MEETING NO. 7
April 6, 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 6th day of April, 1987 at 7:00 o'clock P.M., Eastern Daylight Saving 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; Bruce Chamberlin, Assistant Chief of Police; James Kirisits, Town Attorney; Casey Kozminski, Assessor; Andy Kulyk, Zoning Board Member; Robert Lis, Chief of Police; Ronald Marten, Building Inspector; James Matecki, Facilities Department Director; Donald Wegner, Zoning Board Chairman.

## I. RESOLUTIONS

Item No. 2A Motion by Councilman Santa Maria Seconded by Councilman Jaworowicz

WHEREAS, Ferraro Entertainment, Inc. has made application and requested a Special Use Permit for the installation of an asphalt surface "go-kart" track on property located at Harlem Road and Walden Avenue (Thruway Mall), with the permission of the owner of the property, namely, Trans American Partners III, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 20, 1987 at 6:30 o'clock P.M., Eastern Daylight Saving 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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Denise Jacobi, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Denise Jacobi

Sworn to before me this 9th day of April, 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 NOV. 30, 1989

**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 20th 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 Ferraro Entertainment, Inc. for a special permit to use property for operation of a "go-cart" track on an asphalt surface on property located at Harlem Rd. & Walden Ave., Southeast corner of Thruway mall abutting skating rink building & general cinema theatres pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.**

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

**BY ORDER OF THE TOWN BOARD**
**Supervisor 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: April 9, 1987**

Item No. 2B 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 April 20, 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 9th day of April, 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 April 20,1987 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic); said proposaed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

| Street | Direction | Entrance Street | Traffic Stops | Sign Location |
|---|---|---|---|---|
| Harvest Lane | North-south | Autumn Lane | Westbound | N.E. Corner |

ARTICLE X

Parking, Standing and Stopping

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

A. No parking this side or one-side parking

| | | |
|---|---|---|
| AUTUMN LANE | East Side | from the north curb line of Como Park Boulevard northerly to house #31, thence westerly to the east curbline of Harvest Lane. |
| HARVEST LANE | East Side | from the north curbline of Como Park Boulevard northerly to end. |

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

Dated: April 6, 1987

RICHARD M. MOLESKI
Town Clerk

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

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 9th day of April, 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 NOV. 30, 1989

**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 April 20, 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 VIII**

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

Street, Harvest Lane; Direction, North-South; Entrance Street, Autumn Lane; Traffic Stops, Westbound; Sign Location, N.E. Corner

**ARTICLE X**

**Parking, Standing and Stopping**

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

A. No parking this side or one-side parking.

Autumn Lane; east side: from the north curbline of Como Park Boulevard northerly to house No. 31 , thence westerly to the east curbline of Harvest Lane.

Harvest Lane; east side: from the north curbline of Como Park Boulevard northerly to end.

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

**RICHARD M. MOLESKI**
**Town Clerk**

**DATED: April 6, 1987**
**PUBLISH: April 9, 1987**

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

WHEREAS, this Town Board held a public hearing on March 16, 1987 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 6 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, 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 deleting therefrom the following:

A. No parking this side or one-side parking

| | | |
|---|---|---|
| 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:

A. No parking this side or one-side parking

| | | |
|---|---|---|
| MARNE ROAD | west side | from the north curbline of East Delavan Avenue to the south curbline of Rowan Road |
| BELL STREET | north side | from the east curbline of Olcott Place to the west curbline of Pine Ridge Terrace |
| OLCOTT PLACE | east side | from the south curbline of Genesee Street to the north curbline of Herbert Avenue |

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.

Item No. 3 Cont'd.

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.

Denise J. Reid, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Denise J. Reid

Sworn to before me this 9th day of April, 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 NOV. 30, 1989

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 6th day of April, 1987 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Gabryszak

WHEREAS, this Town Board held a public hearing on the March 16, 1987 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to the 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 the Traffic Ordinance 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 deleting therefrom the following:

A. No parking this side or one-sided parking

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 lacations shall be amended by adding thereto the following:

A. No parking his side or one-sided parking

MARNE ROAD, west side: from the north curbline of East Delavan to the south curbline of Rowan Road

BELL STREET, north side: from the east curbline of Olcott Place to the west curbline of Pine Ridge Terrace

OLCOTT PLACE, east side: from the south curbline of Genesee Street to the north curbline of Herbert Avenue.

**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.

| | |
|---|---|
| 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 hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 6, 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 6th day of April, 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 9, 1987

Item No. 4A 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 Two (2) New and Unused 1988 Model Single Drive Axle Dump Trucks w/Snow Plow, Wing and Plow Rigging for use by the Cheektowaga Highway Department.

Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York 14227 between the hours of 8:00 A.M. and 3:30 P.M, Monday thru 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 April 20th, 1987 in the Council Chambers of the Cheektowaga Town Hall.

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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 April 20th, 1987 at 11:00 A.M. for

TWO (2) NEW AND UNUSED 1988 MODEL SINGLE DRIVE AXLE DUMP TRUCKS/
SNOW PLOW, WING AND PLOW RIGGING

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 BIDS FOR TWO (2) NEW DUMP TRUCKS W/PLOW EQUIPMENT."

RICHARD M. MOLESKI
Town Clerk

DATED: April 6, 1987

PUBLISHED: April 9, 1987

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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

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks:
first publication APR - 9 1987;
last publication APR - 9 1987;
and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 9th
day of April, 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 NOV. 30, 1989

**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 April 20, 1987 at 11:00 a.m. for

TWO (2) NEW AND UNUSED 1988 MODEL SINGLE DRIVE AXLE DUMP TRUCKS W/SNOW PLOW, WING AND PLOW RIGGING.

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 TWO (2) NEW DUMP TRUCKS W/PLOW EQUIPMENT".

**RICHARD M. MOLESKI**
**Town Clerk**

**DATED: April 6, 1987**
**PUBLISH: April 9, 1987**

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 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, New York 14227 between the hours of 8:00 A.M. and 3:30 P.M, Monday thru 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 April 20th, 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 April 20th, 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 BIDS FOR ONE (1) NEW STUMP CUTTER."

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 6, 1987

PUBLISHED: April 9, 1987

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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

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 9th day of April, 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 NOV. 30, 1989

**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 April 20, 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: April 6, 1987
PUBLISH: April 9, 1987

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

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for furnishing of football equipment to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on April 20, 1987 at 11:00 A.M. Daylight Savings Time at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.

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NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 20, 1987 at 11:00 A.M. Daylight Savings Time at Town Hall, corner of Broadway and Union Road for football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the item originally designated.

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

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

RICHARD M. MOLESKI
Town Clerk

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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

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 9th day of April, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on April 20, 1987, at 11:00 a.m. Eastern Daylight Savings Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reason for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the item originally designated.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and 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.

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

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

**RICHARD M. MOLESKI**
**TOWN CLERK**

**PUBLISH: April 9, 1987**

Item No. 4D Motion by Councilman Jaworowicz, Seconded by Councilman Gabryszak

WHEREAS, a petition was presented to the Town Board by business property owners along the south side of Walden Avenue, east of Dick Road, for the extension of a sanitary sewer to serve their businesses, and

WHEREAS, the preparation of plans and specifications by Nussbaumer & Clarke, Inc., Professional Engineers, was approved, and

WHEREAS, the Town Engineer advises this Town Board that plans and specifications have been completed and the approval for the extension of said sanitary sewer is under application with the Erie County Department of Environment & Planning and recommends that bids be taken at this time, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the extension of sanitary sewer, said 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 22nd 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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 22nd day of April, 1987 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the construction of a sanitary sewer on Walden Avenue, Sanitary Sewer District No. 7, Depew Extension, complete in place, tested and ready for use, in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers, for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202 from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two $25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Construction of a Sanitary Sewer on Walden Avenue".

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

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidder requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this 30-day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Item No. 4D cont'd

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal be accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of the bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidders' Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the state on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

DATED: April 6, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT 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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ...1... weeks: first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

...Denise Gracie...

Sworn to before me this 9th day of April, 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 NOV. 30, 1989

the order to commence work has been issued.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
DATED: April 8, 1987
PUBLISH: April 9, 1987

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 22nd day of April, 1987 at 11:00 a.m., local time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the construction of a sanitary sewer on Walden Avenue, Sanitary Sewer District No. 7, Depew Extension, complete in place, tested and ready for use, in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers, for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to bidders may be examined at the above office and at the Office of the Engineers at 310 Delaware Avenue, Buffalo, New York, 14202 from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two (2) $25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as BID FOR CONSTRUCTION OF A SANITARY SEWER ON WALDEN AVENUE.

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

Any bidder returning plans and specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the plans and specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

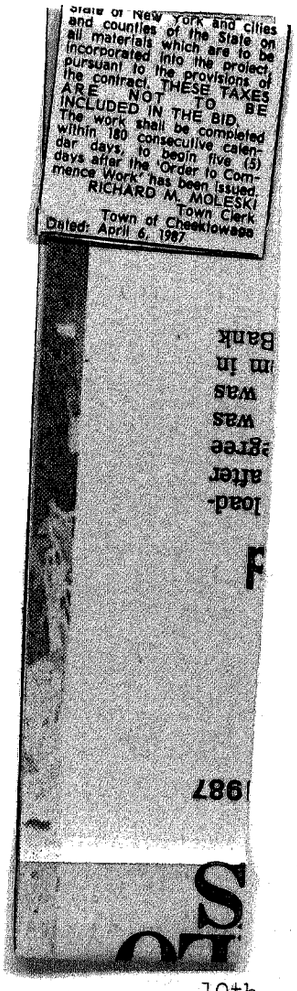
The work shall be completed within 180 consecutive calendar days, to begin (5) days after the "Order to Commence Work" has been issued.

**RICHARD M. MOLESKI**
**Town Clerk**
**Town of Cheektowaga**

DATED: April 6, 1987
PUBLISH: April 9, 1987

# State of New York

ERIE COUNTY
CITY OF BUFFALO


State of New York and cities and counties of the State on all materials which are to be incorporated into the project pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.
The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the 'Order to Commence Work' has been issued.
RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
Dated: April 6, 1987

Susan E. Landel

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 a ~~week for~~ ~~weeks~~, the first insertion being on the 10th day of April 19 87 ~~and the last insertion being on the day~~ of ~~19~~

Susan E Landel

Sworn to before me this 10th day of April 19 87

Harold A Mann

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 19 88

*Notary Public, Erie County, N.Y.*

# State of New York

ERIE COUNTY
CITY OF BUFFALO

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 22nd day of April, 1987 at 11:00 A.M., Local Time, in the Town Hall, in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the construction of a sanitary sewer on Walden Avenue, Sanitary Sewer District No. 7, Depew Extension, complete in place, tested and ready for use, in accordance with the Contract Documents therefore including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc, Consulting Engineers, for the said project.

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

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The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as 'Bid for Construction of a Sanitary Sewer on Walden Avenue'.

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

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal be accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the Order to Commence Work has been issued.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
Dated: April 6, 1987

S[illegible]n E. Landel

[illegible]y of Buffalo, New York, being duly sworn, deposes

that S he is Principal Clerk

[illegible]UFFALO EVENING NEWS, INC., Publisher of

[illegible]UFFALO NEWS, a newspaper published in said

[illegible] the notice of which the annexed printed slip taken

[illegible]d newspaper is a copy, was inserted and published

once a week for ~~XXXXXXXXXXXXXXXX~~ weeks, the

[illegible]ertion being on the 10th day of April

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ and the last insertion being on the ~~XXXXXXX~~ day

~~XXXXXXXXXXXXXXX~~ 19

Susan E Landel

Sworn to before [illegible] day

of _____ 19 87

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 19[illegible]

*Notary Public, Erie County, N.Y.*

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

WHEREAS, 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, the professional engineering firm of Tallamy, Van Kuren, Gertis & Associates was authorized to prepare plans and specifications for the reconstruction of the entire length of Pfohl Road, and

WHEREAS, the Highway Superintendent and the Town Engineer advised that said plans and specifications have been completed and recommended that bids be taken for the improvement of Pfohl Road, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the reconstruction of Pfohl Road, said notice to be published in THE BUFFALO NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that this request be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the reconstruction of Pfohl Road, said 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 22nd 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

NOTICE IS HEREBY GIVEN that sealed bids for furnishing and delivering of all materials and equipment to be incorporated into the project and to furnish all labor, equipment and tools for the Town of Cheektowaga, the Owner, will be received by the Town Clerk on Wednesday, April 22, 1987 at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 until 11:00 A.M. at which time they will be publicly opened and read aloud.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the Office of the Town Engineer, and at the Office of the Engineer:Tallamy, Van Kuren, Gertis & Associates, 70 Linwood Avenue, Orchard Park, New York 14127. Copies may be secured from the latter office upon payment of $50.00 per set of documents. Two certified checks or U.S. Postal Moneys Orders each for one-half the deposit shall be made payable to the Cheektowaga Town Clerk.

The envelopes containing the bids must be sealed and addressed to the Cheektowaga Town Clerk, Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227 and must be designated as "Bids for the Reconstruction of Pfohl Road".

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

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of Sales and Compensating Use Taxes on materials which are to be incorporated into the project and which are to be separately sold by the Contractor to the Owner prior to incorporation into the project, pursuant to the provisions of the Contract. These taxes are not to be included in the bid.

*Item No. 4E cont'd*

*The Owner reserves the right to waive any informalities or to reject any or all bids.*

*Each bid must be accompanied by a Non-Collusive Certification and a certified check of the bidder in the amount of 5% of the bid (made payable to the Owner) or a bid bond prepared on the form of bid bond attached hereto, or an equivalent form acceptable to the Owner, duly executed by the bidder as principal and having as surety thereon a surety company approved by teh Owner in the amount of 5% of teh bid. Such checks or bid bonds will be returned to all except the three lowest bidders promptly after the opening of bids, and the remaining checks or bid bonds will be returned promptly after the owner and the accepted bidder have executed the Contract, or, if no award has been made within 45 days of bid opening, upon demand of the bidder at any time thereafter, so long as he has not been notified of the acceptance of his bid.*

*Attention of bidders is particularly called to the requirements as to the conditions of employment to be observed and minimum wage rates to be paid under the contract.*

*RICHARD M. MOLESKI*
*Town Clerk*
*Town of Cheektowaga*

*DATED: April 6, 1987*

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

*Upon Roll Call....*
*AYES:* *Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *0*

*AFFIDAVITS - NEXT PAGES*

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

Denise J. Marie, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Denise J. Marie

Sworn to before me this 9th day of April, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed bids for furnishing and delivering of all materials and equipment to be incorporated into the project and to furnish all labor, equipment equipment and tools for the Town of Cheektowaga, the Owner, will be received by the Town Clerk on Wednedsay, April 22, 1987 at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 until 11:00 a.m. at which time they will be publicly opened and read aloud.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to bidders may be examined at the Office of the Town Engineer, and at the Office of the Engineer: Tallamy, Van Kuren, Gertis & Associates, 70 Linwood Avenue, Orchard Park, New York 14127. Copies may be secured from the later office upon payment of $50.00 per set of documents. Two certified checks or U.S. Postal Money Orders each for one-half the deposit shall be made payable to the Cheektowaga Town Clerk.

The envelopes containing the bids must be sealed, addressed to the Cheektowaga Town Clerk, Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227 and must be designated as BIDS FOR THE RECONSTRUCTION OF PFOHL ROAD".

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

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and specifications may purchase the excess, but it is understood that they are not returnable.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

The owner reserves the right to waive any informalities or to reject any or all bids.

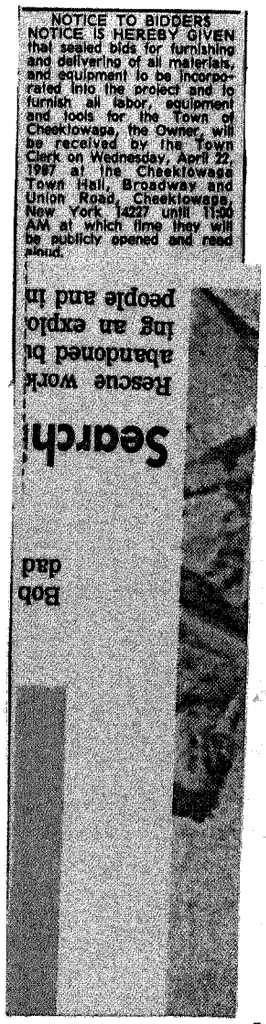
Each bid must be accompanied by a Non-Collusive Certification and a certified check of the bidder in the amount of five percent (5%) of the bid, (made payable to the Owner) or a bid bond prepared on the form of bid bond attached hereto, or an equivalent form acceptable to the Owner, duly executed by the bidder as principal and having as surety thereon a surety company approved by the Owner in the amount of 5% of the bid. Such checks or bid bonds will be returned to all except the three lowest bidders promptly after the opening of bids, and the remaining checks or bid bonds will be returned promptly after the Owner and the accepted bidder have executed the contract, or, if no award has been made within 45 days of bid opening, upon demand of the bidder at any time thereafter, so long as he has not been notified of the acceptance of his bid.

Attention of bidders is particularly called to the requirements as to the conditions of employment to be observed and minimum wage rates to be paid under the Contract.

**RICHARD M. MOLESKI**
**Town Clerk**
**Town of Cheektowaga**
**DATED: April 8, 1987**
**PUBLISH: April 9, 1987**

# State of New York

ERIE COUNTY
CITY OF BUFFALO



NOTICE TO BIDDERS
NOTICE IS HEREBY GIVEN that sealed bids for furnishing and delivering of all materials, and equipment to be incorporated into the project and to furnish all labor, equipment and tools for the Town of Cheektowaga, the Owner, will be received by the Town Clerk on Wednesday, April 22, 1987 at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 until 11:00 AM at which time they will be publicly opened and read aloud.

Search
Rescue work abandoned bi
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people and in
Bob
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Susan E. Landel

of the City of Buffalo, New York, being duly sworn, deposes and says that he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ~~xxxxxxxxxxxxxxxxxxx~~ weeks, the first insertion being on the 10th day of April 19 87 and the last insertion being on the ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ day of ~~xxxxxxxxxxxxxxx~~ 19~~xxxxxxx~~

Susan E Landel

Sworn to before me this 10th day of ~~April~~ 19 ~~87~~

Harold A Mann

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
Commission Expires November 30, 19 88

*Notary Public, Erie County, N.Y.*

# State of New York

ERIE COUNTY
CITY OF BUFFALO

**NOTICE TO BIDDERS**

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The envelopes containing the bids must be sealed and addressed to the Cheektowaga Town Clerk, Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227 and must be designated as "Bids for the Reconstruction of Pfohl Road".

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

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

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The Owner reserves the right to waive any informalities or to reject any or all bids.

Each bid must be accompanied by a Non-Collusive Certification and a certified check of the bidder in the amount of 5% of the bid (made payable to the Owner) or a bid bond prepared on the form of bid bond attached hereto, or an equivalent form acceptable to the Owner, duly executed by the bidder as principal and having as surety thereon a surety company approved by the Owner in the amount of 5% of the bid. Such checks or bid bonds will be returned to all except the three lowest bidders promptly after the opening of bids, and the remaining checks or bid bonds will be returned promptly after the Owner and the accepted bidder have executed the Contract, or, if no award has been made within 45 days of bid opening, upon demand of the bidder at any time thereafter, so long as he has not been notified of the acceptance of his bid.

