales and office use. To rezone this property to a zoning district other than "RC" or "C" would be, in the opinion of the Committee, spot zoning and not in the Town's or resident's best interests.

TA:jd

Item No. 6b Motion by Councilman Jaworowicz, Seconded by Councilman Santa Maria

WHEREAS, pursuant to the Environmental Advisory Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee reviews various applications for building permits, rezoning, special permits, etc. and renders its determination of environmental significance of such applications, and

WHEREAS, the Town Board, pursuant to the Environmental Advisory Review Ordinance of the Town of Cheektowaga, is designated the lead agency in most instances, and

WHEREAS, since the Town Board is the lead agency, it must affirm or reject the recommendations submitted to it by the Advisory Committee, and

WHEREAS, the Advisory Committee, at its meeting held on February 20, 1987, rendered the determinations shown on the attached memo dated March 4, 1987, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby affirms the recommendations made by the Advisory Committee with respect to the following referenced items which appear on the March 4, 1987 memo attached hereto:

Item II	2437 Union Road
Item III	760 Dick Road
Item IV	2150-2190 Walden Avenue
Item V	55 Benbro Drive
Item VI	Walden Avenue Sanitary Sewer Extension
Item VII	Seminole Drive/Nokomis Parkway Storm Sewers
Item VIII	Vale Subdivision Drainage System
Item IX	45 Gardenville Parkway
Item XI	1025 French Road

* See next eight (8) pages

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Office of
BUILDING and PLUMBING INSPECTIONS

RONALD MARTEN
Building and Plumbing Inspector



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

Town Hall, Broadway and Union Road
Cheektowaga, New York 14227
686-3470

M E M O

TO: Supervisor Daniel Weber
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

FROM: Thomas Adamczak
Assistant Building Inspector

DATE: March 4, 1987

The following is a summary of the proposals which have been reviewed by the Town Environmental Quality Review Advisory Committee at a meeting held on February 20, 1987, in the Town Hall Council Chambers.

ITEM I 350 Cayuga Road - Proposed Conversion Of
Multiple Family Dwelling To
An Office And Two Dwelling
Units

Applicant: Empire National Realty Corporation

Determination: The applicant proposes to have a real estate office in the front portion of the building located at 350 Cayuga Road. The area is zoned for restricted business and there are numerous offices in the area. There was concern about landscaping located to the rear of the property. The existing blacktop, which the applicant wishes to utilize, may be in place all the way to the property line. The applicant was advised to re-draw the site plan showing exactly where the edge of the blacktop is in relation to the property line and to make several changes to conform with the Town Zoning Ordinance. These changes would include a 25 ft. wide driveway for the first 50 ft. of the property. Fencing or screening on the West and the North property lines and any additional landscaping to be installed. The new site plan must be submitted before this Committee will make a determination.

Re: EQR Meeting February 20, 1987
Page 2

ITEM II 2437 Union Road - Proposed Banquet Facility

Applicant: Anthony Marczak

Determination: Non-Significant with stipulations. The applicant and architect were present at the meeting and indicated that the original proposal was for a banquet facility as well as a picnic area at the rear of the property. After considerable discussion it was determined that any outside activities could result in a number of nuisances or impacts for the area. The site is located South of Groell Avenue and approximately 700 ft. West of a new subdivision. Outside activities and related music would affect these residential areas, as there is not sufficient screening or noise deadening vegetation in place. The Committee was of the opinion that the banquet facility and rezoning for same would be appropriate providing there is no outside activity permitted. Therefore this proposal is considered non-significant, provided the following are adhered to: banquet facility only - no outside activity, the picnic area designation on the plan is to be removed; a detailed drainage plan is to be submitted to the Town Engineer for approval; "protection" must be provided along the top of creek bank, this being guard rails or similar barricades; the New York State DOT must be notified of the applicant's proposal and curb cuts must be obtained from the DOT; a new site plan must be submitted to the Town for approval with all changes.

ITEM III 760 Dick Road

- Proposed Commerce Center/
Warehousing

Applicant: Benderson Development Corporation

Determination: Non-Significant with stipulations. The parcel of property up for rezoning is presently zoned for apartments. There are residential homes to the South of this site and to the East with a railroad right-of-way to the North. It was determined that this type of use would not be detrimental to the area. The 100 ft. railroad right-of-way to the North will act as a buffer for any residential properties along that right-of-way. The homes on Harris Court to the South, will be buffered by means of a solid fence and bermed landscaping. The developer has indicated on his plans that only private vehicles (automobiles) will be parked along that side of the development. All truck traffic will be entering and exiting on the North side of the property with a truck turn-around at the rear so that at no time should truck traffic be using any roads bounding the Harris Court properties. The buildings themselves will be constructed of architectural block, dry-vit system and architectural aluminum trim. They will be used strictly for offices and office/warehousing, no truck terminals are allowed. Sufficient access for fire fighting will be provided as well as yard hydrants for fire department connections. A new site plan must be submitted to the Town Planning Board and to the Traffic Safety Committee for their recommendations on this project. Also the type of landscapings must be indicated on the plan as well as sewer easements that may or may not exist at the present time. Similar operations exist on Benbro Drive and Walden Avenue and there have been few problems to date.

ITEM IV 2150-2190 Walden Avenue - Proposed Additions To
Existing Warehousing Office
Complexes

Applicant: Benderson Development Corporation

Determination: Non-Significant - The developer proposes to construct two additions to an existing four building complex. He has been before the Committee at the previous meeting and has amended his site plan to provide better access for fire fighting equipment, to remove gas meters that were in hazardous locations, and to provide a drainage plan for the Town Engineer. The developer has approached the New York State DOT and has not received any final recommendations from them. The Traffic Safety Committee has reviewed the proposal and recommended that the New York State DOT's recommendations be followed. The Planning Board must approve the final landscaping plan and the developer will approach them at their next meeting. There will be no significant impacts to the area, as that stretch of Walden Avenue is now presently utilized for similar businesses.

ITEM V 55 Benbro Drive - Proposed Construction of a
13,000 Sq. Ft. Office
Building

Applicant: Benderson Development Corporation

Determination: Non-Significant - The developer has returned before the Committee with a revised plan showing landscaping in the front of the building and to the South. The developer has also proposed to the Planning Board that trees will be planted along the length of Benbro Drive to enhance the looks of the area as little else can be done to improve on landscaping. Drainage must be approved by the Engineering Department. The area now is used predominantly for similar businesses, warehousing and offices. This building will be utilizing the last empty space for development along Benbro Drive. No significant impacts are anticipated as this construction will not increase traffic by any large amount.

ITEM VI Walden Avenue Sanitary Sewer Extension

Applicant: Town of Cheektowaga

Determination: Non-Significant - The Town is proposing to construct a sanitary sewer extension along Walden Avenue East of Dick Road. The sewer extension is proposed to connect existing businesses only. These businesses must be connected since their septic systems are failing which could lead to health and/or environmental problems.

ITEM VII Seminole Drive/Nokomis Parkway Storm Sewers

Applicant: Town of Cheektowaga

Determination: Non-Significant - The storm sewer system is being proposed for an area of Town off George Urban Boulevard between the Thruway and Union Road. This area is subject to considerable street flooding and hazardous ice conditions in winter due to poor drainage. The system will drain the storm waters from the streets to the George Urban Boulevard storm system and to the U-Crest ditch. This system will benefit the residents by resulting in the elimination of water and ice conditions from the streets.

ITEM VIII Vale Subdivision Drainage System

Applicant: Town of Cheektowaga

Determination: Non-Significant - The Vale Subdivision is located between Beach Road and Union Road directly North of Maryvale Drive. This area is subject to extensive street flooding and hazardous ice conditions in winter. The subdivision has little or no surface drainage for the roadways and this proposed system will eliminate the problems that are now encountered by the residents.

ITEM IX 45 Gardenville Pkwy - Proposed Extension Of Mini Warehouse Complex

Applicant: Eugene Piotrowski

Determination: Non-Significant - The applicant proposes to construct a 25 x 300 ft. mini warehouse in an existing mini-warehouse complex off Gardenville Parkway near Union Road. This building will be fronting on Gardenville Parkway adjacent to the existing warehouse office building which now has a brick front. It is assumed by this Committee that the new building will also have a brick veneer front to match the existing. This will maintain the aesthetic qualities of the complex. Since the complex was constructed, there have been no significant impacts nor substantial increase in traffic. The area is now a warehousing/office complex and this Committee can find no significant impacts.

ITEM X Armond & Borden Road - Proposed Rezoning From Residential To Restricted Business For Additional Parking

Applicant: Richard Stiegler

Determination: Tabled - The plans submitted to the Committee by the applicant is not to scale and does not conform with the Landscaping Ordinance of the Town of Cheektowaga. The Engineering Department is also requesting a proper drainage plan for the parking area. The applicant will be so notified.

ITEM XI 1025 French Road - Proposed Office Building

Applicant: Donato Construction Company

Determination: Non-Significant - The applicant had been before the Committee previously and was requested to make several revisions. The revised plan that was submitted at this meeting showed a wood frame with vinyl siding building which would be aesthetically pleasing and the building was down sized and site laid out to conform with Zoning Ordinance requirements both for parking and for landscaping. The drainage plan must be submitted to the Engineering Department for approval. This area of French Road was zoned restricted business for offices so there is no deviation from the Town's Master Plan. With the re-design of the building the architecture will be more compatible with surrounding uses.