Attention of bidders is particularly called to the requirements as to the conditions of employment to be observed and minimum wage rates to be paid under the Contract.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
Dated: April 6, 1987

Susan E. Landel

of the City of Buffalo, New York, being duly sworn, deposes and says that he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ____ weeks, the first insertion being on the 10th day of April 19 87 and the last insertion being on the ____ day of ____ 19__

Susan E. Landel

Sworn to before me this 10th day of ____ 19 87

Harold A. Mann

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 19 88

*Notary Public, Erie County, N.Y.*

Item No. 4F Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, this Town Board authorized the preparation of plans and specifications for making improvements at the Roycroft Pump Station, and

WHEREAS, the Town Engineer advises that said plans and specifications have been completed and recommends that bids be taken for making the necessary pump station improvements, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders in connection with the furnishing of all labor, materials and equipment required for the remodeling of the Roycroft Pump Station, said 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 22nd 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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 22nd day of April, 1987 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required to remodel the Roycroft Pumping Station including main sewage pump replacement (1), ventilation additions and modifications, electrical fixture removals, additions and relocations, and all related work, complete in place, tested and ready for use, in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers, for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202 from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two $25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Remodeling of the Roycroft Pumping Station."

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

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidder requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this 30-day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Item No. 4F cont'd

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal be accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of the bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidders' Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the state on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

DATED: April 6, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT 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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 9th day of April, 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 NOV. 30, 1989

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RICHARD M. MOLESKI
Town Clerk

DATED: April 6, 1987
PUBLISH: April 9, 1987

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 22nd day of April, 1987 at 11:00 a.m., local time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required to remodel the Roycroft Pumping Station including main sewage pump replacement (1), ventilation additions and modifications, electrical fixture removals, additions and relocations, and all related work, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting engineers for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to bidders may be examined at the above office and at the Office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202 from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two (2) $25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as BID FOR REMODELING OF THE ROYCROFT PUMPING STATION.

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

Any bidder returning plans and specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the plans and specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2804 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

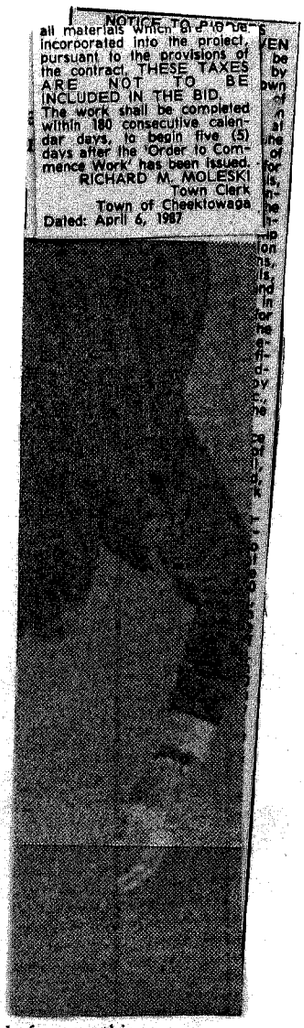
The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

**RICHARD M. MOLESKI**
**Town Clerk**

**DATED: April 6, 1987**
**PUBLISH: April 8, 1987**

# State of New York

ERIE COUNTY
CITY OF BUFFALO



NOTICE TO BIDDERS
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The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the 'Order to Commence Work' has been issued.
RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
Dated: April 6, 1987

Susan E. Landel

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 a ~~week for~~ ~~weeks,~~ the first insertion being on the 10th day of April 19 87 ~~and the last insertion being on the day of 19~~

Susan E Landel

Sworn to before me this 10th day of April 19 87

Harold A Mann

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 19 88

*Notary Public, Erie County, N.Y.*

# State of New York

ERIE COUNTY
CITY OF BUFFALO

NOTICE TO BIDDERS

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The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the 'Order to Commence Work' has been issued.

RICHARD M. MOLEKI
Town Clerk
Town of Cheektowaga
Dated: April 6, 1987

usan E. Landel

City of Buffalo, New York, being duly sworn, deposes

ys thatS he is ~~Principal Clerk~~

BUFFALO EVENING NEWS, INC., Publisher of

BUFFALO NEWS, a newspaper published in said

hat the notice of which the annexed printed slip taken

said newspaper is a copy, was inserted and published

in once a week for ~~xxxxxxxxxxxxxxxxxx~~ weeks, the

nsertion being on the 10th day of April

87

~~and the last insertion being on the xxxxxxx day~~

~~xxxxxxxxxxxxx19xxxxxx~~

Susan E Landel

Sworn to ~~before me this~~ day

of 19 87

Harold A Mann

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 19 88

*Notary Public, Erie County, N.Y.*

Item No. 4G Motion by Councilman Gabryszak, Seconded by Councilman Santa Maria

WHEREAS, it is in order that bids be advertised for the furnishing of a repeater station, which is in need of replacement and services various Town departments, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders for the purchase and installation of a replacement repeater station, said notice to be published in THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received by the Town of Cheektowaga on April 20, 1987 at 11:00 A.M., Local Time, at the Town Hall, at which time they will be publicly opened and read.

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NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 20, 1987 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of a repeater station.

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: April 6, 1987

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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

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 9th

day of April, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on April 20, 1987, at 11:00 a.m. Eastern Daylight Savings Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing of a repeater station.

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

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

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

**RICHARD M. MOLESKI**
**TOWN CLERK**

**DATED: April 6, 1987**
**PUBLISH: April 9, 1987**

Item No. 4H Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, there is need for the furnshing of labor, material, tools and equipment for the installation of a new 7" thick, 4,500 pound, concrete floor at the highway garage addition, including incidental piping, grading and barrier installation at the highway garage addition, 3145 Union Road, Cheektowaga, New York, 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 tools and equipment for the installation of a new 7" thick, 4,500 pound, concrete floor at the highway garage addition, 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 22nd 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.

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NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on the 22nd day of April, 1987 at 11:00 A.M., Local Time, in the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing of labor, material, tools and equipment for the installation of a new 7" thick, 4,500 pound concrete floor at the highway garage addition, including incidental piping, grading and barrier installation.

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

Copies may be obtained upon payment of fifty dollars ($50.00) 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 forty ($40.00) dollars. Non-bidders will be refunded twenty ($20.00) dollars 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 NEW CONCRETE FLOOR FOR HIGHWAY GARAGE ADDITION" 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 for material and a surety bond for labor by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) each 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.

From date of Notice to Proceed, the contractor will have forty five (45) days maximum to completion of the contract.

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 6, 1987

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Item No. 4H cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT PAGES

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

Daniel Gracik, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Daniel Gracik

Sworn to before me this 9th day of April, 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 NOV. 30, 19 89

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on the 22nd day of April, 1987, at 11:00 a.m. Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the furnishing of labor, material, tools and equipment for the installation of a new 7" thick, 4,500 pound, concrete floor at the highway garage addition, including incidental piping, grading and barrier installation.

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

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

**RICHARD M. MOLESKI**
**TOWN CLERK**

**DATED: April 6, 1987**
**PUBLISH: April 9, 1987**

# State of New York

ERIE COUNTY
CITY OF BUFFALO


NOTICE TO BIDDERS
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Susan E. Landel

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Susan E Landel

Sworn to before me this 10th day

of April 19 87

Harold A Mann

*Notary Public, Erie County, N.Y.*

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 1988

# State of New York

ERIE COUNTY
CITY OF BUFFALO

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Richard M. Mokelki
Town Clerk

Dated: April 6, 1987

Susan E. Landel

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~~ ~~a week for xxxxxxxxxxxxxxxx weeks~~, the first insertion being on the 10th day of April 19 87 ~~and the last insertion being on the xxxxxxxx day of xxxxxxxxxxxxxxxx 19xxxx~~

Susan E Landel

Sworn to before 10th day

of ____ 19 87

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 1988

Harold A Mann

*Notary Public, Erie County, N.Y.*

Item No. 5A Motion by Supervisor Weber Seconded by Councilman Santa Maria

WHEREAS, the New York State Legislature is in the process of voting on the local assistance package as part of the State budget for 1987-88, and

WHEREAS, included in the local assistance package is funding to municipalities for State Revenue Sharing, and

WHEREAS, in the past, cities have received more favorable treatment than towns and towns have generally been discriminated against in terms of State Revenue Sharing funding, and

WHEREAS, the Town of Cheektowaga has suffered even more financially from the formula used to determine State Revenue Sharing funding because the State continues to use 1970 census figure data instead of current census figures, and

WHEREAS, the Town is losing even more funding due to cutbacks in Federal Revenue Sharing dollars, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the State Assembly, the State Senate and the Governor to establish State Revenue Sharing appropriations resulting in:

- an increase in State Revenue Sharing funds for towns
- a change in the existing State Revenue Sharing formula, which unfairly penalizes towns and benefits cities
- the use of current census figure data (not 1970 census data) to determine the amount of revenue provided to towns.

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. Volerk, Governor Mario M. Cuomo and to the Clerks of the State Senate and Assembly.

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 Rogowski Seconded by Councilman Santa Maria

WHEREAS, as a result of the Federal Tax Reform Act of 1986, it appears likely that New York State income tax rates will be higher because of the elimination of many deductions on the Federal level, and

WHEREAS, although the Federal tax reduction will save State residents approximately $500 million in Federal taxes, it will also cost State taxpayers approximately $2.2 billion in State taxes in 1987, and

WHEREAS, New York State's higher taxes place the State and our community at a disadvantage in terms of creating jobs, attracting industry and fostering economic growth, and

WHEREAS, State Senator Dale M. Volker and State Assemblyman and Speaker Mel Miller have introduced plans to reform the New York State Tax Law to lower the State tax rates, simplify the tax forms and ease the burden of the Federal Tax Reform Act on State taxpayers, and

WHEREAS, each plan has its own merits, but the end result is the same--a fairer tax system for New York residents, and

WHEREAS, it is imperative that the State Legislature enact some legislation to amend the State Tax Law as soon as possible, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the State Legislature to enact tax reform measures to offset the effects of the Federal Tax

Item No. 5B Cont'd.
Reform Act of 1986 on State taxpayers, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Senator Dale M. Volker, Assemblyman Dennis T. Gorski, Governor Mario Cuomo and to the clerks of the State Senate and Assembly.

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 Jaworowicz Seconded by Councilman Rogowski

WHEREAS, the New York State Legislature, in the early 1900's, enacted what is now Section 101 of the General Municipal Law ("Wicks Law"), and

WHEREAS, said Wicks Law requires local governments to acquire separate and independent bids on different parts of construction projects costing more than $50,000, and

WHEREAS, the Wicks Law is archaic, prevents a municipality from hiring a true general contractor; increases project costs and causes delays, and

WHEREAS, the State Association of Towns and numerous municipalities and municipal organizations have already gone on record in favor of repealing the Wicks Law, and

WHEREAS, the Wicks Law is detrimental to the Town of Cheektowaga and its taxpayers, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Legislature and Governor Cuomo to repeal Section 101 of the General Municipal Law, 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 to the Clerks of the State Assembly and Senate.

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 Kowal Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individual(s) be terminated as Seasonal and/or Part-Time Employee(s) in the Department(s) listed:

| CENTRAL GARAGE | | EFFECTIVE |
|---|---|---|
| Kevin Powell | 4000 Union Road | 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 Rogowski Seconded by Councilman Gabryszak

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

Item No. 6B Cont'd.
Parks Division - #01-007110-1-0-1491-001 — EFFECTIVE

John Slisz — 4/2/87

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, Gwen Gies was hired as an Administrative Intern at the Cheektowaga Youth Bureau, and

WHEREAS, she has left to accept full time employment, BE IT

RESOLVED that she be terminated from the Cheektowaga Youth Bureau Administrative Intern Program (7310.1804)

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 7A 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 and at the rates listed:

| | EFFECTIVE |
|---|---|
| **SANITATION DEPARTMENT - Part-time -$5.00 per hour** | |
| Brian Szymanski | As needed |
| Douglas Champagne | 3/24/87 |
| David Tomasello | As needed |
| Monty Viau | As needed |
| **CENTRAL GARAGE - Seasonal - $3.35 per hour** | |
| Robert Jaroszewski | Immediately |
| Ermo Cercone | Immediately |
| **POLICE DEPARTMENT - $3.35 per hour** | |
| Carol Ciepiela | |
| Kerry A. Ertel | |

AND BE IT

FURTHER RESOLVED that John Zyla, , hired in the Facilities Department-Parks Division (#01-007110-1-0-1491-001) be and hereby is transferred to the Sanitation Department as a Part-Time employee at a rate of $5.00 per hour, effective April 7, 1987.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 7B 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 Program.

WINTER SCHOOL PROGRAM - A7140.1615

Maryvale High School Supervisor - $4.00 per hour

Gary D. Braun

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 7C Motion by Councilman Rogowski Seconded by Councilman Johnson

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

| Parks Division - #01-007110-1-0-1491-001 - $3.35 per hour | EFFECTIVE |
|---|---|
| Michael Gress | 4/7/87 |
| Glenn R. Stutz | 4/7/87 |
| Joseph Trautmann | 4/7/87 |
| Matthew Igla | 4/7/87 |
| Henry P. Wawro | 4/7/87 |
| Michael A. Maciag | 4/7/87 |
| Michael S. Mendel | 4/7/87 |
| Brian Anderson | 4/7/87 |
| Norman Anderson | 4/7/87 |
| Kevin Kumpf | 4/7/87 |
| Robert Havernick | 4/7/87 |
| Mark Sopczyk | 4/7/87 |

Parks Division - #01-007110-1-0-1491-001 - Crew Leader - $4.00 per hour

| | |
|---|---|
| Gordon Hagmier | Immediately |
| John Bratek | Immediately |

Street Lighting Division - #02-905182-1-0-1492-001 - $3.35 per hour

| | |
|---|---|
| Leonard Stachowiak | 4/7/87 |

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 Johnson Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the position of Clerk Stenographer be and hereby is created in the Council (Town Board) Office, and BE IT FURTHER

RESOLVED that such position be posted for a period of ten (10) work days, in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association.

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 Rogowski*

*WHEREAS, the Town is in need of a Graphic Artist position, in its Police Department, and*

*WHEREAS, the Town Labor Relations and Personnel Committee has conferred and negotiated with the Town of Cheektowaga Employees' Association concerning this new position and the salary therefor and has established the salary for Graphic Artist at the same rate paid the Telephone Operator under the union contract, and*

*WHEREAS, funding for such position is available in the Town budget contingency fund, NOW, THEREFORE, BE IT*

*RESOLVED that the position of Graphic Artist be and hereby is created in the Police Department, and BE IT FURTHER*

*RESOLVED that the salary for such position shall be in accordance with the salary established for Telephone Operator in the Town's collective bargaining agreement with the Town of Cheektowaga Employees' Association, and BE IT FURTHER*

*RESOLVED that such position shall be posted for a period of ten (10) workdays in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association.*

*Upon Roll Call....*
*AYES:* *Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *0*

*Item No. 9A* *Motion by Councilman Jaworowicz Seconded by Councilman Johnson*

*WHEREAS, there are presently two vacancies in the position of Police Sergeant in the Town Police Department, and*

*WHEREAS, eligibles on the civil service examination list for Police Sergeant have been canvassed, interviewed and screened by the Chief of Police, and*

*WHEREAS, the Chief of Police has recommended that Police Officer James Morath and Police Detective Charles Shields, Jr. be promoted to Police Sergeant, NOW, THEREFORE, BE IT*

*RESOLVED that Police Officer James Morath and Police Detective Charles Shields, Jr. be and hereby are promoted and appointed to the position of Police Sergeant, effective immediately, at a salary in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc.*

*Upon Roll Call....*
*AYES:* *Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *0*

*Item No. 9B* *Appointment to position of Junior Accountant*
*THIS ITEM WAS WITHDRAWN.*

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

*WHEREAS, the Town of Cheektowaga Department of Sanitation has two (2) vacancies in the Motor Equipment Operator (Class B) classification due to retirements, AND*

*WHEREAS, said vacancies have been duly bid in the Sanitation Department as per Collective Bargaining Agreement, NOW, THEREFORE, BE IT*

Item No. 9C Cont'd.

RESOLVED that Anthony Jaje, , Cheektowaga, N.Y. 14225, and Dennis Konczal, ., Cheektowaga, NY. 14206; are hereby appointed to the position of Motor Equipment Operator (Class B) in the Sanitation Department at a salary in accordance with the Bargaining Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association; said appointment retroactive to March 23, 1987.

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 Kowal Seconded by Councilman Gabryszak

WHEREAS, Alfred F. Wnek, Highway Superintendent, has advised the Town Board of his intent to send three (3) Highway Department employees to Allentown, PA., for the purpose of attending a course on the maintenance and full service of diesel engines and maxidine diesel engines, NOW, THEREFORE, BE IT

RESOLVED that Highway Department employees, Larry Rutkowski, Jeffrey Szymanski, Paul Zgoda, are hereby authorized to attend the above training course at the George Washington Lodge in Allentown PA., from Sunday, April 19th, 1987 through Friday April 24th, 1987 and BE IT FURTHER

RESOLVED that they shall be reimbursed for all travel and encessary expenses in connection with said training course, as provided for through the budgeted line item, Highway-Travel-045130.4082.

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 Kowal Seconded by Councilman Johnson

WHEREAS, on April 11, 1987, the Western New York Council on Occupational Health & Safety will be conducting a conference on health and safety hazards encountered by individuals directly involved with or in contact with waste water, and

WHEREAS, permission has been requested for two Town employees to attend this conference, and

WHEREAS, it would be beneficial to the Town for such Town employees to attend this conference, NOW, THEREFORE, BE IT

RESOLVED that Norbert Rutkowski and Ralph Fuerter be and hereby are authorized to attend the aforementioned conference, and BE IT FURTHER

RESOLVED that such employees shall be paid their salary while attending such conference on their regularly scheduled work day.

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 Santa Maria Seconded by Councilman Kowal

WHEREAS, pursuant to State legislation enacted in 1986, the terms of office of members of the Board of Assessment Review shall commence on the first day of October and terminate on the thirtieth day of September five years thereafter,

Item No. 11 Cont'd.
and

WHEREAS, presently the terms of office of the members of the Town of Cheektowaga Board of Assessment Review terminate on the twelfth day of April in the years 1987-1991, and

WHEREAS, this Board desires to change the termination dates of such members to coincide with the new legislation, NOW, THEREFORE, BE IT

RESOLVED that the terms of office of the following members of the Town Board of Assessment Review shall terminate on the following respective dates:

| Member | Termination Date |
|---|---|
| Robert H. Winklhofer (Chairman) | September 30, 1987 |
| Stanley J. Wlos | September 30, 1988 |
| Arnold F. Kogut | September 30, 1989 |
| (Vacant) | September 30, 1990 |
| Francis P. State | September 30, 1991 |

and, BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to notify the State Board of Equalization and Assessment and the Erie County Director of Real Property Tax Services of the aforementioned members' expiration dates by forwarding such agencies a copy of this resolution.

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 Kowal Seconded by Councilman Jaworowicz

BE IT RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Agreement between the Town of Cheektowaga and the Chief of Police and Assistant Chief of Police, said agreement representing changes made to the existing agreement between such parties to be applied to the 1987 calendar year.

*SEE NEXT FOURTEEN (14) PAGES FOR COPY OF AGREEMENT.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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CHEEKTOWAGA
TOWN CLERK

AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA, NEW YORK

AND

THE CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE

1987

AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA, NEW YORK

AND

THE CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE

THIS AGREEMENT, entered into the 6th day of April, 1987, by and between the TOWN OF CHEEKTOWAGA, NEW YORK, hereinafter referred to as the "Town" and the CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE, hereinafter referred to as the "Chief".

ARTICLE I

SECTION 1.01 - PURPOSE OF AGREEMENT

The parties hereto desire to provide, through this Agreement: methods for orderly collective bargaining between the Town and the Chief; to secure prompt and equitable disposition of grievances that may arise; to establish fair wages, fringe benefits and working conditions for police personnel in the negotiating unit; and to promote, to the highest degree, efficiency in providing service to the public.

In consideration of the mutual covenants and agreements, herein contained, the Town and the Chief agree as follows:

SECTION 1.02 - APPLICABLE LAW

This Agreement has been negotiated pursuant to the provisions of the Public Employees Fair Employment Act and is governed by the provisions of the New York State Law and also non-conflicting local laws of the Town.

SECTION 1.03 - LEGISLATIVE REQUIREMENTS

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

ARTICLE II

SECTION 2.01 - RECOGNITION

The Town recognizes the Chief as the sole and exclusive collective bargaining agent for the Chief of Police and Assistant.

The negotiating unit is defined as all police officers holding the rank of Chief of Police or Assistant.

This recognition shall extend for the maximum period of time allowed by law and until the expiration of this Agreement, according to its terms. The Town shall not negotiate, during this Agreement, with any organization, on behalf of the police officers, defined herein, other than the Chief and, unless notified by the Town, the Chief will undertake to negotiate and represent the same unit.

ARTICLE III

SECTION 3.01 - DUES CHECKOFF

Upon written authorization from the Chief of Police or Assistant on a form provided by the Chief, the Town will deduct from the salary of such police officer, from the second pay-period of each month, membership dues as the Chief or Assistant may specify, and the Town will transmit said sums, promptly to the association designated by the Chief and the Assistant within five (5) days of after the deduction has been made.

ARTICLE IV

SECTION 4.01 - UNIFORM ALLOWANCE

The Chief of POlice and Assistant shall be paid the sum of $450.00 for the year 1987, for the purchase and maintenance of police clothing, uniforms and equipment and for the maintenance and cleaning of the same.

Uniform allowance will be paid by January 30th of each year.

The Chief of Police and Assistant will be responsible form the maintenance of his uniforms and equipment and failure to reasonably maintain the same may be the subject of disciplinary action.

ARTICLE V.

SECTION 5.01 - SALARIES

| | | | |
|---|---|---|---|
| 5% | January 1, 1987 - | Chief | $46,733.32 |
| | | Assistant Chief | 42,137.55 |

SECTION 5.02 - RATE OF PAY

The hourly rate of pay shall be obtained by dividing the annual salary by 2080.

SECTION 5.03 - LONGEVITY PAY

Each police officer shall be paid the following, cumulative, longevity increments, each year:

| | |
|---|---|
| 1987 | $900.00 |

Longevity pay will be paid within thirty (30) days after a Chief's or Assistant's anniversary date and will be included in salary for all purposes, including retirement purposes.

SECTION 5.04 - REDEMPTION OF ACCUMULATED TIME

The Town will have the right to buy back compensatory time on the books for the Chief or Assistant or any portion of such compensatory time over 120 hours.

SECTION 5.05 - EDUCATION INCENTIVE PAY

Effective January 1, 1982, the Chief or Assistant who attends, or has attended, approved Police Science Courses shall receive educational incentive payments annually as follows:

1. One Hundred Dollars ($100.00) a year to a police officer who has an Associate Art and Science Degree (two (2) year program); or

2. Three Hundred Dollars ($300.00) a year to a police officer who has a Bachelor of Science or a Bachelor of Arts Degree (four (4) year program).

SECTION 5.06 - ADDITIONAL SALARIES

The Chief and Assistant Chief shall be paid pursuant to and consistent with the salary schedules set forth previously. For the responsibility of filing reports and the necessary administrative procedures required, previous and subsequent to the regularly scheduled tour of work, each member shall receive two hundred dollars ($200.00) to be added and pro-rated with his regular salary.

ARTICLE VI

SECTION 6.01 - WORK DAY AND WORK WEEK

The Chief's work day may consist of variable hours depending on the need of his duties and meetings that must be attended. The Chief and Assistant Chief will put in at least the number of hours that a member of the Police Club or Captain and Lieutenants Association member works during a year which will be documented by maintaining an attendance record.

ARTICLE VII

SECTION 7.01 - HOLIDAYS

The Chief or Assistant shall be given compensatory time-off or be paid the value of the following Holidays, whether he works the Holiday or not:

| | |
|---|---|
| New Year's Day | Columbus Day |
| Lincoln's Birthday | Veteran's Day |
| Washington's Birthday | Election Day |
| Good Friday | Thanksgiving Day |
| Memorial Day | December 24th. |
| Independence Day | Christmas Day |
| Labor Day | January 2nd. |

The Chief and Assistant shall notify the Town or their designee by December 1st. as to the Holidays he elects to be paid for and the Holidays he elects for compensatory time-off, during the following year.

ARTICLE VIII

SECTION 8.01 - VACATIONS

Each police officer shall be entitled to an annual vacation, with pay, during each calendar year as follows:

| | |
|---|---|
| After 1 year ---------- | 12 working days |
| After 5 years ---------- | 18 working days |
| After 10 years ---------- | 21 working days |
| After 15 years ---------- | 25 working days |
| After 20 years ---------- | 28 working days |

An officer who has at least seventeen (17) years of service may elect to be paid the value of not more than ten (10) days of accumulated vacation, each year, in lieu of leave.

SECTION 8.02 - UNUSED VACATION

Notwithstanding any provision of the law to the contrary, each member of the Association shall be entitled to be paid, at the time of his retirement from the Department, the monetary value of any unused vacation time and overtime standing to his credit on the date of his retirement. In the case of death in service of any Captain or Lieutenant, the value of such time standing to his credit shall be paid to his estate or as is otherwise provided by law.

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

SECTION 8.03 - VACATION PAY ADVANCE

Upon written request, at least two (2) weeks prior to vacation time, a police officer will be paid the estimated amount due him for his vacation period, not later than the Friday before he begins his vacation.

ARTICLE IX

SECTION 9.01 - BEREAVEMENT LEAVE

Upon request of the Chief or Assistant, a leave of absence, not to exceed five (5) days shall be granted, because of death in his immediate family. Such leave shall be taken, without loss of pay or other benefits, and shall begin on the date of death. Immediate family, for the purposes of this Section, shall mean: mother, father, spouse, child, grandchild, grandparent, brother, sister, father-in-law, mother-in-law, daughter-in-law and son-in-law.

In the event of the death of the Chief's or Assistant's brother-in-law or sister-in-law, and upon request, he shall be granted two (2) days off, without loss of pay or other benefits. In the event of death of a relative, not included above, the Chief or Assistant, 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 Chief's or Assistant's choice.

ARTICLE X

SECTION 10.01 - PERSONAL LEAVE

Each police officer shall be entitled to five (5) non-cumulative personal leave days. Personal leave shall be used at the police officer's discretion, except that personal leave shall not be taken on a Sunday or a Holiday, except in case of emergency.

Personal leave will not be used in less than one-half day increments.

Each officer, shall annually elect to credit unused personal leave days to vacation time or to accumulated sick leave, at the officer's option.

ARTICLE XI

SECTION 11.01 - SICK LEAVE

The Chief or Assistant except as otherwise provided, shall be entitled to accumulate one and one-half sick days per month to a maximum accumulation of 300 days.

A female Chief or Assistant who is incapable of performing her duties because of maternity disability may utilize accumulated sick leave credits and continue all other benefits under this Agreement during such absence.

Maternity leave shall be considered to commence on the date that the officer is no longer capable of performing her duties and shall end on the date the officer can resume the performance of her regular duties. The officer will be requested or required to bring in a doctor's note to verify the date when she is not capable of performing her duties or when she is capable of returning to work. In addition, she may be required to submit to a physical examination by a doctor of the Town's choice to verify the starting and ending date of such maternity leave.

Each member of the Association shall have the option of selling any accumulated sick leave days in excess of three hundred (300) days back to the Town at the rate of 50% in 1987 per day.

SECTION 11.02 - CERTIFICATE OF DISABILITY

The Town may require a member's physician to file a certificate of disability within eight (8) days of the commencement of disability or sick leave in excess of six (6) days. The Town may require additional certificates in cases where future sick leave is requested.

SECTION 11.03 - EXTENDED SICK LEAVE

If a member has exhausted his sick leave, he may be granted additional sick leave, not to exceed ninety (90) days, upon the approval of the Town Board. Said extension shall not be charged against future sick leave.

The Town may require proof of said disability, by having the member's physician submit periodic medical reports. The Board may at any time require a member to be examined by an independent physician designated by the Board at its expense.

The granting or denying of an additional sick leave, as above stated shall be the sole discretion of the Town Board. Their decision is final and binding on all parties and is not reviewable through the grievance procedure.

SECTION 11.03 - WORKMEN'S COMPENSATION

Members who are injured in the course of their employment and receive Workmen's Compensation benefits shall receive their full pay and they assign the proceeds of the Workmen's Compensation benefits to the Town.

No part of said absence shall be charged against the member's accumulated sick leave.

SECTION 11.04 - ILLNESS OF FAMILY MEMBERS

Sick leave shall apply to absence due to illness of a police officer's immediate family, residing in his household.

SECTION 11.05 - SICK LEAVE UPON RETIREMENT

1. One year prior to retirement, the Chief or Assistant may convert his accumulated sick leave days into value by written application signifying his intention, on a form provided by the Town.

2. Upon receipt of such notification, the Town will convert such accumulated sick leave into value by taking the actual cash value of the accumulated sick days and multiplying by the rate of 50% in 1987.
The resulting sum shall be paid to the Chief or Assistant at his option exercised in writing in the following manner:

(a) The sum shall be paid to the Chief or Assistant as part of his final year's average salary by dividing the sum by the number of pay periods so as to allow for equal distribution over his last year of employment, or

(b) The sum shall be paid to the Chief or Assistant on the date of his retirement.

3. If a Chief or Assistant shall notify the Town of his intention to retire and such notice is given less than one year prior to the date of retirement, the Town will have the option of making a one-time lump sum payment or of dividing the sum by the number of pay periods, remaining, so as to allow for equal distribution during the remaining time of employment.

ARTICLE XII

SECTION 12.01 - EXPENSES

A Chief or Assistant who is required to leave the Town, by reason of his employment or as part of his official duty, shall be reimbursed for all actual, reasonable, and necessary expenses incurred, including meals, if he is absent from the Town during normal mealtime.

A Chief or Assistant on official police business will be provided with transportation by the Town and if he is required to use his own vehicle on police business, the officer shall be paid at the current rate per mile for each mile driven. In no event will a Chief of Assistant be required to use his own motor vehicle during the normal course of his employment.

ARTICLE XIII

SECTION 13.01 - LIFE INSURANCE

The Town will provide each officer with a $25,000 life insurance policy insuring the officer, without cost, pursuant to the life insurance plan offered through the Police Conference of New York, and it will allow officers to exercise the options provided in that program and will comply with the requirements of the same.

SECTION - 13.02 - HEALTH INSURANCE

The Town will provide, at its own expense, the following health insurance benefits:

Blue Cross and Blue Shield Insurance, at least equivalent to the 1982 - 1983 plan;

$1,000,000 major medical with $50 deductible;

$1.00 co-pay prescription rider;

Blue Cross and Blue Shield dental coverage of the high level riders A, B, C, D and No 8;

Optical coverage afforded under the Blue Cross and Blue Shield plans commonly referred to as the Vision Care Benefits;

Blue Cross and Blue Shield, Basic Rider 8 (Insuring dependents to age 23 years);

Major Medical Rider 8 ($50.00 deductible);

Prescription Drug Rider 8 (covering dependents to age 23 years);

Option Two, Vision Care;

Blue Shield, Basic Rider 4 (covering emergency, accidents, etc.);

Blue Shield, Basic Rider 3 (in-patient visits to 365);

Blue Shield, Basic Rider 12;

Effective December 31, 1986 the following coverage will also be provided:

DENTAL PLAN NO. 3 WITH RIDER NO. 8

If an officer dies, while insured by the Town, the Town will provide health insurance benefits for the balance of the calendar year in which the death occurred. The deceased officer's surviving spouse or dependent children may remain in the health insurance program, at their own expense, upon their election.

The Town will continue to provide health insurance for officers who retired after December 31, 1982, and before June 29, 1985, up to age 65 years. Officers who retired prior to that date have the option of participating in the health insurance coverage plan, at their own expense.

The Town will continue to provide health insurance for officers who retire after June 29, 1985, including all present health insurance benefits up to age 55 years.

At age 55 years, officers who retired after June 29, 1985 will be provided, without expense, Blue Cross and Blue Shield Insurance at least equivalent to the 82-83 Plan, together with XBR, the $250,000 Major Medical with $50.00 deductible and $1.00 co-pay prescription rider and Blue Cross and Blue Shield Rider No. 16 (psychiatric care), plus any additional coverage or riders provided to other Town employees.

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 the retired Town employees.

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

SECTION 13.03 - INDEMNIFICATION

The Town will indemnify each Chief or Assistant for claims made against him based upon false arrest, false imprisonment, civil rights violations, and other torts within indemnification coverage pursuant to the provisions of Section 50-j of the General Municipal Law and Section 1983 et seq of the United States Code.

ARTICLE XIV

SECTION 14.01 - RETIREMENT BENEFITS

The Town will provide and maintain a non-contributory retirement plan of benefits for police officers, pursuant to the following provisions of the New York State Retirement and Social Security Law:

The benefits provided in Section 384 f, g and h to provide what is commonly known as the 1/60th, 25-year retirement plan;

The benefits pursuant to Section 375(i), more commonly known as the Improved Retirement Benefits;

The benefits pursuant to Section 302, 9-d, more commonly referred to as the Final Average Salary, and Section 360-b, Death Benefit; and

The benefits pursuant to Section 384-d, more commonly known as the 20-Year Retirement Plan.

ARTICLE XV

SECTION 15.01 - DISCIPLINARY ACTIONS

A Chief or Assistant will be given a copy of any warning, reprimand, suspension or disciplinary action entered into his personnel record within two (2) weeks of the action taken.

SECTION 15.02 - RECORD OF COMPLAINTS

No record or reference to a complaint, either departmental or external, lodged against a Chief of Assistant will be entered into his record if after investigation the complaint is decided, by the Town, to be unfounded.

SECTION 15.03 - SUBSTANCE OF COMPLAINTS

A Chief or Assistant who has a complaint lodged against him by a citizen shall have the substance of the complaint presented to him in writing.

ARTICLE XVI

SECTION 16.01 - TUITION

The Town will pay the full costs of all tuition, books and other fees for all police officers, authorized by the Town, who attend school or seminars relating to Police Science courses.

ARTICLE XVII - BILL OF RIGHTS

The provisions of this Article shall not apply to criminal investigations or investigations of possible criminal activity or violations.

SECTION 17.01 - TIME OF INTERROGATION

The interrogation of the Chief or Assistant shall be conducted at reasonable hours, preferably, when the officer is on duty and if not on duty during daylight hours, unless the exigencies of the investigation dictate otherwise.

SECTION 17.02 - IDENTIFICATION OF INVESTIGATING OFFICERS

A Chief or Assistant who is under investigation for a matter, which would not constitute a crime, must be informed of the name of the officer in charge of the investigation and the names of the officers who will be conducting any portion of interrogation or investigation.

SECTION 17.03 - INFORMATION REGARDING INVESTIGATION

An officer must be informed of the nature of an investigation before any interrogation begins. The information must be sufficient to reasonably inform him of the investigation which is being conducted.

SECTION 17.04 - LENGTH OF INTERROGATION

Interrogation shall be completed with reasonable dispatch. Reasonable rest periods will be allowed and time will be provided for personal necessities, meals, telephone calls and rest periods as reasonably required.

SECTION 17.05 - COERCION

A Chief or Assistant shall not be subjected to offensive language and shall not be threatened with transfer, dismissal, or other disciplinary punishment. No promise or reward shall be made as an inducement to answering questions. Nothing herein is to be construed as to prohibit the investigating from informing an officer that his conduct may be subject to other disciplinary action with resultant disciplinary punishment.

SECTION 17.06 - RIGHT TO COUNSEL

A Chief or Assistant who is under investigation has the right to the presence of an attorney, with him, during any questioning, hearing, or interrogation.

SECTION 17.07 - RECORDING OF INTERROGATION

Interrogation of a Chief or Assistant for any disciplinary investigation will be recorded, either mechanically or by a stenographer, and there will be no off-the-record statements.

SECTION 17.08 - ADVICE OF CONSTITUTIONAL RIGHTS

If a Chief or Assistant is the subject or target of a disciplinary investigation, he shall be advised of his constitutional rights.

SECTION 17.09 - FURNISHING OF COPIES

A Chief or Assistant under investigation will be furnished with a copy of any statement he has signed or made, or of any proceedings that have been recorded, in any manner.

SECTION 17.10 - POLYGRAPH

The Chief and Assistant will not be given polygraphic examinations.

SECTION 17.11 - NON-WAIVER OF CONSTITUTIONAL RIGHTS

No Chief or Assistant will be required to or requested to waive constitutional rights granted under the United States or the New York State Constitution.

SECTION 17.12 - HEARING OFFICER

In the event the Town elects to select a hearing officer, pursuant to Section 75 of the Civil Service Law, who is not either a Town employee or Town Official, then, in that event, the hearing officer will be mutually selected by the Town and by the Captain or Lieutenant who is charged. If the parties are unable to agree upon a hearing officer, or if the hearing officer agreed upon is, or becomes unable to or unwilling to act, then the parties shall mutually apply to Special Term of the New York State Supreme Court for the appointment of a hearing officer.

ARTICLE XVIII

SECTION 18.01 - LEAVE OF ABSENCE

Chief and Assistant may be granted leave of absence, with or without pay, as provided for in the Civil Service Law of the State of New York.

SECTION 18.02 - NON-DISCRIMINATION

There will be no discrimination with respect to the race, color, creed, sex, political persuasion. The Chief and Assistant shall receive the full protection of all of the provisions herein.

SECTION 18.03 - PAYROLL DEDUCTIONS

The Town will provide a payroll savings and U.S. Savings Bond deduction plan and make it available for the Chief and Assistant who desire the same.

ARTICLE XIX

SECTION 19.01 - MANAGEMENT RIGHTS

All of the authority, rights and responsibilities possessed by the Board and not covered by this Agreement are retained by it, including, but not limited to, the right to determine the mission, purposes, objectives, and policies of the Board; to determine the facilities, methods, means, and number of personnel required for conduct of Board programs; to administer the examination, selection, recruitment, hiring, appraisal, training, retention, promotions, assignments or transfer of employees, pursuant to law; to direct, deploy and utilize the work force; to establish specifications for each class of positions, and to classify or reclassify and to allocate or reallocate new or existing positions, in accordance with law; and to discipline or discharge employees, in accordance with law, and within the provisions of this Agreement.

SECTION 19.02 - CONFORMITY TO LAW

If any section, sub-section, sentence, clause, phrase, or any portion of this Agreement is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Agreement.

SECTION 19.03 - TERMS OF AGREEMENT

This Agreement, except as may be hereafter modified in writing by both parties, shall become effective January 1, 1987 (retroactively) and remain in force until December 31, 1987.

ARTICLE XX

SECTION 20.01 - ELIMINATION OF NEGOTIATIONS

The Agreement of the parties was to establish a contract which would eliminate any major negotiations concerning subsequent contracts.