ITEM XII 180 Stradtman - Proposed Warehouse

Applicant: Bernard DiPizio

Determination: Tabled - The applicant proposed to construct a warehouse office building on his Anchor Industrial Complex on Stradtman Road. Although the Committee feels that the concept for a complex in this area is not detrimental and will have little or no significant impact on the area, there are a number of concerns that must be addressed by the owner:

- (1) The owner must submit a revised drainage plan showing on site retention of storm waters. There is a large amount of storm water which flows into the Town's existing sewer system and it is a belief of the Committee that increased construction and paving will further increase the potential for flooding on the residential streets to the South of this complex.
- (2) There is an existing fuel pump island and tanks located at the Southeast corner of this property which are near an existing storm water drainage system. There is concern that an accidental spill at this location will result in the flow of fuel down the residential streets or in the residential storm sewer system. Therefore the Committee is requiring that the developer do one of several things to rectify the situation. They are to move the pumps and fuel tanks further into the complex; to design a spill control system for that location or; remove the storm water drainage system from the area entirely.
- (3) The applicant must submit a landscaping plan for the entire complex following the requirements of the Zoning Ordinance or to approach the Planning Board for relief.
- (4) The applicant is requested to indicate on the site plan any other future construction.
- (5) Locate new yard hydrant(s) on the site plan and timetable for installation.

Re: EQR Meeting February 20, 1987
Page 8

ITEM XIII Walden Galleria Mall - Proposed 1.2 Million Sq. Ft.
Shopping Mall

Applicant: Lancer Development & Construction Co

Determination: The developers representative, Kenneth Cannon, met with the Committee to discuss several concerns. The major concerns center around traffic and traffic flow pattern as well as drainage for the area at Scajaquada Creek. The developer has indicated that new plans are now being drawn with more detail as to drainage and traffic. Discussions are also under way with the Thruway Authority and their own highway engineers to design access to the Thruway and to Walden Avenue. The developer has indicated that there are a number of other possibilities for access that they are now exploring and will be presenting in the future.

TA:jd

MEETING NO. 6
March 16, 1987

Item No. 7a Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received on March 2, 1987 as the result of advertisement, therefore, for the furnishing of traffic control signs, street name signs and brackets for the 1987 calendar year. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said report is hereto attached and contained in a letter to the Town Board dated March 9, 1987, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of traffic control signs, street name signs, and brackets for the 1987 calendar year, per said unit prices, be awarded to the following:

Halls Signs, Inc.
3000 West Third Street
Bloomington, Indiana 47401
(812) 332-9355

ITEM I - Square & Diamond Signs - Finished

	CLASS A	CLASS B
24" X 24"	\$10.93 each	\$23.52 each
30" X 30"	\$17.18 each	\$36.75 each
36" X 36"	\$24.66 each	\$52.92 each
48" X 48"	\$43.84 each	\$94.08 each

ITEM II - Octagon Signs - Finished

	CLASS A	CLASS B
30" X 30"	\$15.97 each	\$33.50 each
36" X 36"	\$23.40 each	\$48.24 each

ITEM III - Rectangle Signs - Finished

	CLASS A	CLASS B
12" X 18"	\$ 4.15 each	\$ 8.84 each
18" X 24"	\$ 8.22 each	\$17.64 each
18" X 30"	\$10.37 each	\$22.15 each
24" X 30"	\$13.75 each	\$29.40 each
24" X 36"	\$16.45 each	\$35.28 each
30" X 36"	\$20.55 each	\$44.10 each
36" X 12"	\$ 8.22 each	--
36" X 48"	\$32.88 each	--

ITEM IV - Triangle Signs - Finished

	CLASS A	CLASS B
36"	\$12.51 each	\$22.48 each
48"	\$17.35 each	\$35.42 each

ITEM V - Street Name Signs - Finished

	CLASS A	CLASS B
24" X 8"	\$ 9.85 each	\$13.47 each
30" X 8"	\$12.54 each	\$16.84 each
36" X 8"	\$14.97 each	\$20.19 each
42" X 8"	\$17.45 each	\$23.55 each
48" X 8"	\$20.00 each	\$26.92 each

ITEM VI - Street Sign Brackets

2" Round Post - 5 1/4" ext.	\$ 4.86 set
2" Square Post - 5 1/4" ext.	\$ 4.86 set
2" Square Post - 5 1/4" flat	\$ 4.86 set

Item No. 7a cont'd

Empire Municipal Supply Corporation

209 East Erie Street
Blauvelt, New York 10913
(914) 359-8575

ITEM III - Rectangle Signs - Finished

CLASS B

36" X 12"

\$17.35 each

36" X 48"

\$57.85 each

ITEM VI - Street Sign Brackets

2" Round Post - 5 1/4" flat

\$ 5.50 set

* See next page for letter

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0



Town of Cheektowaga

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

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

March 9, 1987

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Traffic Control
Signs, Street Name Signs
and Brackets

Gentlemen:

On Monday, March 2, 1987 bids were received and publicly opened for the purchase of traffic control signs, street name signs and brackets for the Town of Cheektowaga for the 1987 calendar year. Five (5) bidders submitted bids in the various categories of signs and brackets. It is recommended that bids be awarded to the lowest responsible bidder for each respective item as indicated on the attached Town Board resolution dated March 16, 1987.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

William R. Pugh
BY: William R. Pugh
Junior Engineer

MEETING NO. 6
March 16, 1987

Item No. 7b Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received on March 2, 1987 as the result of advertisement, therefore, for the furnishing of all corrugated metal, metal slotted and reinforced concrete pipe requirements of the Town of Cheektowaga for the year of 1987. 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 5, 1987, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of pipe to the Town for the year of 1987 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 and reinforced concrete pipe:

Chemung Supply Corporation
P.O. Box 527
Elmira, New York 14902
607-733-5506

6" dia. C.M.P.	\$ 2.06/ft.
8" dia. .M.P.	\$ 2.71/ft.
10" dia. C.M.P.	\$ 3.36/ft.
65" X 36" C.M.P.	\$28.99/ft.
12" C.M.P. end section	\$25.79 each
15" C.M.P. end section	\$33.67 each
12" - 2 1/2" slotted drain pipe	\$21.97/ft.
12" slotted drain band	\$19.14 each
15" - 2 1/2" slotted drain pipe	\$24.77 /ft.
15" - 6" slotted drain pipe	\$30.58/ft.
15" slotted drain band	\$21.34 each
18" - 2 1/2" slotted drain pipe	\$27.49/ft.
18" - 6" slotted drain pipe	\$34.97/ft.
18" slotted drain band	\$23.47 each
6" C.M.P. perforated U.D.	\$ 2.27/ft.

Lane Metal Products Co., Inc.
Box 711
Bath, New York 14810
607-776-3366

36" dia. C.M.P.	\$14.08/ft.
54" dia. C.M.P.	\$27.12/ft.
60" dia. C.M.P.	\$36.68/ft.
72" dia. C.M.P.	\$43.96/ft.
84" dia. C.M.P.	\$51.25/ft.
50" X 31" C.M.P.	\$17.14/ft.
18" C.M.P. end section	\$45.00 each
24" C.M.P. end section	\$68.00 each
30" C.M.P. end section	\$128.00 each

K & S Contractors Supply
1971 Gunville Road
Lancaster, New York 14086
759-6911

24" dia. C.M.P.	\$ 9.11/ft.
30" dia. C.M.P.	\$11.45/ft.
43" X 27" C.M.P. paved invert	\$17.01/ft.
50" X 31" C.M.P. paved invert	\$20.10/ft.
65" X 36" C.M.P. paved invert	\$33.71/ft.
72" X 44" C.M.P. paved invert	\$37.11/ft.
21" C.M.P. end section	\$53.19/ft.
36" C.M.P. end section	\$195.00/ft.
12" C.M.P. perforated U.D.	\$ 4.11/ft.
12" R.C.P. - Class III	\$ 6.35/ft.
12" R.C.P. - Class IV	\$ 6.45/ft.
15" R.C.P. - Class III	\$ 8.31/ft.
15" R.C.P. - Class IV	\$ 8.46/ft.

MEETING NO. 6
March 16, 1987

Item No. 7b cont'd

18" R.C.P. - Class III	\$10.59/ft.
24" R.C.P. - Class III	\$15.87/ft.
24" R.C.P. - Class IV	\$18.29/ft.
30" R.C.P. - Class III	\$22.75/ft.
30" R.C.P. - Class IV	\$25.22/ft.
36" R.C.P. - Class IV	\$36.53/ft.
54" R.C.P. - Class III	\$57.52/ft.
54" R.C.P. - Class IV	\$65.72/ft.
60" R.C.P. - Class III	\$70.12/ft.
60" R.C.P. - Class IV	\$82.68/ft.
66" R.C.P. - Class III	\$86.28/ft.
66" R.C.P. - Class IV	\$99.80/ft.
72" R.C.P. - Class III	\$103.32/ft.
72" R.C.P. - Class IV	\$118.64/ft.
84" R.C.P. - Class III	\$141.96/ft.
84" R.C.P. - Class IV	\$170.52/ft.

Reboy Supply, Inc.
Maple & Jamison Road
Elma, New York 14059
652-4321

12" dia. C.M.P.	\$ 3.89/ft.
15" dia. C.M.P.	\$ 4.69/ft.
18" dia. C.M.P.	\$ 5.65/ft.
21" dia. C.M.P.	\$ 6.57/ft.
42" dia. C.M.P.	\$20.25/ft.
48" dia. C.M.P.	\$23.13/ft.
43" X 27" C.M.P.	\$14.32/ft.
58" X 36" C.M.P.	\$23.45/ft.
58" X 36" C.M.P. paved invert	\$27.97/ft.
72" X 44" C.M.P.	\$31.99/ft.
12" - 6" slotted drain pipe	\$29.00/ft.
12" slotted drain band	\$15.95 each
8" C.M.P. perforated U.D.	\$ 2.92/ft.
10" C.M.P. perforated U.D.	\$ 3.61/ft.
15" C.M.P. perforated U.D.	\$ 5.04/ft.
12" C.M.P. paved/lined	\$ 6.89/ft.
15" C.M.P. paved/lined	\$ 8.11/ft.
18" C.M.P. paved/lined	\$ 9.65/ft.
21" C.M.P. paved/lined	\$10.77/ft.
24" C.M.P. paved/lined	\$12.34/ft.
30" C.M.P. paved/lined	\$14.74/ft.
36" C.M.P. paved/lined	\$18.13/ft.
42" C.M.P. paved/lined	\$20.60/ft.
48" C.M.P. paved/lined	\$23.55/ft.

Paul Riefner, Inc.
5690 Camp Road
Hamburg, New York 14075
649-3260

18" R.C.P. - Class IV	\$10.69/ft.
21" R.C.P. - Class III	\$12.13/ft.
21" R.C.P. - Class IV	\$13.86/ft.
36" R.C.P. - Class III	\$32.03/ft.
42" R.C.P. - Class III	\$40.73/ft.
42" R.C.P. - Class IV	\$46.54/ft.
48" R.C.P. - Class III	\$51.04/ft.
48" R.C.P. - Class IV	\$58.29/ft.

* See next page for letter

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0



Town of Cheektowaga

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

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

March 5, 1987

TO SUPERVISOR WEBER AND
TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

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

Gentlemen:

At a public bid opening on March 2, 1987, bids were received and publicly opened for the purchase of corrugated metal, metal slotted and reinforced concrete pipe in various sizes for the 1987 calendar year. Due to the large quantity of items that were bid, the lowest bidders in each item for eighty six (86) different sizes of pipe and related items are listed on the attached resolution.

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

William R. Pugh
Junior Engineer

WRP:dms

Item No. 8 Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, there is need for the furnishing and installation of new sidewalk and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding at various locations in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the construction of new sidewalks and the reconstruction of existing sidewalks, notice to be published in THE BUFFALO NEWS and THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 6th day of April, 1987 at 11:00 A.M., Local 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 by the Town of Cheektowaga on April 6, 1987 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing, installation of new sidewalks and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of twenty dollars (\$20.00) per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded said sum of twenty (20.00) dollars. Non-bidders will be refunded ten dollars (\$10.00) upon return of contract documents within thirty (30) days following the taking of bids.

Each proposal shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's 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 one hundred percent (100%) of the contract price will be required by the successful bidder.

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 16, 1987

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Grace....., 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.....MAR 19 1987..... ;
last publication.....MAR 19 1987..... ;
and that no more than six days intervened be-
tween publications.

Denise Grace.....
Sworn to before me this19th.....
day ofMarch....., 1987.....
.....Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 6, 1987 at 11:00 a.m. Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing, installation of new sidewalk and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of twenty dollars (\$20.00) per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded said sum of twenty (\$20.00) dollars. Non-bidders will be refunded ten dollars (\$10.00) upon return of contract documents within thirty (30) days following the taking of bids.

Each proposal shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's 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 one hundred percent (100%) of the contract price will be required by the successful bidder.

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: March 18, 1987

PUBLISH: March 18, 1987

State of New York

ERIE COUNTY
CITY OF BUFFALO

NOTICE TO BIDDERS
Sealed proposals will be received by the Town of Cheeklowassa on April 5, 1987 at 11:00 A.M. Local Time, at the Town Hall, Broadway and Union Road, Cheeklowassa, New York, for the furnishing, installation of new sidewalk and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding. Information for bidders and contract documents may be obtained from the Town Clerk at his office. Copies may be obtained upon payment of twenty dollars (\$20.00) per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded said sum of twenty (\$20.00) dollars. Non-bidders will be refunded ten dollars (\$10.00) upon return of contract documents within thirty (30) days following the taking of bids. Each proposal shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's 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 opening thereof. A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder. 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 informalties, and 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 Cheeklowassa, Erie County, New York.
Richard M. Molecki
Town Clerk
Dated: March 16, 1987

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 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 ~~once for each week~~ the first insertion being on the 19th day of March 19 87 ~~and the last insertion being on the 19th day~~

D. Eileen Perry

Sworn to before me this 19th day of March 19 87

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 89

Notary Public, Erie County, N.Y.

Item No. 9 Motion by Councilman Jaworowicz, Seconded by Councilman Gabryszak

WHEREAS, Lancer Development & Construction Co., Inc. has applied to the Town of Cheektowaga for an environmental review of a proposed shopping mall, to be located east of the New York State Thruway, north of Walden Avenue and south of Scajaquada Creek, pursuant to the State Environmental Quality Review Act, and

WHEREAS, the appropriate governmental agencies (State, County and Federal) have been solicited by the Town for lead agency status and their comments, and

WHEREAS, there has been agreement by such agencies that the Town of Cheektowaga is to be designated lead agency in matters concerning this proposed mall, and

WHEREAS, the various agencies involved have identified several large and important factors that may have a significant effect on the environment, and

WHEREAS, this Town Board is in agreement with such findings, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby determines that a Draft Environmental Impact Statement must be prepared and submitted to the Town, based on a determination made by the Town's Environmental Advisory Committee that such mall project could have a significant impact on the environment, and BE IT FURTHER

RESOLVED that Lancer Development & Construction Co., Inc. be directed to submit a Draft Environmental Impact Statement to the Town Environmental Advisory Committee for their review and recommendation, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, notify Lancer Development & Construction Co., Inc. of this requirement.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 10a Motion by Councilman Jaworowicz, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development, the application for which funds included provisions for a Housing Rehabilitation Loan Program which provides direct housing rehabilitation loans to eligible homeowners, and

WHEREAS, the Town of Cheektowaga has established such a Housing Rehabilitation Loan program, and

WHEREAS, the Town Community Development Director has received application(s) for assistance under said program and has determined that the owner(s) of the property listed below are eligible for participation in the Town's Housing Rehabilitation Loan Program, NOW, THEREFORE, BE IT

RESOLVED that Community Development Housing Rehabilitation Loan funds, in the amount(s) listed below, be approved for the owner(s) of the property listed below:

119 Gardenvale Drive	-	\$762.00
16 Wallace Avenue	-	\$6510.00

AND BE IT

FURTHER RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to sign a Loan Agreement with the owner(s) of the above listed property on behalf of the Town, AND BE IT

Item No. 10a cont'd

FURTHER RESOLVED that the Supervisor be and hereby is authorized to sign checks, prior to Town Board Warrant List approval necessary for the timely disbursement of said loan funds, providing that the rehabilitation work to be performed has been completed to the satisfaction of the Town Housing Inspector and that all program regulations have been complied with to the satisfaction of the Town Community Development Director.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 10b Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, one of the objectives of the Northeast Communities Solid Waste Management Board (The Board) is to find environmentally sound and cost efficient alternatives for the management and disposal of solid wastes, and

WHEREAS, by resolution dated November 18, 1985, this town board authorized the Town to act as the lead agency for all activities involved in the preparation of a final feasibility study and preliminary engineering work concerning the development of a waste-to-energy facility at Wende, and

WHEREAS, all of the municipalities comprising the Board, including the Town of Cheektowaga, have appropriated sufficient funds for the preparation of such feasibility study and engineering work, and

WHEREAS, the Supervisor was authorized to, and executed for and on behalf of the Town of Cheektowaga, a municipal cooperation agreement between the Town and other members of the Northeast Communities Solid Waste Management Board concerning the Town's right and responsibilities in representing the Board in relation to the consultant contract for a final feasibility study and preliminary engineering work on the development of a waste to energy project, and

WHEREAS, the Supervisor was further authorized to and executed the agreement for engineering services for solid waste management planning and project development between the Board and Baron and Loguidice, P.C., and

WHEREAS, it has been determined that additional consultant services beyond the original scope are required to complete the final feasibility and engineering work, and

WHEREAS, the firm of Barton & Loguidice, P.E., consulting engineers has agreed that payment of the additional work will be made upon receipt of the \$200,000.00 bid To-Localities Grant from the New York State Department of Environmental Conservation, or part thereof, and

WHEREAS, if the grant is not received from the N.Y.S.D.E.C. by April 30, 1987, the Northeast Board commits the balance of the operating treasury to work completed on that date; but payment for costs incurred above the balance of the operating treasury is not guaranteed and is done at the Consultant's risk with the understanding that the Northeast Board communities will be requested at the time to appropriate additional funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and he hereby is authorized to execute the first amendment to the agreement for engineering services for solid waste management services and project development between the Board and Barton and Loguidice, P.C.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 10c Motion by Councilman Jaworowicz, Seconded by Councilman Santa Maria