All future agreements, if any, shall be adjusted to reflect any changes in the Town of Cheektowaga Captains and Lieutenants Association contract. These adjustments shall not include any changes exclusively omitted from this agreement.

SECTION 20.02 - PAST PRACTICE

This agreement shall supersede conflicting rules, regulations, or practices heretofore existing. Established practices, not specifically covered herein, shall continue in force and effect.

SECTION 20.04 - ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties.

IN WITNESS HEREOF the parties hereto have set their hands and seals this 6th day of April, 1987.

TOWN OF CHEEKTOWAGA

Supervisor

TOWN OF CHEEKTOWAGA CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE

Chief of Police

Assistant Chief of Police

Item No. 12B Motion by Supervisor Weber Seconded by Councilman Santa Maria

WHEREAS, the County of Erie, pursuant to the authority granted to it by Article 43-A of the Vehicle and Traffic Law of the State of New York, has established a special traffic options program for driving while intoxicated ("STOP-DWI"), and

WHEREAS, said program provides for the coordination of county, town city and village efforts to reduce alcohol-related traffic accidents, including improvements in law enforcement and adjudication, increased education and other related activities, and

WHEREAS, the Town of Cheektowaga is interested in availing itself of funding under the STOP-DWI program and also is desirous of coordinating its efforts to reduce alcohol-related traffic injuries and fatalities with the County of Erie, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga enter into the attached Agreement which commenced January 1, 1986 and terminated December 31, 1986 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute six (6) copies of the attached Agreement and any and all papers necessary to implement the terms of this Agreement.

*SEE NEXT TWENTY-EIGHT (28) PAGES FOR COPY OF AGREEMENT.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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1987 APR -8 AM 8 20
CHEEKTOWAGA
TOWN CLERK

T/V LE/CT
1986 STOP DWI

THIS AGREEMENT, made and entered into as of the 1st day of January, 1986, by and between the COUNTY OF ERIE, a municipal corporation of the State of New York, with offices at 95 Franklin Street, Buffalo, New York, hereinafter referred to as the COUNTY, party of the first part, and the TOWN/VILLAGE OF CHEEKTOWAGA a municipal corporation of the State of New York in Erie County, with offices at Broadway and Union Rds. , Cheektowaga, New York, hereinafter referred to as the MUNICIPALITY, party of the second part,

W I T N E S S E T H :

WHEREAS, the COUNTY, pursuant to the authority granted to it by Article 43-A of the Vehicle and Traffic Law, has established a special traffic options program for driving while intoxicated (STOP - DWI) and has formulated a plan thereunder for the coordination of county, town, city and village efforts to reduce alcohol-related traffic injuries and fatalities, and

WHEREAS, the MUNICIPALITY, through its police agency, has made formal application to the Erie County STOP-DWI Coordinator for the funding of certain alcohol traffic safety law enforcement activities in Erie County during the period from January 1, 1986 to December 31, 1986,

which application is attached hereto and made a part hereof as Appendix "A", and

WHEREAS, a Justice Court has been established in and for the MUNICIPALITY with jurisdiction to hear and determine cases involving alleged violations of §1192, §511(2)(a)(i) and (iii) and §511(3) of the Vehicle and Traffic Law.

NOW, THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES:

FIRST: The term of this Agreement shall be the COUNTY's fiscal year commencing January 1, 1986 and ending December 31, 1986. The said term shall be divided into the following quarterly periods:

January 1 to March 31;
April 1 to June 30;
July 1 to September 30; and
October 1 to December 31.

SECOND: During the term of this Agreement, the MUNICIPALITY, as an independent contractor, agrees to engage in the alcohol traffic safety law enforcement activities set forth in the annexed Appendix "A".

THIRD:

A. For purposes of this paragraph:

(i) "DWI case" shall mean a criminal action commenced in any court within Erie County wherein a person is charged with

a violation of §1192, §511(2)(a)(i) and (iii) or §511(3) of the Vehicle and Traffic Law;

(ii) "net STOP-DWI collections" shall mean the amount of fines, penalties and forfeitures collected by any court, judge, magistrate or other judicial officer within Erie County from violations of §1192, §511(2)(a)(i) and (iii) or §511(3) of the Vehicle and Traffic Law after deducting therefrom the amount of refunds made by reason of judicial mandate (e.g., appellate reversal of conviction, reduction of fine, etc.) or pursuant to former Section 521(c) of the Vehicle and Traffic Law (e.g., upon successful completion of an alcohol and drug rehabilitation program).

B. Within thirty (30) days after the close of each of the quarterly periods of this Agreement, the COUNTY agrees to pay the MUNICIPALITY a sum not to exceed the lesser of either:

(i) the MUNICIPALITY's actual expenses, as

certified by the MUNICIPALITY upon forms acceptable to the COUNTY, in carrying out, during such quarterly period, the alcohol traffic safety law enforcement activities set forth in Appendix "A"; or

(ii) sixty-five percent (65%) of the net STOP-DWI collections actually paid over and received by the COUNTY during such quarterly period, provided that such collections have resulted from convictions obtained in DWI cases commenced by the MUNICIPALITY's police agency.

C. Where in any quarterly period, the MUNICIPALITY's actual expenses, as certified in (i) above, exceed sixty-five percent (65%) of the amount of net STOP-DWI collections attributable to the MUNICIPALITY's alcohol traffic safety law enforcement activities, as calculated pursuant to (ii) above, such excess amount shall be added to the MUNICIPALITY's certified actual expenses in the next succeeding quarterly period for purposes of determining the sum payable to the MUNICIPALITY under this paragraph.

D. Where, in any quarterly period, sixty-five percent (65%) of the amount of net STOP-DWI collections attributable to the MUNICIPALITY's alcohol traffic safety law enforcement activities, as calculated pursuant to (ii)

above, is a negative amount due to refunds made by or on behalf of the COUNTY, such negative amount shall be carried forward into the next succeeding quarterly period for purposes of determining the amount payable to the MUNICIPALITY under this paragraph.

E. The MUNICIPALITY agrees to allocate to any Justice Court located within Erie County, from the amounts payable to the MUNICIPALITY under this paragraph, the sum of TEN DOLLARS ($10.00) for each "DWI case" which is "finally disposed of", as such terms are definded in paragraph FOURTH hereof, in such Justice Court.

FOURTH:

A. For purposes of this paragraph:

(i) "DWI case" shall mean a criminal action commenced in any court within Erie County wherein a person is charged with a violation, or multiple violations involving the same person and arising out of the same incident, of §1192, §511(2)(a)(i) and (iii) or §511(3) of the Vehicle and Traffic Law;

(ii) "finally disposed of" and "final disposition" shall mean the termination of a DWI case at the trial court level by reason of a dismissal, acquittal or

conviction and imposition of sentence by the trial court, but shall not include the removal or transfer of a DWI case to another court.

B. Within thirty (30) days after the close of each of the quarterly periods of this Agreement, the COUNTY agrees to pay the MUNICIPALITY, for the services of the MUNICIPALITY's Justice court, the sum of TEN DOLLARS ($10.00) for each DWI case finally disposed of in such court during such quarterly period which was commenced by either the Erie County Sheriff's Department or the New York State Police. The said sum shall be payable by the COUNTY for each such DWI case regardless of the final disposition thereof.

FIFTH:

A. The MUNICIPALITY, through its police agency, agrees to compile information and render monthly reports to the Erie County Office of Criminal Justice Planning with respect to:

(i) the MUNICIPALITY's actual expenses in carrying out the alcohol traffic safety law enforcement activities set forth in Appendix "A". A sample copy of the STOP-DWI Monthly Fiscal Cost Report form is annexed hereto as Appendix "B";

(ii) all alcohol-related traffic accidents investigated by the MUNICIPALITY's police agency. A sample copy of the STOP-DWI Monthly Accident Report form is annexed hereto as Appendix "C"; and

(iii) all DWI cases [cases involving alleged violation(s) of §1192, §511(2)(a)(i) or 511(3) of the Vehicle and Traffic Law] commenced by the MUNICIPALITY's police agency in any court in Erie County. A sample copy of the STOP-DWI Monthly Arrest Report form is annexed hereto as Appendix "D".

B. The MUNICIPALITY, through its Justice Court with jurisdiction to hear and determine DWI cases, agrees to compile information and render monthly reports to the Erie County Office of Criminal Justice Planning with respect to all DWI cases finally disposed of [as those terms are defined in paragraph FOURTH (A)(i) and (ii), but including cases removed or transferred] in the MUNICIPALITY's Justice Court. A sample copy of the STOP-DWI Monthly Court Report form is annexed hereto as Appendix "E".

C. The MUNICIPALITY acknowledges that the determination by the COUNTY of the amounts payable to the MUNICIPALITY under paragraphs THIRD and FOURTH of this

Agreement is dependent upon the timely receipt by the Erie County Office of Criminal Justice Planning of accurate information from the MUNICIPALITY. Accordingly, the MUNICIPALITY agrees that, as a condition precedent to its right to payment under this Agreement, it shall fully complete and forward to the Erie County Office of Criminal Justice Planning each of the monthly reports required under this paragraph (Appendices "B", "C", "D" and "E") within 15 days after the last day of each monthly period to which such reports relate.

SIXTH: This Agreement is executory only to the extent of moneys available to the COUNTY for the performance hereof and appropriated therefor, being moneys in a separate account entitled "Special Traffic Options Program for Driving While Intoxicated" established and funded pursuant to Sections 1678-a and 1803 of the Vehicle and Traffic Law, and the COUNTY shall incur no liability on account of this Agreement beyond such moneys.

SEVENTH: In the event the Erie County STOP - DWI Program, as approved by the Commissioner of the New York State Department of Motor Vehicles, is to be terminated during the term of this Agreement, the provisions of Section 1678-i of the Vehicle and Traffic Law shall govern for purposes of determining the sums available to the

COUNTY and payable to the MUNICIPALITY pursuant to this Agreement.

EIGHTH: The MUNICIPALITY shall not assign, transfer, convey, sublet or otherwise dispose of this Agreement or of any right, title or interest therein, nor of the power to execute the same or any extension thereof to any other person or corporation without the previous consent in writing of the COUNTY.

NINTH: The MUNICIPALITY agrees to comply with all applicable laws of the State of New York, the United States and the County of Erie, including laws against discrimination, and with all rules and regulations of pertinent authorities having jurisdiction.

TENTH: The MUNICIPALITY shall be fully accountable for its performance under this Agreement and agrees for itself and its officers to answer under oath all questions relevant to the performance thereof and to any transaction, act or omission in connection therewith if called before any Judicial, County, State or Federal agency empowered to investigate the Agreement or its performance.

ELEVENTH: The MUNICIPALITY agrees to furnish verified accounts of its disbursements hereunder, with certified or verified invoices thereto attached at such times and in such form and detail as may be required by the Erie County Comptroller, who may at her option audit the

pertinent books and records of the MUNICIPALITY, and a final account within thirty (30) days after the termination of this Agreement.

TWELFTH: The MUNICIPALITY agrees to defend, hold harmless and indemnify the COUNTY against any and all liability, claims, demands, suits and judgments arising out of the performance of the MUNICIPALITY'S obligations under this Agreement. The MUNICIPALITY further agrees to maintain insurance coverage during the term of this Agreement and to submit certificates of insurance in accordance with Vendor Classification C-"Professional Services", on Appendix "F" annexed hereto. For purposes of this Agreement, the MUNICIPALITY need not provide proof of professional liability insurance coverage. At the request of the MUNICIPALITY and with the advice of the Erie County Attorney, the Director of the Erie County Office of Criminal Justice Planning may waive the excess and/or umbrella liability insurance coverage(s), or reduce the amount(s) thereof, otherwise required under this paragraph. In lieu of proof of insurance coverage, the MUNICIPALITY may furnish satisfactory evidence of a self-insurance plan acceptable to the Erie County Director of Insurance and the Erie County Attorney.

THIRTEENTH: Consistent with the MUNICIPALITY's status as an independent contractor, the COUNTY shall not be responsible for Worker's Compensation benefits, Social

Security coverage or unemployment insurance benefits with respect to the MUNICIPALITY.

FOURTEENTH: This Agreement, or any renewal thereof, may be terminated by either party upon at least thirty (30) days prior notice. Such notice shall be provided in writing to the chief executive officer of the other party at the address appearing on the first page of this Agreement.

FIFTEENTH: Provided that the MUNICIPALITY shall have made formal application for the continued funding of its alcohol traffic safety law enforcement activities, this Agreement may be renewed for such additional twelve (12) month terms as may be mutually agreed upon by the parties through their respective legislative bodies.

This Agreement is executed by the COUNTY pursuant to a resolution adopted by the Legislature of the County of Erie at its meeting held on March 6, 1986, and by the MUNICIPALITY pursuant to a resolution of its governing body adopted at a meeting of said governing body held on April 6, 1987, a certified copy of the MUNICIPALITY's resolution being annexed hereto as Appendix "G".

TOWN/VILLAGE CHEEKTOWAGA

By: _____
(name) DANIEL E. WEBER
(title) Supervisor

COUNTY OF ERIE

By: _____
EDWARD J. RUTKOWSKI
Erie County Executive

APPROVED AS TO CONTENT

_____
JOSEPH M. GIGLIO
Director, Criminal Justice Planning

ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF ERIE ) ss:

On this _____ day of _____, 1987, before me personally came EDWARD J. RUTKOWSKI, to me personally known, who, being by me duly sworn, did depose and say that he resides in the Town of Hamburg, County of Erie and State of New York; that he is the County Executive of the COUNTY OF ERIE, the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal and was so affixed by order of the Erie County Legislature and that he signed his name thereto by like order.

_____
Notary Public

ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF ERIE ) ss:

On this 6th day of April, 1987, before me personally came DANIEL E. WEBER, to me personally known, who, being by me duly sworn, did depose and say that he resides in the Town/Village of Cheektowaga, County of Erie and State of New York; that he is the Supervisor of the Town/Village of Cheektowaga, the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal and was so affixed by order of the governing body thereof and that he signed his name thereto by like order.

James J. Kirisits
Notary Public

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Nov. 30, 19 88

Submit in Duplicate to:
Erie County Office of
Criminal Justice Planning
134 West Eagle St.
Buffalo, N.Y. 14202

# STOP DWI
# FISCAL COST REPORT

1.) Claimant _____
2.) Report # _____
3.) Report period month _____ yr _____
4.) Date _____
5.) Type: Monthly _____ Final _____

| CATEGORY | MONTHLY EXPENDITURES | CUMULATIVE EXPENDITURES |
|---|---|---|
| Personnel | | |
| Fringe Benefits | | |
| Equipment | | |
| Supplies | | |
| Travel | | |
| All Other | | |
| Court | | |
| TOTAL | | |

**FOR CRIMINAL JUSTICE Use Only**

Disposition of Report
Approved _____
Disapproved _____

Reimbursement to Claimant
Monthly _____
Quarterly _____
Cumulative _____

Reviewed By _____
Approved By _____

I hereby certify that this report, schedules, statements, and the expenses for which payment is requested are true, current and complete and were made in accordance with State and County rules and regulations governing STOP - DWI expenditures and that the Articles listed were (or will be) necessary solely for the STOP - DWI Program.

FOR CLAIMANT _____
Signature Date

Print _____
Title

FISCAL OFFICER _____
Signature Date

Print _____
Title

Invoice Attached
Yes ____
No ____

Back Up Material Attached
Yes ____
No ____

APPENDIX B

# STOP - DWI
## SCHEDULE I
## PERSONNEL COSTS

Reporting Agency _____

Report Month of _____

| | | | | A | | | | | B | |
|---|---|---|---|---|---|---|---|---|---|---|
| EMPLOYEE LAST NAME | SOCIAL SECURITY NUMBER (Last 4 digits) | EMPLOYEE TITLE | ANNUAL SALARY | MONTHLY REG. HRS WORKED STOP-DWI | REGULAR HOURLY RATE | REGULAR STOP-DWI SALARY | MONTHLY OVERTIME HRS. WORKED STOP - DWI | OVERTIME HOURLY RATE | OVERTIME SALARY STOP-DWI | CUMULAT SALARY (A - B) |
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Total Salary _____

Prepared by _____ Approved _____ Fringe Benefits _____

## SCHEDULE II - EXPENSE OTHER

STOP DWI

TITLE: _____

FOR MONTH OF _____

APPENDIX C

# ERIE COUNTY
# STOP DWI
# MONTHLY ACCIDENT REPORT

REPORTING AGENCY _____

REPORTING PERIOD _____ TO _____

| # | ACCIDENT: DATE | TIME | AM | PM | | #CASUALTIES: INJURIES, FATALITIES — MOTOR VEHICLE: DRIVER INJ | DRIVER FAT. | PASS'GR. INJ | PASS'GR. FAT | PED'STN. INJ | PED'STN. FAT. | OTHER (CYCL., ETC.) INJ. | OTHER (CYCL., ETC.) FAT. | BAC OF DRIVER INVOLVED [1] | LOCATION OF ACCIDENT [2] |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
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1 BLOOD ALCOHOL CONTENT

2. *BE AS SPECIFIC AS POSSIBLE!*

*LOCATE ACCIDENT RELATIVE TO ADJACENT HOME OR BUSINESS ADDRESS AND OR NEARBY INTERSECTION*

STOP-DWI Monthly Arrest Report APPENDIX D

| County | Reporting Agency | TO Reporting Period |
|---|---|---|

1. Total Number of Persons Charged with a Moving Traffic Violation _____

2. Total Number of Persons Arrested for DWAI, DWI, or BAC ≥ .10 (section 1192) Violations _____

| 3. Total Number of Persons Arrested for Section 1192 Violations by Age | |
|---|---|
| a) Under 18 | |
| b) 18 | |
| c) 19 | |
| d) 20 | |
| e) 21-24 | |
| f) 25-29 | |
| g) 30-39 | |
| h) 40-49 | |
| i) 50-59 | |
| j) 60-64 | |
| k) Over 64 | |

| 4. Total Number of Persons Arrested for Section 1192 Violations by BAC Level | |
|---|---|
| a) No Test Offered | |
| b) Test Refused | |
| c) .00 to .05 | |
| d) .051 to .07 | |
| e) .071 to .099 | |
| f) .10 to .149 | |
| g) .15 to .199 | |
| h) .20 or Greater | |

| 5. Total Number of Persons Arrested for Section 1192 Violations by Sex | |
|---|---|
| a) Male | |
| b) Female | |

| 6. Total Number of Persons Arrested for Section 1192 Violations by Time Intervals | |
|---|---|
| a) 6:01a.m. to 6:00p.m. | |
| b) 6:01p.m. to 9:00p.m. | |
| c) 9:01p.m. to 12:00p.m. | |
| d) 12:01p.m. to 3:00a.m. | |
| e) 3:01a.m. to 6:00a.m. | |

| 7. Total Number of Persons Arrested for Section 1192 Violations by Day | |
|---|---|
| a) Sunday | |
| b) Monday | |
| c) Tuesday | |
| d) Wednesday | |
| e) Thursday | |
| f) Friday | |
| g) Saturday | |

STOP-DWI Arrest Worksheet Page____ of ____

County | Reporting Agency | Reporting Period TO

The following information is required for individuals charged under one or more provisions of Section 1192 or Section 511 (2) of the N.Y.S Vehicle and Traffic Laws (alcohol-related):

| 2. Last Name | 511 (2) and 1192 Offense(s) | 3. AGE Age | Code | 4. BAC LEVEL BAC | Code | 5. SEX MorF | 6. TIME OF ARREST Time | Code | 7. DAY OF ARREST Day | Code |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | |
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APPENDIX E