WHEREAS, this Town Board is pursuing a program of sewer remedial work, and

WHEREAS, Garden Road has been identified as an area of storm water inflow into the sanitary sewer system, and

WHEREAS, said sewer inflow problems can be alleviated by intercepting storm waters that drain into Garden Road and discharging such storm waters along Beach Road into the newly constructed Charlotte Road drainage system, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, in its attempt to resolve that Garden Road sanitary sewer inflow problem, accepts the proposal as submitted by Nussbaumer & Clarke, Inc. in their letter of February 5, 1987 as sent to the Town Engineer for the preparation of plans and specifications and the provision of survey stakeout and services during construction, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said proposal on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the cost for such professional services is to be charged to the Sanitary sewer District #5 WWFR Remedial Account #508125.4543.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 10d Motion by Councilman Rogowski, Seconded by Councilman Kowal

WHEREAS, the Director of the Facilities Department advises that there is need for the installation of an air conditioning system to serve the Senior Citizen's Center Banquet Room and the Losson Community Center Meeting Room, for such funds have been budgeted, and

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

RESOLVED that the proposal of Babinsky-Klein Engineering, P.C., as submitted to the Town Engineer and dated March 3, 1987 for the provision of professional services, including the preparation of plans and specifications and services during construction, be and hereby is accepted and approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby directed and authorized to sign said proposal on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the costs of professional services in the amount of \$4,500 for the Senior Citizen's Center and \$2,500 for the Losson Road Community Center are to be charged to the Facilities Department accounts for said budgeted projects.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 10e Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, the Director of the Facilities Department advised that there is need to replace the roofing on the Maryvale Community Center, Dartwood Park Community Center, Town Hall Building and the Incinerator Building for which funds have been budgeted, and

Item No. 10e cont'd

WHEREAS, the Foreman of the Sewer Maintenance Department advised of the need for the replacement of the roof at their office building at the Plant 5 site, and

WHEREAS, this Town Board recognizes the need for such building improvements at this time, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Trautman Associates, Architects and Engineers, 470 Franklin Street, Buffalo, New York 14202 as submitted to the Town Engineer and dated March 11, 1987 for the provision of professional services for the preparation of plans and specifications for each building and to provide services during the installation of the new roofing material be and hereby is accepted and approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby directed and authorized to sign an agreement on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the cost for said professional services in the amount of \$9,600 for preparation of plans and specifications and the cost not to exceed \$3,200 for inspection services for the Facilities Department buildings be charged to the Facilities Department roofing repair account and the Sewer Maintenance building roofing repairs to be charged to Sewer District #5 repairs and maintenance account #508125.4431.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga Recreation Department, as part of its 1987 summer program, desires to use the Maryvale High School to offer gymnastics, weight training and other recreational activities to residents of the Town, and

WHEREAS, prior to authorizing the town to use the Maryvale High School this year, the Cheektowaga-Maryvale School District has requested that the Town of Cheektowaga indemnify and hold harmless the School District for any damages, lawsuits, etc. which arise as a result of the Town's use of such school property, and

WHEREAS, this Town Board feels that the request of the Cheektowaga-Maryvale School District is reasonable and desires to accede to such request, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby agrees to defend, indemnify and hold harmless the Cheektowaga-Maryvale School District, its officers, agents and employees from all claims, demands, suits, and judgments for bodily injury or property damage arising out of the Town's use of the Maryvale High School facilities for its 1987 summer recreational program.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, the Chief of Police has requested permission to dispose of the equipment listed on the attached Inventory list dated 2/24/87, and

MEETING NO. 6
March 16, 1987

Item No. 12 cont'd

WHEREAS, such equipment is broken, unrepairable and/or obsolete, and of no value or use to the Town, NOW, THEREFORE, BE IT

RESOLVED that the Chief of Police be and hereby is authorized to dispose of the equipment described on the attached Inventory list.

* See next two (2) pages for list

Upon Roll Call.....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

INVENTORY 02/24/87

TYPEWRITERS

1 - Olympia Manual	Serial # 293619
1 - Olympia Manual	Serial # 293591
1 - Olympia Electric 65	Serial # unknown
1 - Olympia Electric	Serial # unknown
1 - Olympia Manual	Serial #214749
1 - Royal Electric	Serial #331-30215
1 - Royal Electric	Serial # unknown .. marked Erie Co. #166605
1 - Royal Manual 440	Serial #440-16878-341
1 - IBM Electric	Serial # unknown
1 - Roayl Manual 440	Serial #440-16-8512770
1 - Royal Manual Long Carraige	- Serial # unknown
1 - Royal Electric 660	Serial # unknown
1 - Royal Electress	Serial # 13 - 8369553
1 - Royal Manual Long Carriage	- Serial/FPP #21-6958800
1 - Royal Electric	Serial #unknown .. Marked North Shore H.S.
1 - Royal Electric	Serial #unknown
1 - IBM Selectric II	Serial #PT79013

MISCELLANEOUS OFFICE EQUIPMENT

- 3 - Broken Office Swivel Chairs
- 3 - Metal Typewriter Stands
- 1 - Dictaphone Dictating Machine (Blue Belts), Model #128990, Serial #4100800
- 6 - Dictaphone Dictating Machines (Blue Belts), Models 114335, Serial #017143; 017144; 017581; 017582; 017106; 017176
- 3 - Dictaphones (Power Source for above Dictating Machines), Models 114400, Serial #9637; 9468; 9615
- 2 - Dictaphones (Power Source Foot Pedals) No Model or Serial Number Available
- 1 - 3M "209" Automatic Copier, Model 57FA, Serial #400236
- 1 - 3M VQC Copier, Model 191, Serial Number Unknown
- 1 - 3M Photo Copier, Model 107, Serial #64AA03524D
- 1 - AB Dick Copier (Wet Chemical) Obsolete, Model 680, Serial Number Unknown
- 1 - Varco Manual Receipt Writer (Obsolete), Model and Serial Number Unknown
- 1 - Olivetti-Underwood Adding Machine, Model and Serial Number Unknown
- 1 - Olivetti Adding Machine Broken (junk), Serial unknown; Marked property of Erie County #168259
- 8 - Boxes of Blue Dictabelts Destroyed
- 1 - 3M Copier, Model 48, Serial Number 48BA1181A

RADIO EQUIPMENT

- 1 - Lafayette 23 Channel CB Transceiver, Model HB400, Serial Number Unknown
- 2 - Pearce-Simpson Champion III CB, Serials Number 94240572; 94240649
- 2 - Motorola Portable Radios (Obsolete), Serial Numbers H1132; H6279

- 1 - Executone Intercom, Model 701RKK, Serial Number 2536131
- 1 - Executone Intercom, Model I21ADHT, Serial Number 2442240
- 1 - Talk-a-Phone Intercom, Model KLR-3, Serial Number 25018
- 1 - Executone Intercom with Phone, Model AA35057, Serial Number 2450889
- 1 - Executone Intercom, Model Unknown, Serial #2520176
- 1 - Talk - a - Phone Intercom, Model KML-5, Serial Number 25010

MEETING NO. 6
March 16, 1987

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

WHEREAS, the Western New York Chapter of the March of Dimes Birth Defects Foundation is sponsoring a thirty-three kilometer walk-a-thon which benefits the March of Dimes work in seeking both the causes of and cures of birth defects, and

WHEREAS, the said walk-a-thon is scheduled for Sunday, April 26, 1987 from 8:00 a.m. until approximately 5:00 p.m. and will involve the use of certain designated highways within various municipalities, including the Town of Cheektowaga as is shown on the sketch attached hereto, NOW, THEREFORE, BE IT

RESOLVED that this Town board hereby formally authorizes the use of those highways noted on the attached sketch which are within the boundaries of the Town of Cheektowaga by the Western New York Chapter of the March of Dimes Birth Defects Foundation on Sunday, April 26, 1987 for its scheduled walk-a-thon, and BE IT FURTHER

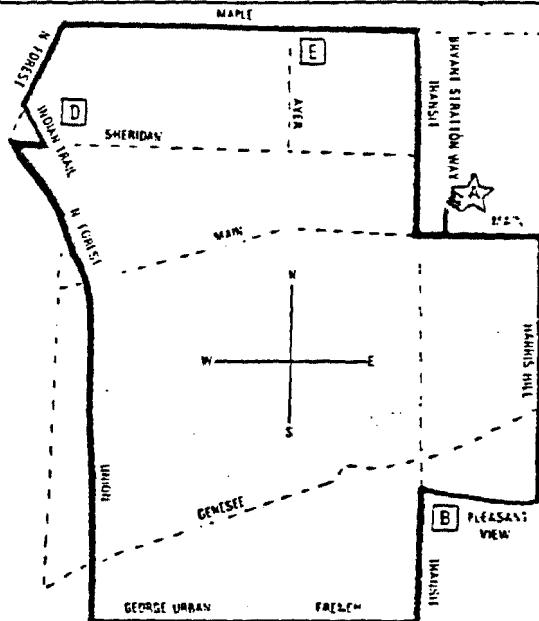
RESOLVED that the Chief of Police insure compliance with Section 1660 (a)(6) of the Vehicle and Traffic Law; and he is further authorized to make arrangements for any and all traffic safety and/or escort services.

* See next page for sketch

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

NORTHTOWNS



NORTHTOWNS
WalkAmerica

- ★ = BRYANT & STRATTON BUSINESS INSTITUTE - STARTING LOCATION CLARENCE
- ★ = HILLS PLAZA - PARKING LOT - STARTING LOCATION - CHEEKTOWAGA
- D = TEMPLE BETH AM - PARKING LOT
- E = MEDICAL CENTER - PARKING LOT

Item No. 14 Motion by Councilman Rogowski, Seconded by Councilman Kowal

WHEREAS, Cub Scout #618, Cub Scouts of America, has requested permission to conduct an overnight campout on August 22, 1987 and August 23, 1987 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 permit 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 22, 1987, and BE IT FURTHER

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

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Kowal, Seconded by Councilman Johnson

BE IT RESOLVED that the Town of Cheektowaga Crossing Guards be and hereby are granted an increase in their hourly rate of pay and shall, retroactive to January 1, 1987 be paid at a rate of \$5.00 per hour, and BE IT FURTHER

RESOLVED that the Crossing Guards be granted an additional paid holiday, namely, Memorial Day, effective in 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Weber, Seconded by Councilman Kowal

WHEREAS, the Town Board wishes to create the position of Junior Accountant in the Accounting Department, and

WHEREAS, the necessary PO-17 has been approved by Erie County Personnel, NOW, THEREFORE, BE IT

RESOLVED that the position of Junior Accountant be created in the Accounting Department, and BE IT FURTHER

RESOLVED that the position of Junior Accountant be deemed Managerial Confidential.

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 Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

MEETING NO. 6
March 16, 1987

Item No. 17a Appointment - Junior Accountant in Accounting Department
This item was withdrawn.

Item No. 17b Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, in compliance with an arbitrator's award, Lieutenant Matthew Starr has been assigned to Lieutenant in charge of the Vice, Gambling and Narcotics Bureau, and

WHEREAS, a vacancy now exists in Lieutenant Starr's previously held position of Patrol Lieutenant, and

WHEREAS, this Town Board has canvassed the civil service eligible list for Lieutenant and a study has been made of the candidates' resumes and interviews have been conducted, NOW, THEREFORE, BE IT

RESOLVED that the following candidate from the civil service eligible list be and hereby is appointed to the position of Lieutenant in the Cheektowaga Police Department, effective immediately:

Richard Chamberlin

Depew, New York 14043

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

Item No. 17c Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated April 15, 1985, this Town Board appointed Lawrence Golas to the provisional position of Assistant Superintendent - Wastewater Pump Station, pending the results of a competitive examination for such position, and

WHEREAS, the Erie County Department of Personnel held such examination and the results therefrom have been released, and

WHEREAS, Lawrence Golas placed second on the list resulting from such examination, NOW, THEREFORE, BE IT

RESOLVED that Lawrence Golas be and hereby is appointed to the permanent position of Assistant Superintendent - Wastewater Pump Station, and BE IT FURTHER

RESOLVED that the necessary paperwork for such position be forwarded to the Erie County Department of Personnel for its records.

MOTION BY COUNCILMAN SANTA MARIA, SECONDED BY COUNCILMAN JOHNSON
TO TABLE THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

The above resolution was tabled!

MEETING NO. 6
March 16, 1987

Item No. 17d Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the position of "Housing Inspector" in the Office of Community Development has previously been created, and

WHEREAS, interviews have been conducted from among those applicants qualified for the position, NOW, THEREFORE, BE IT

RESOLVED that Richard J. Willis, of Cheektowaga, be and hereby is appointed to the position of "Housing Inspector" in the Office of Community Development; said appointment effective April 4, 1987; and at a starting salary of \$22,843.23, and BE IT FURTHER

RESOLVED that said appointment shall be on a provisional basis until such time that the results from the Erie County Competitive Civil Service examination for this position are released; and BE IT FURTHER

RESOLVED that the salary for this position will be paid from Community Development Block Grant Funds.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 18a Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be hired by the Facilities Department to assist in conducting its 1986-1987 winter program:

Parks Division - #01-007110-1-0-1491-001 - \$3.35 per hour

	<u>Effective</u>
Thomas Wertz	3/16/87
William Rogowski	3/16/87
John Mueller	3/16/87
Randy Palmisano	3/16/87
Stephen Rutkowski	3/16/87

Street Lighting Division - #02-905182-1-0-1492-001

John Kochel	3/16/87
Steven Dunkowski	3/16/87
Donald Havernick	3/16/87

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 18b Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department to assist in conducting its 1986-87 winter school programs:

WINTER SCHOOL PROGRAM - A7140.1615

Cheektowaga Central High School Wrestling Instructor - \$3.35 per hour

Anthony Christiano

Maryvale High School Recreation Attendants - \$3.35 per hour

William Sarver
Paul Tripi
Philip Tripi

Item No. 18b cont'd

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 18c Motion by Councilman Gabryszak, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal and/or Part-Time Employees in the various Departments listed:

EFFECTIVE

POLICE DEPARTMENT - Part-Time Clerical - \$4.00 per hour

Kathleen Dilleuth 3/16/87

MAIN PUMP STATION - Seasonal - \$3.75 per hour

Victor Podyma Retroactive to 3/12/87
Chester Kensey 3/11/87

SEWER MAINTENANCE DEPARTMENT - Seasonal - \$3.35 per hour

James Kosobucki 3/17/87
Bob Fissler "
Alex Pajak "
Jeff Mrugalski "
Ray Nowak "

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 19a Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, the Erie I Board of Cooperative Educational Services is conducting a course entitled, "Introduction to the IBM-PC" on March 23 - 26 and March 30 - April 2, 1987 from 7:00-10:00 P.M. at the Kenton Center in Tonawanda, New York, and

WHEREAS, the Council Office has recently purchased an IBM-Compatible PC and wishes its staff to attend above stated course, NOW, THEREFORE, BE IT

RESOLVED that Karen McAuley, CPS aand Juliana Sisti be and hereby are authorized to attend the Erie I BOCES course entitled, "Introduction to the IBM-PC", at a cost to the Town of \$75.00 per applicant, and BE IT FURTHER

RESOLVED that the above employees be reimbursed for any necessary and reasonable expenses associated with this course.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 19b Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that Michael J. Miecznikowski, Director of Recreation, be and hereby authorized to attend the New York State Recreation and Parks Society Conference to be held in Monticello, New York from April 4-8, 1987, and BE IT

Item No. 19b cont'd

FURTHER RESOLVED that a Town vehicle be made available for use as transportation to and from the conference, and BE IT FURTHER

RESOLVED that Michael J. Miecznikowski be reimbursed for all reasonable expenses of said trip.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 19c Motion by Councilman Jaworowicz, Seconded by Councilman Santa Maria

WHEREAS, the International Society of Fire Service Instructors will be conducting a "Fire Department Inspectors Conference" in Cincinnati, Ohio, on April 6, 7 & 8, 1987, and

WHEREAS, Matthew D. Kawczynski, Fire Inspector, for the Town of Cheektowaga, has requested permission to attend such conference, and

WHEREAS, such conference will provide the Town's Fire Inspector with up-to-date information and legislation on fire prevention and control, and

WHEREAS, Matthew D. Kawczynski will attend such conference at no cost to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that Matthew D. Kawczynski be and is hereby authorized to attend the "Fire Department Instructors Conference on April 6, 7 & 8, 1987.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Supervisor Weber, Seconded by Councilman Rogowski

BE IT RESOLVED that the following budget transfers are hereby approved for the 1987 budget year.

GENERAL FUND

FROM:	01-1910-4-0-4703	\$2,932.42
TO:	01-3310-4-0-4472	\$2,527.42
	01-7270-4-0-4381	405.00

PART TOWN FUND

FROM:	Fund balance-Town outside village	\$2,150.00
TO:	08-8020-4-0-4527	2,150.00

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 Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Supervisor Weber, Seconded by Councilman Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 16, 1987 are hereby approved and made a part hereof.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL	\$117,109.10
SPECIAL DISTRICT FUND	632,095.57
HIGHWAY FUND	26,929.89
TRUST & AGENCY FUND	1,319.22
FEDERAL REVENUE SHARING FUND	339.11
PART TOWN FUND	1,541.17
HUD-CDBG FUND	103,321.31
CAPITAL FUND	7,535.00
	<u>\$891,190.37</u>

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

III. FROM THE TABLE

Item No. 22 Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz

WHEREAS, Cheektowaga Holding Corporation and Sorrento Cheese Co., Inc. 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 years 1981-82, 1982-83, 1983-84, 1985-86 and 1986-87, 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 Petitioner(s), and

WHEREAS, special counsel to the Town and the Assessor have advised this Town Board that a tentative agreement has been reached for a fair and reasonable resolution of the aforementioned Article 7 proceedings, and

WHEREAS, special counsel to the Town and the Assessor have recommended the settlement agreement, a copy of which is attached hereto, be 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 six (6) pages

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

In the Matter of the Application of:

CHEEKTOWAGA HOLDING CORPORATION

Petitioner,

-against-

THE BOARD OF ASSESSORS AND THE BOARD OF
ASSESSMENT REVIEW OF THE TOWN OF
CHEEKTOWAGA

Respondents.