COUNTY OF ERIE

STOP-DWI MONTHLY COURT REPORT

NAME OF JUSTICE: _____ COURT LOCATION: _____ TYPE CITY ☐ TOWN ☐ VILLAGE ☐ PERIOD _____ TO _____

| DEFENDANT'S NAME | CHARGE OF STATUTE | ARRESTING AGENCY | DATE: OF ARREST | DATE: OF ARRAIGNMT | DATE: OF DISPOSTN | DISPOSITION: FINAL STATUS | AMOUNT: FINED | AMOUNT: COLLECTED | REFERRED AGENCY INVOLVEMENT: DRUNKEN DRIVER PROGRAMS, PROBATION, etc. |
|---|---|---|---|---|---|---|---|---|---|
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EXHIBIT IC
Rev. 1-85

# County of Erie Standard Insurance Certificate

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

**I Insured:** Name Town of Cheektowaga
Address Broadway & Union Rd.
Zip Cheektowaga, N. Y. 14227
Phone No. ___ ___ ____

**II Issuing Agency:** Name Joseph J. Naples & Associates, Inc.
Address 490 Delaware Ave.
Zip Buffalo, N. Y. 14202
Phone No. 716 882 6909

**III Companies Affording Coverages**

A United States Fidelity & Guaanty Company

B

C

D

RECEIVED
APR - 8 1986
CONTRACTS UNIT

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

| Indicate Type of Insurance By Checking the Box | | Policy Number | Expiration Date | Limits of Liability in Thousands — Check The Box | Each Occurrence | Aggregate |
|---|---|---|---|---|---|---|
| COMPANY LETTER from III above | 1. General Liability<br>☐ Comprehensive Form<br>☐ Premises and Operations<br>☐ Products/Completed Operations<br>☐ Independent Contractors<br>☐ Contractual<br>☐ Personal Injury<br>☐ Broad Form Property Damage<br>☐ Explosion, Collapse<br>☐ Underground Hazard | | | ☐ Bodily Injury<br>Property Damage<br>OR<br>☐ Combined Single Limit | | |
| A | 2. Automobile Liability<br>☒ Comprehensive Form<br>OR<br>☐ Schedule Form<br>☒ owned<br>☒ hired ☒ non-owned | BAP 06683 5868 | 3/30/87 | ☐ Bodily Injury<br>Property Damage<br>OR<br>☒ Combined Single Limit | $1,000 | |
| | 3. Excess Liability<br>☐ Umbrella Form<br>OR<br>☐ other than umbrella<br>☐ auto ☐ general<br>☐ both | | | Bodily Injury & Property<br>Damage Combined $ ___<br>Self Insured Retention $ ___ | | |
| | 4. Worker's Compensation & Employer's Liability Disability Benefits | | | Statutory<br>Statutory | | |
| | 5. Other | | | | | |

**V** County of Erie is included as an additional insured under the following Policy numbers: BAP 066835868

**VI** Description of Operations: It is understood that this coverage on behalf of the insured is for all locations in the County of Erie, State of New Y
Senior Service Vans

**VII** ACKNOWLEDGEMENT: Insurance companies providing these coverages acknowledge that the named insured is entering into a contract w
the County of Erie, in which the named insured agrees to defend, hold harmless and indemnify the County, its officials, employees and volunte
against all claims resulting from work performed, material handled and services rendered. The Contractual Liability coverage evidenced abo
covers the liability assumed under the County - Contractor agreement.

**VIII** Prior to non-renewal or cancellation of these policies, at least forty-five (45) days advance written notice shall be given to the County of Erie Dept
Law and the County Department requesting this Certificate, before such change shall be effective.

**IX** Name and Address of Certificate Holder & Recipient of Notice

County of Erie
Department of Law
69 Delaware Ave. - Suite 300
Buffalo, New York 14202
(716) 846-6811

Date Issued 4/25/86 crd

Auth. Representative Joseph J. Naples

Firm Name & Address Joseph J. Naples & Assoc., Inc.
490 Delaware Ave.
Buffalo, N. Y. 14202

FOR COUNTY USE ONLY: Name of County Dept. Requesting Certificate Senior Services-Nutrition Program

Purchase Order Control Number

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

adjourned

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 24th day of March, 1980 at o'clock p.m. Eastern Standard Time there were:

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

ABSENT:

Motion by Supervisor Meyers Seconded by Councilman Swiatek,

WHEREAS Subdivision 4.a. of Section 50 of the New York Worker's Compensation Law permits a town to self-insure its obligation to secure compensation to its employees without bond or security; and

WHEREAS the Town has received and examined proposals for a self-insurance program and has reviewed its consultant's evaluation of such proposals and has determined the potential benefits to the Town should exceed the potential of costs exceeding the purchase of insurance, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga elects to self-insure its obligation to pay compensation to its employees and directs the Town Clerk to submit a Notice of Election to secure compensation as a self-insurer and a certified copy of this Resolution to the Chairman, Workers' Compensation Board as required by law; and BE IT FURTHER

RESOLVED that the Town elects to self-insure and pay compensation benefits in accordance with the Workers' Compensation Law of the State of New York to elected and appointed officials, policemen, and other persons employed and paid wages by the Town whether or not required by said law; and BE IT FURTHER

RESOLVED that the Town will, by separate resolutions, establish a reserve fund for the payment of self-insured compensation benefits, retain the services of licensed firms to administer its self-insurance program and, subject to submission of approved vouchers, authorize the payment of funds to the selected claims administration firm to pay self-insured claims on behalf of the Town.

STATE OF NEW YORK
WORKERS' COMPENSATION BOARD
TWO WORLD TRADE CENTER
NEW YORK, N. Y. 10047

488-2122

ARTHUR COOPERMAN
CHAIRMAN

THIS AGENCY EMPLOYS AND SERVES THE HANDICAPPED WITHOUT DISCRIMINATION.

March 28, 1980

Mr. James Coyle, Vice President
Robert F. Coleman, Inc.
127 John Street
New York, New York 10038

Re: Self-Insurance - Workers' Compensation
Town of Cheektowaga

Dear Mr. Coyle:

This is to notify you that the Town of Cheektowaga has been accepted as a self-insured employer under the Workers' Compensation Law effective March 30, 1980.

Very truly yours,

MILTON SALMONOWITZ
Principal Examiner

MS:sw

cc: Town of Cheektowaga ✓

RECEIVED
1980
Richard M. Moleski, Town Clerk

The Town of Cheektowaga

OFFICE OF THE TOWN ATTORNEY
TOWN HALL, BROADWAY AND UNION ROAD
CHEEKTOWAGA, NEW YORK 14227
686-3457

JAMES J. KIRISITS
TOWN ATTORNEY
KEVIN G. SCHENK
Deputy Town Attorney
DENNIS J. CIOTUSZYNSKI
Deputy Town Attorney

May 15, 1986

County of Erie
Department of Law
69 Delaware Avenue
Suite 300
Buffalo, New York 14202

Att'n: Linda Laing

Re: Self-Insurance Notification for Agreements
between Town of Cheektowaga and County of Erie

Dear Linda:

This notice will certify that, due to the unavailability of certain insurances as of March 30, 1986, the Town of Cheektowaga has elected to become a self-insurer for liabilities formerly covered by policies of Comprehensive General, Police and Dispatchers Professional, and Excess Umbrella Liability insurance. A copy of the Town Board resolution effecting this change is enclosed herein.

In lieu of a Certificate of Insurance, please accept this notice as evidence of the Town's intent to pay its legal obligations for meritorious General, Police/Dispatchers Professional, and other uninsured Liability claims made against it and relating to the Town's agreements with the County concerning Nutrition, Snow Removal and STOP-DWI.

Payments for such claims will be guaranteed by the full faith and credit of the Town or its districts, as applicable, and will be paid out of current budgeted funds or, if insufficient, from funded loss reserves or from the proceeds of bonds which current laws permit the Town to issue to pay claims against it.

I hope the above statement will be sufficient to replace the insurance provisions contained in the Town's current agreements with the County. Should you have any questions concerning this matter, please feel free to call me.

Very truly yours,

DEPARTMENT OF LAW

Kevin G. Schenk
Deputy Town Attorney
OFFICE OF THE TOWN ATTORNEY

KGS/
Enclosure

APR 14 1986

... OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 7th day of April, 19 86, 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 John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Koval
Councilman Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the Town's appointed Insurance Advisory Committee and Insurance Consultant have requested, received and evaluated proposals for the renewal of the Town's general insurance, which expired as of March 30, 1986, and for self-insurance alternatives, and

WHEREAS, notwithstanding the Town's excellent loss and risk management record, insurers have refused to provide most liability insurance, as is evidenced by the lack of quotations received, and

WHEREAS, it is believed that any insurance that might be available from the New York State Insurance Department Municipal Marketing Assistance Program would be excessively priced and would not provide for catastrophe liability claims in any event, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga, being forced by the unavailability and/or excessive cost of insurance (other than Auto Liability Insurance):

1. elects to self-fund its risks of loss for which no insurance is purchased, including, but not limited to the risks normally covered by General Liability, Police, Professional Liability, Dispatchers Errors & Omissions Liability, and Excess Umbrella Liability policies; and

2. assumes its legal obligations to respond on behalf of itself and others to whom it has contracted to or is obligated to provide such insurance .

and, BE IT FURTHER

RESOLVED, that the Town will, in the future, by means of separate resolutions:

1. retain claims administration and loss control services; and

2. establish prudent reserve funds as permitted by law to spread the payment of uninsured claims and losses over a period of several years.

Upon roll call .....

| | | |
|---|---|---|
| Supervisor Weber | Voting | AYE |
| Councilman Johnson | Voting | AYE |
| Councilman W.P. Rogowski | Voting | AYE |
| Councilman J.V. Rogowski | Voting | AYE |
| Councilman Jaworowicz | Voting | AYE |
| Councilman Koval | Voting | AYE |
| Councilman Gabryszak | Voting | AYE |

AYES: 7
NAYES: 0
ABSENT: 0

## EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 6th day of April 19 87 at 7:00 o'clock p.m. Eastern Daylight Saving 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

Motion by Supervisor Weber Seconded by Councilman Santa Maria

WHEREAS, the County of Erie, pursuant to the authority granted to it by Article 43-A of the Vehicle and Traffic Law of the State of New York, has established a special traffic options program for driving while intoxicated ("STOP-DWI"), and

WHEREAS, said program provides for the coordination of county, town, city and village efforts to reduce alcohol-related traffic accidents, including improvements in law enforcement and adjudication, increased education and other related activities, and

WHEREAS, the Town of Cheektowaga is interested in availing itself of funding under the STOP-DWI program and also is desirous of coordinating its efforts to reduce alcohol-related traffic injuries and fatalities with the County of Erie, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga enter into the attached Agreement which commenced January 1, 1986 and terminated December 31, 1986 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute six (6) copies of the attached Agreement and any and all other papers necessary to implement the terms of this Agreement.

| | | |
|---|---|---|
| Councilman Jaworowicz | Voting | AYE |
| Councilman Kowal | Voting | AYE |
| Councilman Gabryszak | Voting | AYE |
| Councilman Santa Maria | Voting | AYE |

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
ERIE COUNTY
OFFICE OF THE CLERK OF THE
TOWN OF CHEEKTOWAGA } ss:

This is to certify that I, *RICHARD M. MOLESKI*, Clerk of the *Town of Cheektowaga, in the said County of Erie,* have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the *Town of Cheektowaga* in said *County of Erie*, on the 6th day of April 19 87, and that the same is a correct and true transcript of such original resolution and the whole thereof.

*In Witness Whereof*, I have hereunto set my hand and affixed the seal of said Town this 7th day of April 19 87

(SEAL)

Richard M. Moleski
CLERK OF THE TOWN BOARD, TOWN OF CHEEKTOWAGA, N. Y.

MN 8816

Item No. 12C Motion by Councilman Johnson Seconded by Councilman Santa Maria

WHEREAS, Huth Road, in the vicinity of Birkdale & Cloverdale, has been targeted as one of the highways to be considered for drainage and roadway improvements utilizing the Town Highway Improvement Program bonds issued for such purposes, AND

WHEREAS, the Superintendent of Highways and the Town Engineer recommend that preparation of plans should be undertaken at this time, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., as submitted to the Town Engineer and dated March 23, 1987 and as recommended 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 the preparation of plans and specifications and services during construction is to 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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, Mapleview Road, in the vicinity of Commodore Terrace, has been targeted as one of the highways to be considered for drainage and roadway improvements under the Town Highway Improvement Program utilizing bonds issued for said purpose, AND

WHEREAS, the Superintendent of Highways and the Town Engineer recommend that survey and preparation of plans should be undertaken at this time, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., as submitted to the Town Engineer and dated April 1, 1987 and as recommended by the Highway Superintendent and 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 the survey and preparation of plans in the amount of $5,925.00 be paid out of the proceeds from the bonds for the improvement of various streets as approved by this Town Board.

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. 12E Motion by Councilman Johnson Seconded by Councilman Santa Maria

WHEREAS, the Town is the owner of the Cheektowaga Historical Museum

Item No. 12E Cont'd.
located at 3329 Broadway in the Town of Cheektowaga, and

WHEREAS, the Cheektowaga Historical Association ("Association") is desirous of using and operating the Cheektowaga Historical Museum for the preservation and display of historic artifacts, and

WHEREAS, an agreement between the Town and the Association for the use and operation of the Cheektowaga Historical Museum is authorized by Section 57.13 of the Arts and Cultural Affairs Law of the State of New York, and

WHEREAS, an agreement between the Town and the Association has been prepared by the Town Attorney's Office and is acceptable to the Association, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached agreement between the Town and the Association for the use of the Cheektowaga Historical Museum.

*SEE NEXT FOUR (4) PAGES FOR COPY OF AGREEMENT.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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-8 AM 8 20
KTOWAGA
N CLERK

# A G R E E M E N T

THIS AGREEMENT is made and entered into as of the 6th day of April, 1987, by and between the Town of Cheektowaga, a municipal corporation organized under the laws of the State of New York, having its principal place of business at Broadway and Union Road, Cheektowaga, New York 14227 (hereinafter the "Town"); and the Cheektowaga Historical Association, a not-for-profit corporation organized and existing under the Not-for-Profit Corporation Law of the State of New York, with its principal place of business at 3329 Broadway, Cheektowaga, New York 14227 (hereinafter "Association").

W I T N E S S E T H

WHEREAS, the Town is the owner of the Cheektowaga Historical Museum located at 3329 Broadway in the Town of Cheektowaga, New York (hereinafter "Museum"); and

WHEREAS, the Association is desirous of using and operating the Museum for the preservation and protection of works of art and other objects having special historical or aesthetic interest or value, and for the viewing of same by the public, and

WHEREAS, the Town is desirous of assisting the Association in the operation of the Museum, and

WHEREAS, an agreement by and between the Town and the Association for the purpose of using and operating the Cheektowaga Historical Museum is authorized by Section 57.13 of the Arts and Cultural Affairs Law of the State of New York;

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which is hereby

acknowledged, the parties hereby agree as follows:

1. The Town hereby agrees to grant the Association, subject to the conditions contained herein, the right to use and operate the Museum, free-of-charge and without the payment of rental therefor, for the purpose of preserving and protecting works of art and other objects having special historical or aesthetic interest or value. For such purpose, the Association is allowed to use and occupy the Museum for the purpose of storing therein historical artifacts owned by or leased to the Town or Association.

2. The Association hereby agrees to operate the Museum:

a) for the benefit of the public; and

b) for the preservation and protection of works of art and other objects having special historical or aesthetic interest or value.

The Association also agrees to keep the Museum open to the public each Sunday from 2:00 P.M. to 4:00 P.M. and during such other times as so arranged by the Association.

The Association hereby agrees that it will not use the Museum for any purpose other than listed herein.

3. The Association agrees to designate a site manager, who will be responsible for the general operation of the Museum and, in addition thereto, the Association will secure the services of a sufficient number of volunteers in order to effectively use and operate the Museum. The Association will notify the Town Attorney's Office and Facilities Department Director, in writing, as to who is designated as the site manager and who is in possession of the keys to the Museum. Only the site manager and one alternate may possess keys.

4. The Association agrees to perform minor maintenance and housekeeping in the interior of the Museum. The Association hereby agrees to take special care that no damage happens to the Museum or any fixtures therein.

5. The Town hereby agrees to maintain the lawn and shrubbery surrounding the Museum and to perform major maintenance work, including painting, on the interior and exterior of the Museum. The Association will submit to the Town Facilities Department Director a written request no later than July 1st annually, specifying major maintenance and/or improvements it wishes performed in the following fiscal year (January 1 - December 31). Major maintenance and improvements are subject to funding of same by the Cheektowaga Town Board.

6. The Town hereby agrees to pay the following bills/charges on the Museum:

a. Property taxes

b. Water bills

c. Gas bills

d. Electric bills

e. Sewer charges

f. Fire insurance on the building only.

g. Insurance covering the Museum contents and general liability insurance for Museum premises at a maximum cost of:
   (1) $1,525.00 for 1987 ($1,120.00 to be paid out of the Town budget, line item number 01-007270-4-0-4381-001; the remainder to be transferred into such budget line item)
   (2) For calendar years 1988-1991, the amount appropriated in said year's Town budgets for the Historical Association under the Department entitled "Cultural Groups".

Any liability insurance policy on the Museum shall name the Town of Cheektowaga as an additional insured.

7. The Association may not assign its rights under this agreement to anyone else.

8. The Town reserves the right to enter the Museum at any time as it deems fit.

10. This agreement shall be effective for a term beginning on the 1st day of January, 1987 and terminating on December 31, 1991.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be signed as of the day and year first above written.

TOWN OF CHEEKTOWAGA

By _____
Daniel E. Weber, Supervisor

CHEEKTOWAGA HISTORICAL ASSOCIATION

By _____
Laura Hollenbeck, President

Item No. 12F Motion by Councilman Rogowski Seconded by Councilman Santa Maria

WHEREAS, the Town presently is utilizing the services of Laverack & Haines, Inc. for the provision of Liability Claims Administration and Loss Control Services, and

WHEREAS, the Town's Insurance Consultant has stated that the town will not be receiving any insurance premium quotations for General Liability, Police Liability, Dispatcher's Errors and Omissions and Excess Umbrella Liability, and

WHEREAS, Laverack & Haines, Inc. has submitted a renewal quotation for the provision of Liability Claims Administration and Loss Control Services to the Town, and

WHEREAS, the Town's Insurance Consultant has recommended that the Town renew its contract with Laverack & Haines, Inc., NOW, THEREFORE, BE IT

RESOLVED that the Town hereby agrees to renew its contract with Laverack & Haines, Inc. for Liability Claims Administration and Loss Control Services for the period 3/30/87 - 3/30/88 for the following respective costs:

| | | |
|---|---|---|
| Claims Administration Services | - | $10,000, payable $ 2,500 quarterly |
| Loss Control Services | - | $4,250, assuming 100 hours of activity at $42.50 per hour to be billed quarterly as earned |

and, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a claims administration and loss control service contract with Laverack & Haines, Inc., such contract being subject to the approval of the Town Attorney and the Town's Insurance Consultant.