For Review of a Tax Assessment Under
Article 7 of the Real Property Tax Law.

In the Matter of the Application of:

CHEEKTOWAGA HOLDING CORPORATION

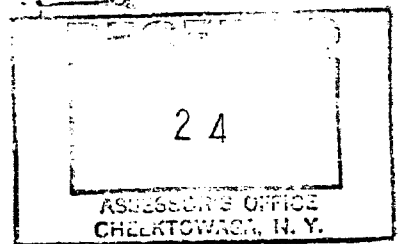
Petitioner,

-against-

THE BOARD OF ASSESSORS AND THE BOARD OF
ASSESSMENT REVIEW OF THE TOWN OF
CHEEKTOWAGA

Respondents.

For Review of a Tax Assessment Under
Article 7 of the Real Property Tax Law.



STIPULATION OF
SETTLEMENT

Index #H59323

Tax Year: 1981-82
Calendar #85-2274

Index #H19265

Tax Year: 1982-83

In the Matter of the Application of:

CHEEKTOWAGA HOLDING CORPORATION

Petitioner,

-against-

THE BOARD OF ASSESSORS AND THE BOARD OF
ASSESSMENT REVIEW OF THE TOWN OF
CHEEKTOWAGA

Respondents.

For Review of a Tax Assessment Under
Article 7 of the Real Property Tax Law.

In the Matter of the Application of:

CHEEKTOWAGA HOLDING CORP.
STORE #33

Petitioner,

-against-

THE ASSESSOR, THE BOARD OF ASSESSORS AND
THE BOARD OF ASSESSMENT REVIEW OF THE
TOWN OF CHEEKTOWAGA AND THE TOWN OF
CHEEKTOWAGA

Respondents.

For Review of a Tax Assessment Under
Article 7 of the Real Property Tax Law.

Index #H59322

Tax Year: 1983-84

Index #H44690

Tax Year: 1984-85

In the Matter of the Application of:

SORRENTO CHEESE CO., INC.

Petitioner,

Index #H58499

Tax Year: 1985-86

-against-

THE ASSESSOR, THE BOARD OF ASSESSORS AND
THE BOARD OF ASSESSMENT REVIEW OF THE
TOWN OF CHEEKTOWAGA AND THE TOWN OF
CHEEKTOWAGA

Respondents.

For Review of a Tax Assessment Under
Article 7 of the Real Property Tax Law.

X

X

In the Matter of the Application of:

SORRENTO CHEESE CO., INC.

Petitioner,

Index #H73821

Tax Year: 1986-87

-against-

THE ASSESSOR, THE BOARD OF ASSESSORS AND
THE BOARD OF ASSESSMENT REVIEW OF THE
TOWN OF CHEEKTOWAGA AND THE TOWN OF
CHEEKTOWAGA

Respondents.

For Review of a Tax Assessment Under
Article 7 of the Real Property Tax Law.

X

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for the respective parties that the tax review proceedings now pending for the tax years 1981-82, 1982-83, 1983-84, 1984-85, 1985-86 and 1986-87 be and the same hereby are settled and adjusted as follows:

<u>Tax Yr.</u>	<u>Name</u>	<u>Description of Property</u>	<u>Amount of Reduction</u>	<u>Total Final Assessed Valuation</u>
1981-82	Cheektowaga Holding Corporation	Plot 3, Parcel 759-010	\$ 40,000	\$ 261,070
1982-83	Cheektowaga Holding Corporation	Plot 3, Parcel 759-010	\$ 40,000	\$ 261,070
1983-84	Cheektowaga Holding Corporation	Plot 3, Parcel 759-010	\$ 40,000	\$ 261,070
1984-85	Cheektowaga Holding Corp. Store #33	Sec 102.40, Blk 1, Lot 17, Plot 3, Parcel 759-010	\$ 40,000	\$ 261,070
1985-86	Sorrento Cheese Co., Inc.	Sec 102.04, Blk 1, Lot 17, Plot 3, Parcel 750-010	\$ 40,000	\$ 261,070
1986-87	Sorrento Cheese Co., Inc.	102.04-01-17	\$1,062,000	\$3,250,000

IT IS FURTHER STIPULATED AND AGREED, that the real property tax, paid by the Petitioners to the Town of Cheektowaga for the tax years 1981-82, 1982-83, 1983-84, 1984-85, 1985-86 and 1986-87 insofar as such tax may exceed the tax payment due on the reduced assessment of:

<u>Item #</u>	<u>Tax Year</u>	<u>Final Assessed Valuation</u>
102.04-1-17	1981-82	\$ 261,070
102.04-1-17	1982-83	\$ 261,070
102.04-1-17	1983-84	\$ 261,070
102.04-1-17	1984-85	\$ 261,070
102.04-1-17	1985-86	\$ 261,070
102.04-1-17	1986-87	\$ 3,250,000

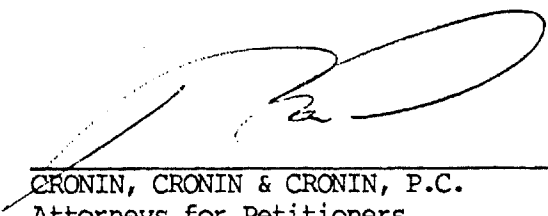
shall be refunded to CRONIN, CRONIN & CRONIN, P.C. as attorneys for Petitioner CHEEKTOWAGA HOLDING CORPORATION, SORRENTO CHEESE CO., INC. together with accrued statutory interest at the rate of 3% from date of payment to December 31, 1982, 6% thereafter for the tax years 1981-82 to 1985-86 and without interest for the 1986-87 tax year upon service of a certified copy of an Order upon the Treasurer of Erie County and the Cheektowaga Central School District.

Petitioner agrees that, in the event that the assessment hereafter fixed by the Department of Assessment on the final tax roll for each of the tax years 1987-88, 1988-89, 1989-90 and 1990-91 is not in excess of the amount shown above as the final total assessed valuation for the 1986-87 tax year, Petitioner will not file a Protest or Grievance for said tax years unless premises have been substantially damaged or destroyed by fire or natural disaster. In the event that such Protest or Grievance and a subsequent Petition relative thereto are served and filed, despite the Assessment Department's adoption of the final total assessed valuation shown herein for the 1986-87 tax year, and absent substantial damage or destruction to the premises by fire or natural disaster, the proceedings thereon shall be discontinued and withdrawn without costs.

IT IS FURTHER STIPULATED AND AGREED, that upon compliance with the terms of this Stipulation, that said tax review proceedings shall be discontinued

without costs to any party and that an Order to this effect may be entered forthwith without further notice.

DATED: Garden City, New York
February 18, 1987



CRONIN, CRONIN & CRONIN, P.C.
Attorneys for Petitioners
Office & P.O. Address
1001 Franklin Avenue
Garden City, New York 11530
Tel. No. (516) 741-8144

JOSEPH GALVIN SACCO, ESQ.
Special Counsel, Town of Cheektowaga
Attorney for Respondents
22 Victoria Boulevard
Kenmore, New York 14217

IV. GENERAL COMMUNICATIONS

Item No. 23 Notice of Claim - Rose Arendt vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; Senior Services Department; Joseph J. Naples, Insurance
Company.
Received and Filed.

Item No. 24 Petition from citizens against mall to be built on Walden near
Thruway
Copies were sent to: James Kirisits, Town Attorney; Tom Adamczak,
Asst. Building Inspector; Chester Bryan, Town Engineer.
Received and Filed

V. SUSPENSION OF RULES

* * * * *

Motion by Councilman Rogowski, Seconded by Councilman Santa Maria
to suspend the rules to include Items 25A, 25B, 25C, 26, 27, 28 and 30.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

* * * * *

Item No. 25a Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz

WHEREAS, Delco Enterprise has made application and requested a
Special Use Permit for offices and equipment storage for property located at 580
Cayuga Road, said applicant being the owner of the aforementioned property, NOW,
THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under
the provisions of the Zoning Ordinance on April 6, 1987 at 6:30 o'clock P.M.,
Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and
Union Road.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Garcia....., 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.....MAR 19 1987.....;
last publication.....MAR 19 1987.....;
and that no more than six days intervened be-
tween publications.

.....Denise Garcia.....
Sworn to before me this19th.....
day ofMarch....., 1987.....
.....Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

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 April, 1987 at 6:30 o'clock, p.m., Eastern Daylight Savings Time of said day for the purpose of considering the application of Dennis Hernandez/Delco Enterprises for a special permit to use property for storing and repairing equipment on property located at 580 Cayuga Road 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.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number fourteen (14), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the west line of Cayuga Road, one hundred (100) feet wide, three hundred nine and ninety-seven hundredths (309.97) feet south of the southeast corner of Subdivision Lot number fifty-seven (57), as shown on a map filed in the Erie County Clerk's office under cover number 1900; thence southerly along the west line of Cayuga Road, two hundred twenty (220) feet to a point; thence westerly at right angles to the said westerly line of Cayuga Road, four hundred (400) feet to a point; thence northerly at right angles to the last described line, two hundred twenty (220) feet to a point; thence easterly at right angles to the last described line, four hundred (400) feet to the point or place of beginning.