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 Johnson Seconded by Councilman Jaworowicz

WHEREAS, the Mafalda Drive, Fontaine Drive and Nina Place area has been targeted for the construction of a storm sewer system for relieving street flooding utilizing State Aid and Town funding, AND

WHEREAS, permission was recieved from the Board of Directors of Mount Calvary Cemetery, Inc. to allow the construction of the storm sewer system thru cemetery property and outletting into the State's Harlem Road drainage system, AND

WHEREAS, it is necessary to obtain easements along the side yards of #79 and #85 Mafalda Drive for the construction of the storm sewer, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney prepare the necessary legal easement descriptions for the obtaining of the drainage easements from the two (2) property owners by the Town of Cheektowaga.

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 Santa Maria Seconded by Councilman Johnson

WHEREAS, the Town's Insurance Consultant has requested, received and evaluated proposals for renewal of the Town's general insurance, which expired as of March 30, 1987, and

WHEREAS, the insurance services listed below have been recommended, NOW, THEREFORE, BE IT

RESOLVED that the Town ratifies the purchase of the following insurance services as arranged by its Insurance Consultant at the advance annual costs reflected below, effective as of the following respective dates:

| From Joseph J. Naples & Associates, Inc. | Premium | Effective Dates |
|---|---|---|
| Automobile | $128,981 | 3/30/87 - 3/30/88 |
| Crime | 1,492 | 3/30/87 - 3/30/88 |
| Public Employees Bond | 4,882 | 3/30/87 - 3/30/88 |
| NYS Protective Liability | 200 | 3/30/87 - 3/30/88 |
| Buildings & Contents (Less Swimming Pool Coverage) | 43,302 | 3/30/87 - 3/30/88 |
| Off Premises Property | 600 | 3/30/87 - 3/30/88 |
| Workers Compensation (SYEP Program) | 4,073 | 4/01/87 - 4/01/88 |
| Insurance Marketing Fee | 25,000 | 3/30/87 - 3/30/88 |
| **From Hoey Agency** | | |
| Boiler & Machinery | 4,540 | 3/30/87 - 3/30/88 |
| Equipment Floater | 6,873 | 3/30/87 - 3/30/88 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
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 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/ATTENDANTS

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDANT LICENSE

| NAME | ADDRESS | AMBULANCE COMPANY | EMT EXPIRES |
|---|---|---|---|
| Youmans, Barbara | , Friendship, NY 14739 | Gold | 11/30/88 |
| *Busch, James L. | Lancaster, NY 14086 | Gold | 12/31/88 |
| Sweeney, Eileen | Bflo, NY 14213 | Gold | 3/31/89 |
| Gibson, Eric F. | Hamburg, NY 14075 | Town | 12/31/89 |
| Walker, Charles | W. Sen. 14224 | Gold | 12/31/89 |
| Lach, Dean M. | Chktg., NY 14211 | Gold | 12/31/89 |
| Kishbaugh, Ken | , Chktg., NY 14225 | Town | 1/31/90 |
| Struebing, James | Tona., NY 14150 | Gold | 1/31/89 |
| Rude, Ronald | , Snyder, NY 14226 | Gold | 11/30/89 |

*denotes attendant license only

Item No. 15A 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. 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 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 driver(s)/attendant(s), and has recommended that the Town Board renew such licenses,and

WHEREAS, this Town Board desires to renew such driver(s)/attendant(s) licenses, NOW, THEREFORE, BE IT

RESOLVED that the recommendations of EMS Board concerning the renewal of the licenses for driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the renewal application(s) for driver(s)/attendant(s) 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 driver(s)/attendant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

*SEE NEXT PAGE FOR LIST OF RENEWAL DRIVER/ATTENDANT LICENSES

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

RENEWAL

| NAME | ADDRESS | AMBULANCE COMPANY | EMT EXPIRES |
|---|---|---|---|
| Keough, John M. | Buffalo, NY 14220 | Gold | 11/30/89 |
| Martinez, James | , Buffalo, NY 14213 | Gold | 12/31/89 |

*denotes attendant license only

Item No. 15C 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 renewal license applications submitted for ambulances, and has recommended that the Town Board renew such ambulance licenses, and

WHEREAS, the Town Board, pursuant to Section A-5 of the Ambulance Ordinance desires to renew such ambulance licenses; NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the Emergency Medical Services Board concerning the licensing of such ambulances be and hereby are accepted and approved; and BE IT FURTHER

RESOLVED that the applications for ambulance licenses set forth on the attached schedule are hereby approved for licensing by this Town Board, and, BE IT FURTHER

RESOLVED that the Town Clerk is hereby authorized, directed and empowered to issue ambulance licenses to the applicants set forth on the attached schedule.

*SEE NEXT PAGE FOR LIST OF AMBULANCE VEHICLE LICENSES

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

## AMBULANCE LICENSE RENEWALS

| OWNER | VEHICLE: MAKE & YEAR | LICENSE NO. | CALL NO. |
|---|---|---|---|
| Gold Cross Ambulance Svc. | 1985 Chevrolet | 1796-AA | 570 |
| Gold Cross Ambulance Svc. | 1977 Chevrolet | 3791-AA | 571 |
| Gold Cross Ambulance Svc. | 1985 Ford | 4498-AA | 572 |
| Gold Cross Ambulance Svc. | 1985 Chevrolet | 1782-AA | 573 |
| Gold Cross Ambulance Svc. | 1983 Ford | 1755-AA | 574 |
| Gold Cross Ambulance Svc. | 1985 Ford | 1777-AA | 576 |
| Gold Cross Ambulance Svc. | 1973 Cadillac | 1790-AA | 577 |
| Gold Cross Ambulance Svc. | 1979 Ford | 4175-AA | 578 |
| Gold Cross Ambulance Svc. | 1977 Dodge | 4489-AA | 579 |
| Gold Cross Ambulance Svc. | 1970 Cadillac | 6014-AA | 580 |
| Gold Cross Ambulance Svc. | 1974 Dodge | 6266-AA | 581 |
| Gold Cross Ambulance Svc. | 1978 Ford | 6642-AA | 583 |
| Town's Ambulance Service | 1987 Ford | AA 1219 | 554 |
| Town's Ambulance Service | 1987 Ford | AA 1220 | 555 |
| Town's Ambulance Service | 1987 Ford | AA 1221 | 556 |
| Town's Ambulance Service | 1974 Dodge | 6007-AA | 557 |
| Town's Ambulance Service | 1981 Chevrolet | 4499-AA | 558 |
| Town's Ambulance Service | 1978 Chevrolet | 6419-AA | 559 |
| Town's Ambulance Service | 1980 Ford | AA 1201 | 560 |
| Town's Ambulance Service | 1974 Chevrolet | 4174-AA | 562 |
| Town's Ambulance Service | 1978 Dodge | 4495-AA | 564 |
| Town's Ambulance Service | 1977 Dodge | 6262-AA | 565 |
| Town's Ambulance Service | 1985 Chevrolet | AA 1202 | 566 |
| Town's Ambulance Service | 1980 Chevrolet | 6643-AA | 567 |
| Town's Ambulance Service | 1978 Dodge | 6881-AA | 568 |

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

WHEREAS, the Public Improvement Permit Ordinance of the Town of Cheektowaga requires that all improvements that are to be dedicated to the Town and be maintained by the town, be installed under a Public Improvement Permit, AND

WHEREAS, Los-Green, Inc., the Developer of the Losson Green Estates Subdivision, has submitted the required Public Improvement Permit Application, plans and specifications, and permit fee for improvements to be constructed within Phase 6 of this subdivision, NOW, THEREFORE, BE IT

RESOLVED that this Public Improvement Permit be approved for Phase 6 of the Losson Green Estates Subdivision, AND, BE IT FURTHER

RESOLVED that drainage easements are to be filed for this phase of the subdivision in the Erie County Clerk's Office prior to acceptance of the related improvements to be constructed under the Public Improvement Permit.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 15E 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:

83 PineHurst $7,576.00

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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 15F Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, Change Order No. 1 for the reconstruction of the Rein Road

Item No. 15F Cont'd.
Bridge has been submitted with recommendation for approval by the Town Engineer and the consulting engineering firm of Nussbaumer and Clarke, Inc., AND

WHEREAS, the scope of work and adjustment is outlined in the attached letter of the Project Engineer dated April 2, 1987 and Change Order No. 1, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 1 in the sum of $412,551.98 as an increase to the contract of Omer Construction Co., Inc., 621 Aero Drive, Cheektowaga, New York 14225, be approved, AND, BE IT FURTHER

RESOLVED that the Supervisor is hereby directed to sign said Change Order on behalf of this Town Board.

*SEE NEXT TWO (2) PAGES FOR COPY OF LETTER FROM TOWN ENGINEER.
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—686-3447
716—686-3448

April 2, 1987

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Rein Road Bridge

Gentlemen:

As you know, we applied for and received a New York State grant to rehabilitate the Rein Road Bridge. This project was constructed under the jurisdiction of the Town Engineering Department. The bid price by Omer Construction was $228,515.00.

The specification was written and based on visual inspections of the bridge deck and the steel structure of the bridge. As work progressed, additional deterioration of concrete and steel work became evident as parts of the bridge were removed. The bridge is supported by concrete piers at both sides of the creek. As the surface of this foundation concrete was removed according to the specifications, it was found that there was need to remove much more of the concrete than was evident from an outward appearance. The contractor had to be directed to remove a great deal more concrete than anticipated and to replace it with a larger amount of material.

When the concrete bridge deck was removed as required under our contract, the bridge steel work was exposed. It then became apparent that the salt damage to the supporting steel members was much greater than anticipated. The original plan was to weld additional steel plates to the steel beams in order to make up for the loss of material and to reinforce these steel members. As it turned out, it was found that the rusting away of the steel was so extensive that welding supporting plates was not possible. The contractor was, therefore, directed to remove the rusted away steel beams and replace them with new material including new brace angles and bolts.

The decisions on additional concrete and replacement of the steel members were made after an on-site inspection by representatives of Nussbaumer & Clarke, Inc. and the Town Engineer. The concrete pay item had to be increased for the additional concrete that had to be added to the bridge support piers. The additional cost for the replacement of the steel members was reduced by an amount that was allowed in the contract for the cleaning of the steel members and welding the additional plates and angles.

A resolution is submitted for the April 6, 1987 Town Board Meeting to approve Change Order No. 1 which orders the above noted and necessary work on the reconstruction of the Rein Road Bridge. This change order, in the amount of $12,551.98, amounts to an increase of 5% of the contract as it was awarded.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

By: Rudolph E. Bogacki

Rudolph E. Bogacki
Senior Engineer Assistant

REB:mjh

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

WHEREAS, the "Public Improvement Permit Ordinance" of the Town of Cheektowaga requires that all improvements that are to be dedicated to the Town, or are to be maintained by the town, be installed under a public improvement permit, and

WHEREAS, the owners of land abutting Ely Road have been issued a public improvement permit for the construction of a 60 foot by 20 foot extension of such roadway, including the installation of a light standard and the extension of the 8 inch sanitary sewer line, and

WHEREAS, the construction of the aforementioned project will be performed by a contractor retained by the said owners, namely: Bernard DiPizio d/b/a/ Anchor Industrial Park, and

WHEREAS, pursuant to Section 54-5 of the "Public Improvement Permit Ordinance", the owners have requested that the sum of $25,965.00 be accepted in lieu of a performance bond; and that such sum "be placed in escrow with the town",

NOW, THEREFORE, BE IT RESOLVED that the sum of $25,965.00 be and hereby is accepted in lieu of a performance bond, and BE IT FURTHER

RESOLVED that the aforesaid sum be placed in escrow with the Town, and BE IT FURTHER

RESOLVED that pursuant to section 13-13.B of the Law for Administration and Enforcement of the State Building Construction Code, a building permit for the construction of a residential dwelling be and hereby is issued to each of the individual owners of the 3 residential lots abutting Ely Road, as extended, subject to the approval of appropriate building plans and specifications by the Building Inspector, along with the payment of any applicable fee.

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 Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, pursuant to authority granted it by Section 1224 of the Vehicle and Traffic Law and Local Law No. 2 of the Year 1986, the Town obtains ownership of certain towed vehicles, and

WHEREAS, if it is determined that such a vehicle is suitable for operation on the highways, it may either be sold by the Town or converted to Town use, and

WHEREAS, the following listed vehicle has been determined to be suitable for operation on the public highways and the Chief of Police has requested permission to convert such vehicle to Town use in his department, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby determines that the following listed vehicle is suitable for operation on the public highway and shall be converted to Town use in the Police Department:

Vehicle Identification No. 1X69D4W254306

and, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute any documents necessary to effectuate the Town's ownership and use of the aforementioned vehicle.

Item No. 17 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. 18 Motion by Councilman Kowal Seconded by Councilman Jaworowicz

WHEREAS, developers are required to install water mains along the right-of-way of new subdivisions, AND

WHEREAS, one (1) hydrant must be installed in Phase 6 of the Losson Green Estates Subdivision prior to acceptance of the water main extensions by the Erie County Water Authority 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 #9. The hydrant location, approved by the Board of Fire Commissioners of Bellevue Fire District #9 at a meeting held February 27, 1987, being situate on the east side of Hillpine Road at the common lot line of sublots #112 and #113.

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 Johnson Seconded by Councilman Gabryszak

BE IT RESOLVED, that the New York State Electric and Gas Corporation is hereby authorized to remove one (1) 5200 lumen H.P.S. fixture, pole 4, line 398, for an annual decrease to the Town General Lighting District of $93.02 in accordance with the attached proposal dated March 16, 1987 which is hereby made a part of this resolution.

*SEE NEXT PAGE FOR COPY OF PROPOSAL.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

RECEIVED
1987 APR -2 AM 11:37
CHEEKTOWAGA
TOWN CLERK

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Nowicki Road:

Remove 1 - 5200 lumen HPS lamp @ $93.02 ea. = $ 93.02

Pole 4, Line 398

This light is located at the end of Nowicki Rd which is no longer used.

ANNUAL DECREASE $ 93.02

NEW YORK STATE ELECTRIC & GAS CORP

March 16, 1987

Item No. 19B Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the Developer of the Losson Green Estates Subdivision has furnished and installed twenty (20) 5200 lumen post top high pressure sodium luminaires, fiberglas standards and related conduit and conductors required in conjunction with the development of Phase II and Phase IV of this subdivision, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric and Gas Corporation be and hereby is authorized to energize twenty (20) 5200 lumen high pressure sodium luminaires at an annual increase to the Town's General Lighting District of $846.40 in accordance with the attached proposal dated March 4, 1987 which is hereby made a part of this resolution

PHASE II

Redoak Drive - Std. No. 1, 2, 3, 4 & 5

Groell Ave. - Std. No. 1, 2, 3, 4, 5, 6 & 7

PHASE IV

Rushford Lane - Std. No. 4 & 5

Butternut Road - Std. No. 1, 2 & 3

Hillpine Road - Std. No. 3, 4 & 5

*SEE NEXT PAGE FOR COPY OF PROPOSAL

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

NYSEG

RECEIVED
1987 APR -2 AM 11:37
CHEEKTOWAGA
TOWN CLERK

March 4,1987

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
LOSSON GREEN ESTATES

Butternut Rd - 3
Groell Ave - 7
Hillpine Rd - 3
Redoak Dr - 5
Rushford Ln - 2

Connect 20 - 5200 lumen post top high-pressure sodium fixtures

Energy and lamp bulb rate @ $42.32 ea. ---------- $. 846.40

ANNUAL INCREASE ---------- $ 846.40

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

Connections, energy, photo electric eyes, and lamp replacements to be supplied and maintained by New York State Electric & Gas Corp.

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

WHEREAS, the following Town of Cheektowaga clearing account checks have never cleared the Town's bank account, and

WHEREAS, it is desirable to restore these checks to cash, NOW, THEREFORE, BE IT

RESOLVED that the following checks drawn on the clearing account of the Town of Cheektowaga are hereby restored to cash.

| CHECK NUMBER | CHECK DATE | AMOUNT |
|---|---|---|
| 15290 | 9-17-84 | $361.27 |
| 17518 | 12-03-84 | 6.00 |
| 18492 | 1-07-85 | 50.00 |
| 19155 | 2-20-85 | 10.00 |
| 20187 | 4-15-85 | 3.72 |
| 22531 | 9-03-85 | 50.00 |
| | | $480.99 |

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 budget transfers are hereby approved for the 1987 budget year.

HIGHWAY FUND

| | | |
|---|---|---|
| FROM: | 03-074148.4029 Services from other Governments | $2,000.00 |
| TO: | 03-045130.4082 Government Business Travel | $2,000.00 |

GENERAL FUND

| | | |
|---|---|---|
| FROM: | 01-59900 Appropriated Fund Balance | $50,000.00 |
| TO: | 01-7110.4536 Firemens Park Improvements | $26,000.00 |
| | 01-7110.4459 Rehm Park Football Field | 20,000.00 |
| | 01-3120.2501 Camera Equipment | 4,000.00 |

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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 22 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 April 6, 1987 are hereby approved and made a part hereof.

Item No. 22 Cont'd.

| FUND | AMOUNT |
|---|---|
| GENERAL FUND | $ 401,066.41 |
| SPECIAL DISTRICTS FUND | 174,633.78 |
| HIGHWAY FUND | 100,670.11 |
| CAPITAL FUND | 30,857.84 |
| TRUST & AGENCY FUND | 10,650.03 |
| HUD-CDBG FUND | 761.32 |
| HUD-REHABILITATION FUND | 9,002.00 |
| DEBT SERVICE FUND | 1,398,891.25 |
| PART TOWN FUND | 8,979.48 |
| | $2,135,512.22 |

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

## II. FROM THE TABLE

Item No. 23 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.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

## III. DEPARTMENTAL COMMUNICATIONS

Item No. 24 Building Permits
Received and filed.

Item No. 25 Supervisors' Statement of Funds for December, 1986.
Received and filed.

Item No. 26A Cheektowaga Planning Board: Minutes of February 1987 meeting.
Received and filed.

Item No. 26B Cheektowaga Public Library Board: Minutes of March 1987 meeting.
Received and filed.

Item No. 26C Cheektowaga Traffic Safety Commission: Minutes of March 1987 meeting.
Received and filed.

## IV. GENERAL COMMUNICATIONS

Item No. 27A New York State Department of Transportation: Notice of Order: Installation of signal at Union Road at its intersection with Old Union Road.
Copies of this Notice were sent to: Chief of Police Robert Lis; Cheektowaga Traffic Safety Commission; Alfred Wnek, Highway Superintendent; and Engineering Department.
Received and filed.

Item No. 27B New York State Department of Transportation: Notice of Cancellation of Designation of Restricted Highway: Portions of BROADWAY, WILLIAM STREET AND DINGENS STREET.
A copy of this Notice was sent to: Councilman Thomas M. Johnson, Jr.
Received and filed.

Item No. 28 Erie County Department of Public Works: Designation of Restricted Highway: Portion of WEHRLE DRIVE; and Notice of Closing of Highway: Portion of WEHRLE DRIVE.
Copies of these Notices were sent to: Chief of Police Robert Lis; Alfred Wnek, Highway Superintendent; Karen McAuley, Council Secretary; and Engineering Department.
Received and filed.

Item No. 29 Copy of Local Law #11 which terminates Village of Williamsville's status as an assessing unit.
Copies of this Local Law were sent to: Karen McAuley, Council Secretary and Assessor's Office.
Received and filed.

Item No. 30 Order and Demand for Refund: American Optical Scientific Instruments vs. Assessor and Town of Cheektowaga.
Copies of this Order were sent to: Karen McAuley, Council Secretary; James Kirisits, Town Attorney; and Assessor's Office.
Received and filed.

Item No. 31A Notice of Claim: Travelers Insurance Co. and Clinton Kirkwood 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 and Joseph Naples and Associates, Town's Insurance Carrier
Received and filed.

Item No. 31B Notice of Claim: Anthony J. Broniszewski 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; Ronald Zoeller, Sanitation Foreman; Laverack & Haines, Town's Insurance Carrier; and James Matecki, Foreman, Facilities Department.
Received and filed.

Item No. 31C Notice of Claim: Tammy K. Bradish 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. 31D Christine Bonczar 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; Engineering Department; Alfred Wnek, Highway Superintendent; and Sewer Maintenance Department.
Received and filed.

Item No. 31E Patricia A. Schulga 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. 32 Notice of Intention to file claim: Russell D. Cardinale and Liberty Mutual Insurance Co. 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; and Joseph Naples and Associates, Town's Insurance Carrier.
Received and filed.

Item No. 33 Town resident requests payment of Town and County taxes on the installment plan per Article 9, Title 3 Levy and Collection of Taxes, Sec. 928 and Article 15, Sec. 1502 of Real Property Tax Laws.
Copies were sent to: James Kirisits, Town Attorney; Assessor's Office; and Tax Office.
Received and filed.

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

Motion by Councilman Kowal Seconded by Councilman Johnson to suspend the rules to include the following two (2) items 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

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

## V. SUSPENSION OF RULES

Item No. 34 Notice to Bidders: Air Conditioning work for Senior Citizens Center and Losson Community Center

Motion by Councilman Rogowski Seconded by Councilman Gabryszak

WHEREAS, there is need to provide air conditioning for the Senior Citizens Center Banquet Room and the Losson Community Center Meeting Room, for which funds were budgeted for Facility Department capital improvements, AND

WHEREAS, Babinsky-Klein Engineers were authorized to prepare plans

Item No. 34 Cont'd.
and specifications for said air conditioning installation, which plans and specifications have been completed and the Town Engineer recommends that bids be taken at this time, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said air conditioning work, said 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 22nd 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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowag, Erie County, New York, on the 22nd day of April, 1987 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the installation of an air conditioning system at the Senior Citizens Center Banquet Room and the Losson Community Center Meeting Room, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky-Klein Engineering, P.C. for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the Office of the Engineers at 150 Creekside Drive, Amherst, New York 14150 from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two (2) $25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York and must be designated as BID FOR AIR CONDITIONING SYSTEM.

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

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five days after the date

Item No. 34 Cont'd.
set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders if further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

Richard M. Moleski
Town Clerk

DATED: April 6, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

*SEE AFFIDAVITS OF PUBLICATION ON NEXT TWO (2) 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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication APR - 9 1987; last publication APR - 9 1987; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 9th day of April, 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 NOV. 30, 1987

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN** that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 22nd day of April, 1987 at 11:00 a.m., local time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the installation of an air conditioning system at the Senior Citizens Center Banquet Room and the Losson Community Center Meeting Room, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky Klein Engineering, P.C. for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to bidders may be examined at the above office and at the Office of the Engineers at 150 Creekside Drive, Amherst, New York, 14150 from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two (2) $25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as BID FOR AIR CONDITIONING SYSTEM.

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

Any bidder returning plans and specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the plans and specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

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Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

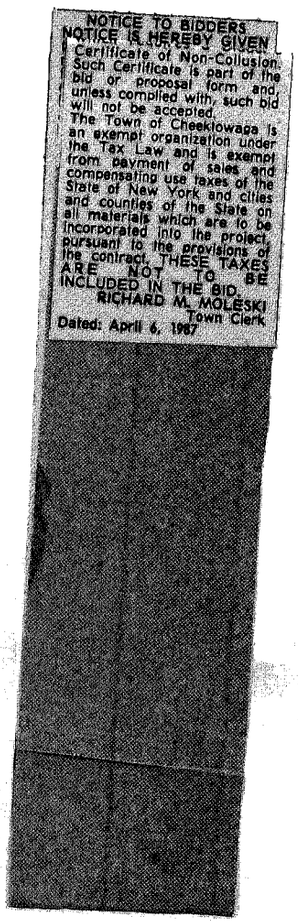
The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

**RICHARD M. MOLESKI**
**Town Clerk**

DATED: April 6, 1987
PUBLISH: April 9, 1987

# State of New York

ERIE COUNTY
CITY OF BUFFALO



NOTICE TO BIDDERS
NOTICE IS HEREBY GIVEN
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The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.
RICHARD M. MOLESKI
Town Clerk
Dated: April 6, 1987

Susan E. Landel

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 ~~a week for xxxxxxxxxxxxxxxxxx weeks~~, the first insertion being on the 10th day of SApril 19 87 ~~and the last insertion being on the xxxxxx~~ day ~~of xxxxxxxxxxxxxxxxxxxxxx~~

Susan E Landel

Sworn to before me this 10th day of ~~AS~~ APRIL 19 87

Harold A Mann

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 19 88

*Notary Public, Erie County, N.Y.*

# State of New York

ERIE COUNTY
CITY OF BUFFALO

Susan E. Landel

Buffalo, New York, being duly sworn, deposes

S he is Principal Clerk

FALO EVENING NEWS, INC., Publisher of

ALO NEWS, a newspaper published in said

notice of which the annexed printed slip taken

wspaper is a copy, was inserted and published

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~~a week for xxxxxxxxxx weeks~~ the

n being on the 10th day of SApril

~~and the last insertion being on the~~ xxxxxx day

xxxxxxxxxxxxxx

Susan E Landel

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RICHARD M. MOLESKI
Town Clerk

Dated: April 6, 1987

rn to before me t _____ day

87

Harold A Mann

HAROLD A. MANN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 19.....88

*Notary Public, Erie County, N.Y.*

Item No. 35 Advance $3500 to Cheektowaga Patriotic Commission

Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, funds have been appropriated in the 1987 Town budget for the Cheektowaga Patriotic Commission and for patriotic activities, and

WHEREAS, the Cheektowaga Patriotic Commission has requested that the Town advance it $3,500 to pay anticipated bills for Flag Day, Independence Day, etc., NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby authorizes the advance of $3,500 to the Cheektowaga Patriotic Commission, Inc. from the 1987 Town budget, line 1-007550-4-0-4372-001.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Supervisor Weber Seconded by Councilman Santa Maria to adjourn the meeting in memory of Tom Sestak, long-time Cheektowaga Businessman and former Defensive Tackle for the Buffalo Bills Football Team.

Richard M. Moleski
Town Clerk

PUBLIC HEARINGS held at 6:30 P.M.

| NO. | ITEM |
|---|---|
| | **Meeting No. 8 April 20, 1987** |
| 1 | HARLEM ROAD & WALDEN AVENUE - S.E. Corner of Thruway Mall abutting Skating Rink Building and General Cinema Theatres - SPECIAL USE PERMIT for operation of "Go-Kart" Track |
| | **Meeting No. 10 May 18, 1987** |
| 1 | 2878 and 2882 UNION ROAD - from C-Retail Business and R-Residential District to C-Retail Business and RA-Apartment District |
| 2 | BORDEN ROAD AND ARMOND LANE - vacant lot near corner from R-Residential to RC-Restricted Business District |

# PUBLIC HEARINGS


| NO. | ITEM | PAGE |
|---|---|---|
| | **Meeting No. 8 April 20, 1987** | |
| 2 | Unsafe Buildings & Collapsed Structures Ordinance - 830 Borden Rd. | 1 |
| 3 | Amendment to Traffic Ord. - Art. VIII "Stop & Yield Int." - Harvest Lane | 1-2 |
| | **Meeting No. 9 May 4, 1987** | |
| 2 | Amendment to Ambulance Ordinance 9 Section 4 A-4) | 1 |
| | **Meeting No. 10 May 18, 1987** | |
| 2 | Hearing re: Rusiniak's Towing & Recovery, Inc. under Removal and Storage of Vehicles Law | 1 |

# R E S O L U T I O N S


| NO. | ITEM | PAGE |
|---|---|---|
| | **Meeting No. 8 April 20, 1987** | |
| 4 | Decision on Rezoning - 2437 Union Road | 2-3 |
| 5 | Request for limitation of tax deferrals in E.C.I.D.A. Agreements | 4 |
| 6 | Award of Bid - Construction of Town sidewalks | 4-5 |
| 7 | NOTICE TO BIDDERS: | |
| | a. Reconstruction of Vern Lane | 5-7 |
| | b. Materials to build six (6) picnic shelters | 8 |
| | c. 50' Aerial Device Mounted/Chip Dump body designed for trimming trees | 9 |
| | d. Topsoil | 10 |
| | e. Pressure Treated Lumber | 11 |
| 8 | Approval of three (3) building permits for Parkside Village, Inc. | 12 |
| 9 | Authorization for Supervisor to submit application for Community Development Block Grant Funds | 12 |
| 10 | Authorize Supervisor to sign Loan Agreement regarding Community Development Funds | 13 |
| 11 | PERMISSION TO CONDUCT PARADES: | |
| | a. Loyalty Day Parade | 13 |
| | b. Cleveland Hill Baseball, Inc. | 13-14 |
| | c. Williamstowne Senior citizens | 15 |
| 12 | APPOINTMENTS: | |
| | a. Board of Directors of Cheektowaga Economic Development Corp. | 15 |
| | b. Provisional - Superintendent-Wastewater Pump Station | 16 |
| | c. Promotional position of General Mechanic in Facilities Dept. | 16 |
| | d. MEO(s) (Class B) in Sanitation | 15 |
| 13 | CREATE POSITIONS: | |
| | a. Welder in Central Garage | 17 |
| | b. Senior Clerk in Town Justice Court | 17 |
| 14 | TERMINATIONS OF SEASONAL EMPLOYEES: | |
| | a. Facilities Department | 17 |
| | b. Sewer Maintenance | 17 |
| 15 | HIRING OF SEASONAL EMPLOYEES: | |
| | a. Facilities Department | 18 |
| | b. Town Clerk's Office | 18 |
| 16 | Retain firm to conduct feasibility study regarding proposed addition to Police & Court Building | 18 |
| 17 | AUTHORIZATION TO ATTEND SEMINARS/SCHOOL | |
| | a. Highway Superintendent and two (2) Foremen | 18 |
| | b. Facilities Department employee | 18-19 |
| | c. Sign Crew Representative | 19 |
| 18 | Authorize Developer of Phase 6 of Losson Green Estates Subdivision to pay cost of installation of hydrant on Hillpine Road | 19 |
| 19 | Change Order for reconstruction of Rein Road Bridge | 19-20 |
| 20 | Warrant List | 20 |
| | **Meeting No. 9 May 4, 1987** | |
| 3 | CALL FOR PUBLIC HEARINGS: | |
| | a. Rezoning at 2878 and 2882 Union Rd. from C-Retail Business Dist and R-Residential Dist. to C-Retail Business Dist. and RA-Apartment Dist. | 1-2 |
| | b. Rezoning of vacant lot near corner of Borden Rd. & Armond Lane from R-Residential Dist. to RC-Restricted Business Dist. | 3 |

| NO. | ITEM | PAGE |
|---|---|---|
| 4 | DECISION ON AMENDMENT TO: | |
| | a. Traffic Ordinance - Art. VIII "Stop & Yield Int." - Harvest Lane and Autumn Lane and Article X "Parking, Standing, Stopping" - Autumn Lane and Harvest Lane | 4-5 |
| | b. Ambulance Services Ordinance - Section 4 A-4 | 6 |
| 5 | Notice to Bidders - application of chemical root control agent | 7 |
| 6 | AWARD OF BID: | |
| | a. Air conditioning in Senior Citizens Center Banquet Room | 8 |
| | b. Construction of Walden Avenue Sanitary Sewer Extension | 9 |
| | c. Reconstruction of Prohl Road | 10 |
| | d. Football Equipment for Recreation Department | 11 |
| 7 | TERMINATION OF EMPLOYEES IN: | |
| | a. Town Clerk's Office | 12 |
| | b. Facilities Department | 12 |
| 8 | Termination and hiring in Department of Senior Services | 12 |
| 9 | HIRING OF SEASONAL/PART-TIME EMPLOYEES IN: | |
| | a. Various Departments | 12-13 |
| | b. Facilities Department Summer Program | 13 |
| 10 | APPOINTMENT OF: | |
| | a. Graphic Artist in Police Department | 13 |
| | b. Motor Equipment OPerators (Class B) in Sanitation | 14 |
| 11 | AUTHORIZE SUPERVISOR TO SIGN: | |
| | a. Memorandum of AGreement with Police Club | 14 |
| | b. Agreement regarding Community Development Rehabilitation loan funds | 15 |
| | c. Various documents re: HUD Section 108 Loan to Bflo. Airport Associates | 15-16 |
| | d. Agreement with County/State re: William Street reconst. and drainage | 17 |
| 12 | Authorize Assessor to contract for appraisal relating to Kenville Homes | 17<br>17 |
| 13 | Authorize Developer of Phase 6 of Losson Green Estates Sub. to pay cost of installation of hydrant on Hillpine Road | 18 |
| 14 | Permission for Parkside Village, Inc. to erect mobile homes on various lots | 18 |
| 15 | Accept proposal for engineering report for Ledyard Bridge modification | 18-19 |
| 16 | AFFIRMATION OF RECOMMENDATIONS OF ENVIRONMENTAL ADVISORY COMMITTEE FROM MEETING OF: | |
| | a. March 20, 1987 | 19 |
| | b. April 8, 1987 | 20 |
| 17 | ACCEPT RECOMMENDATIONS OF EMS BOARD REGARDING: | |
| | a. Ambulance Driver/Attendant (New) Licenses | 21 |
| | b. Ambulance Driver/Attendant (Renewal) Licenses | 22 |
| | c. Ambulance Vehicle License | 23 |
| 18 | Transfer of Funds | 24 |
| 19 | Warrant List | 24 |

Meeting No. 10 May 18, 1987

| | | |
|---|---|---|
| 3 | Designation of work sessions for summer | 1-2 |
| 4 | CALL FOR PUBLIC HEARINGS FOR AMENDMENTS TO: | |
| | a. Chapter 76 of teh Code of the Town of Cheektowaga (Vehicle and Traffic) | 2 |
| | b. Chapter 82 of the Code of the Town of Cheektowaga (Zoning Ordinance) | 3 |

| NO. | ITEM | PAGE |
|---|---|---|
| | Meeting No. 10 May 18, 1987 cont'd | |
| 5 | AWARD OF BID: | |
| | a. Construction of floor at Highway Garage Addition | 4 |
| | b. Two (2) dump trucks with plows for Highway | 4 |
| | c. Materials to build six (6) picnic shelters | 5 |
| | d. Remodeling of Roycroft Pump Station (Contract B & C) | 5 |
| | e. Stump Cutter for Highway | 6 |
| | f. Topsoil for Highway | 6 |
| | g. Vern Lane Reconstruction | 7 |
| 6 | NOTICE TO BIDDERS: | |
| | a. Construction of basketball court at Rehm Road and Tennis Courts at Stiglmeier Park | 8 |
| | b. Replacing of roofing on several Town buildings | 9-10 |
| | c. Remodeling of Roycroft Pump Station (Contract A & D); also rejection of same | 11-12 |
| | d. Two (2) packers for Sanitation | 13 |
| 7 | Authorization for purchase of street lighting equipment for for maintenance purposes | 14 |
| 8 | AUTHORIZE LIBRARY DIRECTOR TO CONDUCT FEASIBILITY STUDY RE: | |
| | a. Store front library in Dick Road-North Creek area | 14 |
| | b. Locating library in French Road-Losson Road area | 14-15 |
| 9 | Listing of polling places for 1987 | 15-16 |
| 10 | Acceptance of proposal regarding Remodeling of Roycroft Pump Stat. | 17 |
| 11 | AUTHORIZE SUPERVISOR TO SIGN/EXECUTE: | |
| | a. Revised agreement with N.Y.S. Office of Parks, Recreation & Historic Preservation | 17 |
| | b. Loan Agreement regarding Community Development funds | 17-18 |
| 12 | Authorize Highway Superintendent to enter private properties regarding necessary drainage improvements | 18 |
| 13 | Approval of Losson Park Village Subdivision | 19-20 |
| 14 | Disposal of waste materials located at Highway Garage | 20 |
| 15 | Removal of asbestos pipe in old Highway Garage | 21 |
| 16 | Permission for Penn Advertising, Inc. to rebuild billboard signs | 22 |
| 17 | Authorization for N. Cheektowaga Amateur Athletic Assoc. to conduct parade | 22 |
| 18 | TERMINATIONS OF SEASONAL/PART-TIME EMPLOYEES: | |
| | a. Youth Bureau | 22-23 |
| | b. Facilities Department | 23 |
| | c. Various Departments | 23 |
| 19 | Maternity leave of absence for Recreation Instructor | 23-24 |
| 20 | APPOINTMENTS: | |
| | a. EMS Board Members | 24 |
| | b. Senior Clerk in Justice Court | 24 |
| 21 | HIRING OF SEASONAL/PART-TIME EMPLOYEES: | |
| | a. Facilities Department | 25 |
| | b. Various Departments | 25 |
| 22 | Transfer of employees from Adapred Recreation Program to Day Camp for Developmentally Disabled | 26 |
| 23 | AUTHORIZATION FOR EMPLOYEES TO ATTEND MEETINGS/SEMINARS: | |
| | a. Building Inspector | 26-27 |
| | b. Youth Bureau Director | 27 |
| | c. Council Secretary | 27 |
| | d. Town Assessor and Real Property Appraiser | 27 |
| 24 | Rescind resolution authorizing connection & installation of light standard on Davidson Drive | 28 |
| 25 | Permission for N.Y.S. Electric & Gas to connect one (1) standard in Greenwood Village Subdivision | 28 |
| 26 | Transfer of Funds | 29 |
| 27 | Warrant List | |

# DEPARTMENTAL COMMUNICATIONS


| NO. | ITEM | PAGE |
|---|---|---|
| | **Meeting No. 8 April 20, 1987** | |
| 21 | Minutes of Planning Board - March, 1987 | 20 |
| | **Meeting No. 9 May 4, 1987** | |
| 20 | Building Permits | 24 |
| 21 | Supervisor's Statement of Funds for January and February, 1987 | 24 |
| 22 | Office of Disaster Preparedness: Quarterly report for January - March, 1987 | 25 |
| 23 | Cheektowaga Public Library Board - minutes of April 1987 meeting | 25 |
| | **Meeting No. 10 May 18, 1987** | |
| 28 | Supervisor's Statement of Funds for March, 1987 | 29 |
| 29 | Cheektowaga Traffic Safety Commission - minutes of April meeting | 29 |