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber
Councilmen

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

Rady A. Santa Maria

RICHARD M. MOLEKSI

Town Clerk

PUBLISH: March 19, 1987

MEETING NO. 6
March 16, 1987

Item No. 25b Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz

WHEREAS, Robert D. Alonzo for Benderson Development Company, Inc. has made application and requested a Rezoning for property located at 760 Dick Road from RA-Apartment District to M1-Light Manufacturing, said applicant being owner of the property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 6, 1987 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Marie, 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 MAR 19 1987 ;
last publication MAR 19 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Marie
Sworn to before me this 19th
day of March, 1987
Cecelia Westoven

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1987

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 April, 1987 at 6:30 o'clock, p.m., Eastern Daylight Savings Time of said day for the purpose of considering the application of Robert D. Alonzo/Benderson Development Co. Inc., to Rezone from RA-Apartment District to M1-Light Manufacturing District on property located at 780 Dick Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BEGINNING at a point in the intersection of the west line of Dick Road (100 feet wide) and the south line of the West Shore Railroad; thence south easterly along the west line of Dick Road (100 feet wide), 59.92 feet to a point; thence continuing along the west line of Dick Road, 300.48 feet to a point; thence continuing along the west line of Dick Road (66 feet wide) 101.35 feet to a point; thence west at right angles to the west line of Dick Road 171.03 feet to a point; thence south 51.0 feet to a point in the north line of map covers 1219 and 2109; thence west along the north line of map cover 1219 and 2109, 1223.67 feet to a point in the south line of the West Shore Railroad; thence north east along the south line of the West Shore Railroad, 1238.30 feet to the point or place of beginning.

EXCEPTING therefrom the parcel taken by the Erie County Department of Public Works, Division of Highways known as Parcel No. 52 S.R. 207-52.

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber
Councilmen

Thomas M. Johnson, Jr.
William P. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gahryszak
Rudy A. Santa Maria

RICHARD M. MOLESKI

Town Clerk

PUBLISH: March 18, 1987

MEETING NO. 6
March 16, 1987

Item No. 25c Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz

WHEREAS, Anthony Marczak has made application and requested a Rezoning for property located at 2437 Union Road from RC-Restricted Business to RA-Apartment District to CM-General Commercial, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 6, 1987 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Gracie....., 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..... MAR 19 1987 ;
last publication..... MAR 19 1987 ;
and that no more than six days intervened be-
tween publications.

Denise Gracie.....
Sworn to before me this 19th
day of March, 19.. 87..
..... Cecelia Westoven.....

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

CECELIA WESTOVEN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19.. 87

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 April, 1987 at 5:30 o'clock, p.m., Eastern Daylight Savings Time of said day for the purpose of considering the application of Anthony Marczak to Rezone from RC-Restricted Business & RA-Apartment District to CM General Commercial District on property located at 2437 Union Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number sixty-one (61), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

North by the north line of Lot Number sixty-one (61); east by the east line of Lot Number sixty-one (61); south by the State Bottom creek and west by the Union Road, containing four (4) acres of land more or less.

EXCEPTING AND RESERVING THEREFROM, all that part appropriated by Notice of appropriation recorded in the Erie County Clerk's office in Liber 7180 of Deeds at page 422.

BY ORDER OF THE TOWN BOARD

Supervisor Daniel E. Weber

Councilmen

Thomas M. Johnson, Jr.

William P. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

Rudy A. Santa Maria

RICHARD M. MOLESKI

Town Clerk

PUBLISH: March 10, 1987

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

WHEREAS, there is need to submit a Flow Management Program to the New York State Department of Environmental Conservation for wastewater handling in Sewer District #5 and to replace electrical instrumentation equipment that was damaged by flood waters, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., as submitted in their letter of March 11, 1987 to the Town Engineer, be and hereby is approved and accepted for the provision of professional services to assist in the development of a Flow Management Program and to provide specifications and assistance in the electrical instrumentation, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign said proposal on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the cost for said professional services is to be charged to Sewer District #3, Account #308123.4581.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, by resolution dated March 2, 1987, this Town Board advertised for bids for twelve (12) 1987 Full-sized four-door sedans (Law Enforcement Package), and

WHEREAS, only one bid was received for such vehicles, and

WHEREAS, such bid was submitted by Mid-City Dodge, Inc. and was for the total of \$143,160, and

WHEREAS, the Cheektowaga Police Department has allocated to it in its 1987 budget \$143,000 for the purchase of police vehicles, and

WHEREAS, Mid-City Dodge, Inc. has agreed to lower its bid price to \$143,000, and

WHEREAS, such bid from Mid-City Dodge, Inc. is in an amount lower than the amount listed on the State Contract, NOW, THEREFORE, BE IT

RESOLVED that the bid for the purchase of twelve (12) 1987 Full-sized, four-door sedans (Law Enforcement Package) be and hereby is awarded to Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York 14225 at a total bid price of \$143,000, and BE IT FURTHER

RESOLVED that the funds for such purchase shall be paid out of the Cheektowaga Police Department's 1987 budget.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Rogowski, Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga has entered into an Agreement and Contract of Sale with Sorrento, Inc. and Buffalo Forge Company for the purchase of property along the easterly boundaries of said companies' properties, which property is located between Walden Avenue and Duke Road, and

Item No. 28 cont'd

WHEREAS, the Town intends to utilize such property for a public roadway, and

WHEREAS, prior to the actual transfer of ownership of such roadway property, the Town has requested permission from the owners to open up same as a public roadway, and

WHEREAS, Sorrento, Inc. and Buffalo Forge Company have agreed to allow the Town to use such land as a public roadway provided the Town agrees to indemnify them from damages caused by the use of such land as a public roadway, and

WHEREAS, this Town Board and the Town Superintendent of Highways are agreeable to such a condition, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby agrees to indemnify Sorrento, Inc. and Buffalo Forge Company for all damages, etc. caused by the use of their property, as described in the aforementioned Agreement and Contract of Sale, as a public roadway, and BE IT FURTHER

RESOLVED that the Supervisor be and hererby is authorized and directed to execute the attached Indemnification Agreements covering Sorrento, Inc. and Buffalo Forge Company.

* See next four (4) pages

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria

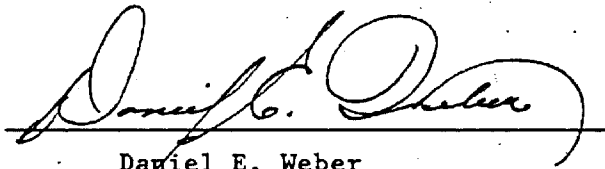
NAYES: 0

ABSENT: 0

INDEMNIFICATION AGREEMENT

The Town of Cheektowaga ("Town") hereby agrees to defend, indemnify and hold harmless Sorrento, Inc., its agents and employees from and against all claims, damages, losses and expenses, including attorneys' fees, that shall or may be brought against or occasioned by Sorrento, Inc. arising out of or resulting from the use of the property described in the attached Schedule A by the Town as a public roadway.

The Town further agrees that it will maintain the property described in the attached Schedule A in good and proper repair as a public highway.



Daniel E. Weber
Supervisor

SCHEDULE A

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

BEGINNING at a point being the southeast corner of lands acquired by Sorrento, Inc. by deed recorded in the Erie County Clerk's Office in Liber 9321 of Deeds at Page 406; thence proceeding westerly along the south boundary line of said Sorrento, Inc. property a distance of fifty (50) feet to a point; thence proceeding northerly and parallel with the east boundary line of said Sorrento, Inc. property a distance of 1180 \pm feet to the south boundary line of Walden Avenue; thence proceeding easterly along the south boundary line of Walden Avenue a distance of fifty (50) feet to the easterly boundary of said Sorrento, Inc. property; thence southerly and along the easterly boundary line of said Sorrento, Inc. property a distance of 1180 \pm feet to the point or place of beginning.

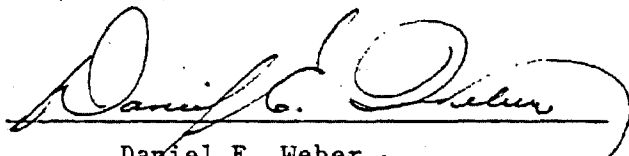
ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the northerly line of Walden Avenue; thence north 78 degrees 30 minutes west, along the northerly line of Walden Avenue, 192.0 feet to a point in the line of lands now or formerly of Leonard Post, Jr., Post No. 6251, Inc.; thence north 11 degrees 30 minutes east, along said land now or formerly of Post 50.0 feet; thence north 53 degrees 18 minutes 58 seconds east, still along said land now or formerly of Post 64.67 feet; thence south 78 degrees 30 minutes east, still along said land now or formerly of Post, 130.00 feet to a point in the line of land now or formerly of J.A. Malecki; thence south 0 degrees 37 minutes 4 seconds west, along said land now or formerly of Malecki, 100.00 feet to the point of BEGINNING.

INDEMNIFICATION AGREEMENT

The Town of Cheektowaga ("Town") hereby agrees to defend, indemnify and hold harmless Buffalo Forge Company, its agents and employees from and against all claims, damages, losses and expenses, including attorneys' fees, that shall or may be brought against or occasioned by Buffalo Forge Company arising out of or resulting from the use of the property described in the attached Schedule A by the Town as a public roadway.

The Town further agrees that it will maintain the property described in the attached Schedule A in good and proper repair as a public highway.