# GENERAL COMMUNICATIONS


| NO. | ITEM | PAGE |
|---|---|---|
| | **Meeting No. 8 April 20, 1987** | |
| 22 | N.Y.S. DEPARTMENT OF TRANS.: | |
| | a. Notices of Order - Harlem Rd. at Gierlach: Harlem at Gruner | 20 |
| | b. Designation of Restricted Highway - portion of Walden Avenue | 20 |
| 23 | Order to Show Cause, Affidavit, Affidavit in Support of Order to Show Cause and Proposed Notice of Claim - Angela Grys vs Town Cheektowaga | 20 |
| 24 | NOTICES OF CLAIM: | |
| | a. Marilyn Kruass vs Town of Cheektowaga | 21 |
| | b. John Pajonk vs Town of Cheektowaga | 21 |
| | c. Jerome M. Augustyniak vs Town of Cheektowaga | 21 |
| | Supervisor's Presentation of Proclamation regarding "Better Hearing & Speech Month | |
| | **Meeting No. 9 May 4, 1987** | |
| 24 | N.Y.S. DEPT. OF TRANS.: | |
| | a. Designation of Restricted Highway - portion of Harlem Road and portion of Walden AVenue | 25 |
| | b. Revision permit for traffic signal at Clinton St. & Willowlawn Parkway | 25 |
| | c. Amendment of permit to Own, Operate and Maintain Traffic Signal at Union Road and Cheektowaga Central School Driveway | 25 |
| 25 | NOTICE OF CLAIM: | |
| | a. Fleet Management Professionals as subrogee of Automotive Rentals, Inc. vs Town of Cheektowaga | 25 |
| | b. Becky Eckert and Thomas Eckert vs Town of Cheektowaga | 25 |
| 26 | Temple Shaarey Zedek: Letter regarding drainage problem on cemetery property | 25 |
| | **Meeting No. 10 May 18, 1987** | |
| 30 | N.Y.S. DEPT. OF TRANS. - Designaiton of Restricted Highway - portion of Dingens Street | 30 |
| 31 | Resolution from E.C. Legislature regarding property at 1019 Walden | 30 |
| 32 | NOTICES OF CLAIM: | |
| | a. Francis M. Wilson vs Town of Cheektowaga | 30 |
| | b. Mary Murphy vs Town of Cheektowaga | 30 |
| 33 | Letter from Town resident regarding Union and Losson Road | 30 |
| 34 | Letter from St. John Cemetery requesting consideration for extension of storm drainage along property on Rowan Road | 30 |

## SUSPENSION OF RULES


| NO. | ITEM | PAGE |
|---|---|---|
| | Meeting No. 8 April 20, 1987 | |
| 25 | Award of Bid - repeater station | 21-22 |
| 26 | Call for public hearing for amendment to Ambulance Ordinance | 22-23 |
| 27 | Authorization for Building & Plumbing and Engineering employees to attend seminar | 24 |
| 28 | Appointment of Junior Accountant | 24 |
| 29 | Clean-up/repair of Building at 830 Borden Road | 25 |
| | Meeting No. 9 May 4, 1987 | |
| 27 | Town Board opposition for plans for establishment of Thruway interchange on William Street | 26 |
| 28 | Appointment to position of Cleaner in Facilities Department | 26 |
| 29 | Appointment to position of Clerk-Stenographer in Council Office | 26-27 |
| 30 | Authorize 15 day sick leave extension for Highway Dept. employee | 27 |
| 31 | Removal of garbage and debris from 147 Chapel Avenue | 27-28 |
| 32 | Notice of Hearing to tower under Removal and Storage of Vehicles Law | 28-29 |
| | Meeting No. 10 May 18, 1987 | |
| 35 | Authorize Depew Development, Inc. to remove dirt from rear of Town Highway Garage | 30-31 |

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 20th day of April, 1987 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Daniel E. Weber
Councilman Thomas M. Johnson, Jr.
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak
Councilman Rudy A. Santa Maria

ABSENT: Councilman William R. Rogowski
Councilman Patricia A. Jaworowicz

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Julia Reinstein, Town Historian; Robert Lis, Chief of Police; Ron Marten, Building and Plumbing Inspector; Sal LaGreca, Employment and Training Director II; Pat Wojcik, Recreation Director-Senior Citizens; Chester Bryan, Town Engineer; Andrew Kulyk, Member of Zoning Board of Appeals.

## I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing regarding the "Unsafe Buildings and Collapsed Structures Ordinance" with regard to 830 Borden Road.

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

Item No. 3 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 VIII

### Stop and Yield Intersections

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

| Street | Direction | Entrance Street | Traffic Stops | Sign Location |
|---|---|---|---|---|
| Harvest Lane | North-south | Autumn Lane | Westbound | N.E. Corner |

### ARTICLE X

### Parking, Standing and Stopping

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

Item No. 3 cont'd

A. No parking this side or one-side parking

| | | |
|---|---|---|
| AUTUMN LANE | East Side | from the north curb line of Como Park Boulevard northerly to house #31, thence westerly to the east curbline of Harvest Lane. |
| HARVEST LANE | East Side | from the north curbline of Como Park Boulevard northerly to end. |

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

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

## II. RESOLUTIONS

Item No. 4 Motion by Councilman Santa Maria, Seconded by Councilman Gabryszak

WHEREAS, Anthony Marczak has petitioned for the rezoning from RC-Restricted Business District and RA-Apartment District to CM-General Commercial District of property owned by him and located at 2437 Union Road, Cheektowaga, New York which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 6th day of April, 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. Approval be pursuant to §82-71 of the Zoning Ordinance
2. All outside activities (picnics, outdoor weddings, etc. be prohibited (with the exception of picture taking at the planned gazebo)
3. The certificate of occupancy be withheld until the proposed landscape plan is approved by the Cheektowaga Planning Board.

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has 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 following conditions are met:

1. No outside activity be permitted.
2. The picnic area designation on the plan is to be removed
3. A detailed drainage plan be submitted to the Town Engineer for approval
4. "Protection" must be provided along the top of the creek bank (i.e. guard rails)
5. The applicant notify the New York State DOT of the proposal and obtain curb cuts from such department
6. A new site plan be submitted to the Town for aproval with all changes.

Item No. 4 cont'd

NOW, THEREFORE, BE IT RESOLVED that the application of Anthony Marczak for the rezoning from RC-Restricted Business District and RA-Apartment District to CM-General Commercial District of the property specified in the attached letal description be and the same is hereby granted subject to the aforesaid conditions as recommended by Cheektowaga Planning Board and the Town 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....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

AFFIDAVIT - NEXT PAGE

**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 Slate 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.

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication APR 23 1987; last publication APR 23 1987; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 23rd day of April, 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 NOV. 30, 1989

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 20th day of April, 1987 at 7:00 o'clock p.m. Daylight Savings Time there were:

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

Motion by Councilman Santa Maria
Seconded by Councilman Gabryszak

WHEREAS, Anthony Marczak has petitioned for the rezoning from RC-Restricted Business District and RA-Apartment District to CM-General Commercial District of property owned by him and located at 2627 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 6th day of April, 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. Approval be pursuant to §82-71 of the Zoning Ordinance
2. All outside activities (picnics, outdoor weddings, etc.) be prohibited (with the exception of picture taking at the planned gazebo)
3. The certificate of occupancy be withheld until the proposed landscape plan is approved by the Cheektowaga Planning Board.

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has 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 following conditions are met:

1. No outside activity be permitted.
2. The picnic area designation on the plan is to be removed
3. A detailed drainage plan be submitted to the Town Engineer for approval
4. "Protection" must be provided along the top of the creek bank (i.e. guard rails)
5. The applicant notify the New York State DOT of the proposal and obtain curb cuts from such department
6. A new site plan be submitted to the Town for approval with all changes.

NOW, THEREFORE, BE IT RESOLVED, that the application of Anthony Marczak for the rezoning from RC-Restricted Business District and RA-Apartment 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 aforesaid conditions as recommended by the Cheektowaga Planning Board and the Town 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.

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.

Upon roll call...

| | |
|---|---|
| Supervisor Weber | Voting AYE |
| Councilman: | |
| Johnson | Voting AYE |
| W.P. Rogowski | Voting ABSENT |
| Jaworowicz | Voting ABSENT |
| Kowal | Voting AYE |
| Gabryszak | Voting AYE |
| Santa Maria | Voting AYE |

AYES: 5
NAYES: 0
ABSENT: 2

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 20, 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. 4, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 20th day of April, 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 23, 1987

No. 6

No. 10

Item No. 5 Motion by Councilman Johnson, Seconded by Unanimous

WHEREAS, the Erie County Industrial Development Agency (the Agency) was formed pursuant to Article 18-A of the General Municipal Law of the State of New York, and

WHEREAS, by law the Agency is not required to pay "taxes or assessments upon any of the property acquired by it or under its jurisdiction or control or supervision or upon its activities"; however, such Agency, as a matter of policy, does make provision for payments in lieu of taxes in its agreements with commercial enterprises, and

WHEREAS, the current "payment in lieu of taxes" policy of the Agency provides (a) that there will be no tax payments made to the County of Erie for tax fiscal years 1 through 5, and (b) that there will be no tax payments made to a city, town, village or school district for tax fiscal years 1 through 7 1/2, and

WHEREAS, the aforementioned policy of the Agency is clearly unequal and discriminates against cities, towns, villages and school districts, and

WHEREAS, it appears that a concensus of cities, towns, villages and school districts is needed to persuade the Agency to amend its "payment in lieu of taxes" policy by reducing the tax deferral period applied to such municipalities from 7 1/2 years to 5 years,

NOW, THEREFORE, BE IT RESOLVED that this Town Board on behalf of the Town of Cheektowaga hereby petitions the Erie County Industrial Development Agency to amend its "payment in lieu of taxes" policy by reducing the tax deferral period applied to it from 7 1/2 years to 5 years, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this resolution to the ECIDA, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this resolution to each city, town, village and school district within the County of Erie, with the request that each such municipality pass a similar resolution.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 6 Motion by Councilman Santa Maria, Seconded by Councilman Kowal

WHEREAS, bids were received and opened by the Town Clerk at a public bid opening on April 6, 1987 for the construction of new sidewalks and the reconstruction of existing sidewalks, and

WHEREAS, said bids were reviewed and tabulated by the Engineering Department and an analysis, tabulation and report was submitted in the letter from the Engineering Department to the Town Board dated April 16, 1987, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of sidewalks including incidental piping and landscaping be and hereby is awarded to:

Campobello Construction Co., Inc.
55 LaSalle Avenue
Kenmore, New York 14214

for their submission of the lowest responsible bid total of $38,,335.00 with the award being made at the following unit prices:

| | | |
|---|---|---|
| ITEM 1 | 4" thick sidewalk | $ 1.80/sq. ft. |
| ITEM 2 | 6" thick sidewalk | $ 2.20/sq. ft. |

Item No. 6 cont'd

| | | |
|---|---|---|
| ITEM 3 | Excess fill or excavation | $ 13.80 cu. yd. |
| ITEM 4 | 4" diameter P.V.C. underdrain | $ 2.30/lin. ft. |
| ITEM 5 | 6" sidewalk reinforced with 6 x 6 x 10 mesh | $ 2.35/sq. ft. |
| ITEM 6 | Landscaping beyond Item 1 | $ 2.90/sq. yd. |
| ITEM 7 | Fine Asphalt mix beyond Item 1 | $ 12.80/sq. yd. |
| ITEM 8 | 6" reinforced driveway apron | $ 2.40/sq. ft. |
| ITEM 9 | Traffic control | $550.00 |

and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign the agreement with said contractor for the construction of Town sidewalks and the related work, and BE IT FURTHER

RESOLVED that funding for this work is to be made under General Fund-Sidewalks, account #005410.4009.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 7a Motion by Councilman Kowal, Seconded by Councilman Johnson

WHEREAS, 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, the professional engineering firm of Nussbaumer & Clarke, Inc. was authorized to prepare plans and specifications for the reconstruction along Vern Lane, and

WHEREAS, the Highway Superintendent and the Town Engineer advised that said plans and specifications have been completed and recommended that bids be taken for the improvement of Vern Lane, NOW, THERFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the reconstruction of Vern Lane, said 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 May, 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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 6th day of May, 1987, at 11:00 A.M. Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the construction of new pavement, catch basins and storm sewers including appurtenances and related work, complete in place, texted and ready for use, in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

Item No. 7a cont'd

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the engineers at 310 Delaware Avenue, Buffalo, New York 14202, from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two $25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Construction of Vern Lane Pavement Reconstruction Project".

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

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidder requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this 30-Day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal be accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be acccepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the state on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. <u>These taxes are not to be included in the bid</u>.

The work shall be completed within 150 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

RICHARD M. MOLESKI
Town Clerk

DATED: April 20, 1987

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

Item No. 7a cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

AFFIDAVITS - 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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication APR 23 1987 ; last publication APR 23 1987 ; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 23rd

day of April, 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 NOV. 30, 1989

The work shall be completed within 150 consecutive calendar days, to begin 5 days after the "Order to Commence Work" has been issued.

RICHARD M. MOLESKI
Town Clerk
DATED: April 20, 1987
PUBLISH: April 23, 1987

**LEGAL NOTICE**

**NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN** that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 6th day of May, 1987 at 11:00 a.m., local time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the construction of new pavement, catch basins and storm sewers including appurtenances and related work, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to bidders may be examined at the above office and at the Office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202, from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two (2) $25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "BID FOR CONSTRUCTION OF VERN LANE PAVEMENT RECONSTRUCTION PROJECT".

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

Any bidder returning plans and specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the plans and specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

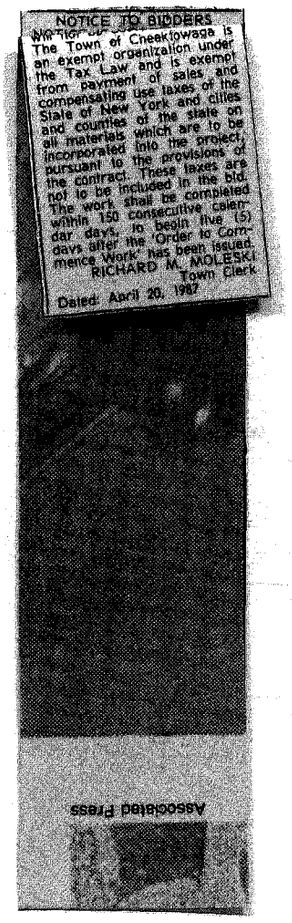
The work shall be completed within 150 consecutive calendar days, to begin 5 days after the "Order to Commence Work" has been issued.

**RICHARD M. MOLESKI**
**Town Clerk**

DATED: April 20, 1987
PUBLISH: April 23, 1987

# State of New York

ERIE COUNTY
CITY OF BUFFALO



NOTICE TO BIDDERS

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the state on all materials which are to be incorporated into the project pursuant to the provisions of the contract. These taxes are not to be included in the bid. The work shall be completed within 150 consecutive calendar days, to begin five (5) days after the Order to Commence Work has been issued.

RICHARD M. MOLESKI
Town Clerk

Dated: April 20, 1987

Associated Press

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 a week for ~~xxxxxxxxxxxxxxxxxxxx~~ weeks, the ~~xx~~first insertion being on the 23rd day of April 19 87 and the last insertion being on the ~~xxxxxxxxxxxxxxxxxxxx~~ day of ~~xxxxxxxxxxxxxxxxxxxx~~

D. Eileen Perry

Sworn to before me this 23rd day of April 19 87

Paul E. Bielman

*Notary Public, Erie County, N.Y.*

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 1989

# State of New York

ERIE COUNTY
CITY OF BUFFALO

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 6th day of May, 1987, at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the construction of new pavement, catch basins and storm sewers including appurtenances and related work, complete in place, tested and ready for use, in accordance with the Contract Documents therefore including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202, from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two $25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as 'Bid for Construction of Vern Lane Pavement Reconstruction Project'.

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

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidder requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this 30-day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal be accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the state on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 150 consecutive calendar days, to begin five (5) days after the 'Order to Commence Work' has been issued.

RICHARD M. MOLESKI
Town Clerk

Dated: April 20, 1987

D. Eileen Perry

e City of Buffalo, New York, being duly sworn, deposes

says that she is Principal Clerk

he BUFFALO EVENING NEWS, INC., Publisher of

E BUFFALO NEWS, a newspaper published in said

that the notice of which the annexed printed slip taken

n said newspaper is a copy, was inserted and published

ein once a week for ____ weeks, the

insertion being on the 23rd day of April

19 87 and the last insertion being on the ____ day

of

D. Eileen Perry

Sworn to befor 23rd day

of ____ 19 87

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 1989

E. Bielman

*Notary Public, Erie County, N.Y.*

NO. 9

NO. 10

Item No. 7b Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, it is in order that bids be advertised for the furnishing of material to build six (6) picnic shelters, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of material to build six (6) picnic shelters, said notice to be published in THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received by the Town of Cheektowaga on May 11, 1987 at 11:00 A.M., Local Time, at the Town Hall, at which time they will be publicly opened and read.

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

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 11, 1987 at 11:00 A.M., Eastern Daylight Savings Time, at the Town hall, corner of Broadway and Union Roads, for the furnishing of material to build six (6) picnic shelters.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 20, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Denise Jacir, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication APR 23 1987; last publication APR 23 1987; and that no more than six days intervened between publications.

Denise Jacir

Sworn to before me this 23rd day of April, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 11, 1987 at 11:00 a.m. Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of material to build six (6) picnic shelters.

Information for bidders may be obtained from the Town Clerk at his Office in said Town.

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

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: April 20, 1987
PUBLISH: April 22, 1987

Item No. 7c 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 50' Aerial Device Mounted with a Chip Dump Body designed specifically for trimming trees for use by the Cheektowaga Highway. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located 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 May 4th, 1987 in the Council Chambers of the Town of Cheektowaga.

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

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 May 4th, 1987, at 11:00 A.M. for

ONE (1) NEW AND UNUSED 1 9 8 7 MODEL YEAR 50' AERIAL DEVICE

MOUNTED WITH A CHIP DUMP BODY DESIGNED SPECIFICALLY FOR TRIMMING TREES

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of oepning 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 AERIAL DEVICE WITH CHIP-DUMP BODY".

Non-collusion forms must be signed and submitted with each bid.

RICHARD M. MOLESKI
Town Clerk

DATED: April 20, 1987

PUBLISHED: April 23, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication APR 23 1987 ; last publication APR 23 1987 ; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 23rd

day of April, 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 NOV. 30, 1989

**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 May 4th, 1987, at 11:00 a.m. for

ONE (1) NEW AND UNUSED 1987 MODEL YEAR 50' AERIAL DEVICE MOUNTED WITH A CHIP DUMP BODY DESIGNED SPECIFICALLY FOR TRIMMING TREES

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 AERIAL DEVICE WITH CHIP DUMP BODY."

Non-Collusion forms must be signed and submitted with bids.

**RICHARD M. MOLESKI**
**Town Clerk**

**PUBLISH: April 22, 1987**

Item No. 7d 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 Topsoil for the 1987 Season (regular, shredded and screened). Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located 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 May 4th, 1987 in the Council Chambers of the Town of Cheektowaga.

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TOWN OF CHEEKTOWAGA, NEW YORK HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements, at a public bid opening May 4th, 1987 at 11:00 A.M., Daylight Savings Time, to be held in the Council Chambers at the Cheektowaga Town Hall.

TOPSOIL .....REGULAR, SHREDDED AND SCREENED

Note: Minimum 600 yds. per season.

Price quoted per yard based on pickup by Town Highway trucks within a 15 mile distance.

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

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

RICHARD M. MOLESKi
Town Clerk

DATED: April 20, 1987

PUBLISHED: April 23, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Denise Gorie, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication APR 23 1987; last publication APR 23 1987; and that no more than six days intervened between publications.

Denise Gorie

Sworn to before me this 23rd day of April, 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 NOV. 30, 1989

**LEGAL NOTICE**
**TOWN OF CHEEKTOWAGA NY**
**HIGHWAY DEPARTMENT**
**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements at a public bid opening May 4th, 1987 at 11:00 a.m. Daylight Savings Time, to be held in the Council Chambers at the Cheektowaga Town Hall

TOPSOIL ..... REGULAR, SHREDDED AND SCREENED

Note: Minimum 600 yds. per season.

Price quoted per yd. based on pickup by Town Highway trucks within a 15 mile distance.

Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Superintendent of Highways at his office located at 3145 Union Rd