Daniel E. Weber
Supervisor

SCHEDULE A

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

BEGINNING at the northeast corner of lands acquired by Buffalo Forge Company by deed recorded in the Erie County Clerk's Office in Liber 7430 of Deeds at Page 186; thence proceeding westerly along the north boundary line of said Buffalo Forge Company property a distance of fifty (50) feet to a point; thence southerly and parallel with the east boundary line of Buffalo Forge Company property a distance of 460± feet to the north boundary line of Duke Road (f/k/a Old Walden Avenue); thence easterly along the north boundary line of Duke Road a distance of fifty (50) feet to the east boundary line of said Buffalo Forge Company property; thence northerly along the east boundary line of said Buffalo Forge Company property a distance of 460± feet to the point or place of beginning.

MEETING NO. 6
March 16, 1987

Item No. 30 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the Town is currently involved in assessment review proceedings relating to the properties listed below, and

WHEREAS, the Assessor is in need of special appraisals on the following properties:

1. 3101 Broadway - Joy Manufacturing Co.
2. 2510 Walden Avenue - (formerly GEX)
3. 3875 Union Rd. - Urban Union Plaza, and

WHEREAS, the Town of Cheektowaga has appropriated monies in the budget for these items, NOW, THEREFORE, BE IT

RESOLVED that the Assessor be and hereby is authorized to contract with GAR Associates to make the necessary appraisals for the sum stated in their letter of March 9, 1987, a copy of which is attached hereto:

* See next four (4) pages

Upon Roll Call....

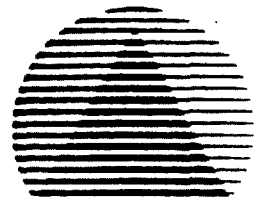
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Grant Appraisal & Research

One Towne Centre, Audubon-Amherst, Buffalo, New York 14228 • (716) 689-0215

March 9, 1987

Mr. Casimir A. Kozminski
Town Assessor
TOWN OF CHEEKTOWAGA
Town Hall
Broadway & Union Road
Cheektowaga, New York 14227



Real Estate Appraisals,
Real Estate Research,
Financial Counseling
and Feasibility Studies

Re: Tax Assessment & Litigation Overview

Dear Mr. Kozminski:

During the past several weeks we have had an opportunity to continue our review of current pending assessment protests.

Our review indicates that there are better than 1,000 grievances filed as of last year, of which 330 pertained to commercial industrial properties.

Currently, there are better than 275 Article VII proceedings underway which, as you know, is the formal tax litigation involved in property. Of these properties, it is estimated that better than \$83 million dollars worth of assessments is involved.

Your specific short-term needs concern three major properties located in the Town of Cheektowaga, one being Joy Manufacturing and two others pertaining to Benderson Properties, one a major strip shopping center, and the other the original GEX facility. Each property has unique uses and problems related to Fair Market Value. Collectively, the properties represent fair market values and assessments approaching \$15 million dollars.

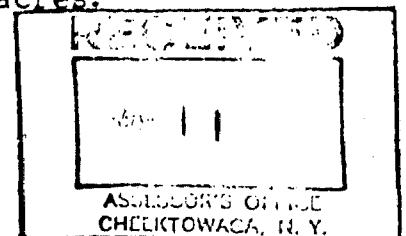
Since each case has different problems, our recommendation of preliminary value analyses are set forth below.

We stand ready to assist your department and the Town Board in any way possible to assure equality of assessments and values for properties in the Town.

1. Joy Manufacturing Facility

The Joy manufacturing company is located at 3101 Broadway on the south side, west of Union Road, and represents a substantial industrial facility in the Town of Cheektowaga of high quality design. The facility has approximately 200,000 square feet of buildings and the land encompasses better than 50 acres.

A division of GAR Associates Inc.



Mr. Casimir Kozminski
March 9, 1987

Page Two



The facility is assessed as two tax parcels on the rolls and is denoted as Tax Account No. 102.04-3-17.11 and 12 with a value of \$6,000,000.

On March 3rd of this year, in your presence, we conducted a tour of the facility. The results indicate a modern industrial facility with heavy wiring accommodating the existing manufacturing use involved in high technical engineering, design and construction of air compressors, which are shipped to an international markets. This case has been pending for a considerable length of time and needs immediate attention, as you requested, to possibly resolve an equitable Fair Market Value estimate. My recommendation is to conduct a 2-step analysis which would result in a preliminary value finding and critique of the facility.

The tax petitioner has submitted an appraisal performed by Realty Appraisal Companies, Inc. of Plymouth, Pennsylvania, the appraisal being submitted in early 1986 and applies to a valuation as of December 11, 1985.

My suggestion is to review this report thoroughly to critique the analysis and findings as it particularly relates to market sales of other industrial facilities. It is noted that the appraiser did not consider the cost or investment analysis in this process.

We intend to review each of the sales in the field to determine comparability of the property.

As a correlary, we propose to offer additional industrial sales located in the Buffalo and western region of New York State. As you know, there are very few facilities that have sold that relate to the quality of construction and condition of this property and, therefore, we may have to research comparable sales outside the immediate Buffalo area. We feel confident that we can develop comparables that fairly equate value. Once we critique the first appraisal, the second step will be to resolve our own independent preliminary estimate of value and then correlate findings and present an analysis to your department.

We estimate approximately 30 to 45 days to complete this analysis and the cost will be \$3,500 for our preliminary findings.

Mr. Casimir Kozminski
March 9, 1987

Page Three



2. 2510 Walden Avenue (formerly GEX facility)

The property under review noted as number 2 is the old GEX facility at 2510 Walden Avenue. The property has extensive improvements consisting of 125,000 square foot original GEX retail center, another retail facility with approximately 32,000 square feet, a storage facility with roughly 44,000 square feet of building area, a restaurant and full retail gas operation.

Your current value is \$4,500,000 and we propose to review the entire facility based on Highest & Best Use, and derive a preliminary value considering market and/or investment analysis. This will offer your department a basis on which to evaluate your current assessment and market value estimate. Our estimated cost to complete this preliminary review is \$4,200 and we also note that we have had experience with this property in the past.

3. 3875 Union Road, Urban Union Plaza

The third property which requires immediate attention is the Urban Union Plaza at 3875 Union Road, on the east side, north of Walden. This strip center has undergone modifications to tenancy and renovations over the last number of years. Its value components consist of a 125,000 square foot shopping center, with approximately 10 tenants, a separate free-standing restaurant out parcel, as well as a Midas Muffler operation. We would anticipate a valuation of the whole facility in conjunction with the sum of the parts. Your current value is approximately \$4,000,000 and we would estimate an approximate fee of \$3,500 to conduct a combination Income and Market Valuation of the is property, depending upon the availability of data.

Our valuation review for items 2 and 3 above can be completed within the 45 to 60 day period but we will stress most importantly the Joy manufacturing facility.

As in all of our consulting efforts for the Town of Cheektowaga, we stand ready to support your department in any way possible, yet considering our total independence as a real estate consulting firm.

Mr. Casimir Kozminski
March 9, 1987



Page Four

So that we can expedite the above programs, we would recommend approval as soon as possible. If there are any further discussions or review required, either by your department, or the Town Board, we would be happy to have further discussions at your request.

Very truly yours,

GRANT APPRAISAL & RESEARCH

Handwritten signature of Walter R. Allen.

Walter R. Allen, SRPA
President

WRA:sm

MEETING NO. 6
March 16, 1987

* * * * *

Motion by Councilman Jaworowicz, Seconded by Councilman Johnson to suspend the rules to include Item No. 29.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

* * * * *

Item No. 29 Councilman Jaworowicz, Seconded by Councilman Gabryszak

WHEREAS, ADF Construction Corporation, on behalf of Specialty Restaurants Corporation, has requested permission to tap the Town's sewer line on Aero Drive in order to install an eight inch lateral line to a proposed restaurant to be known as the Flying Tigers Restaurant, and

WHEREAS, the proposed Flying Tigers Restaurant is not located within an existing sewer district, and

WHEREAS, Specialty Restaurants Corporation has stated that it will execute any agreements, etc. necessary to effectuate this sewer line tap to Sewer District No. 8, and

WHEREAS, any such agreement would include a mandate that Specialty Restaurants Corporation pay a fee for the sewer tap, as well as paying annual sewer charges to the Town, and

WHEREAS, this Board is agreeable to allowing Specialty Restaurants Corporation permission to tap into the Town's sewer on Aero Drive, NOW, THEREFORE, BE IT

RESOLVED that permission be and hereby is granted to ADF Construction Corporation, on behalf of Specialty Restaurants Corporation, to tap into the Town's existing sewer main on Aero Drive in order to install an eight inch lateral line to the proposed Flying Tigers Restaurant, and BE IT FURTHER

RESOLVED that any such permission is contingent upon Specialty Restaurants Corporation executing an agreement acceptable to the Town Attorney and the Town Engineer for the payment of tap-in fees and annual sewer charges to the Town, on behalf of Sewer District No. 8, and BE IT FURTHER

RESOLVED that any such permission be further conditioned on the receipt of a certification issued by a licensed professional engineer retained by the applicant that the sanitary sewer is constructed according to the plans as submitted and that such sewer complies with infiltration test requirements.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz,
Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk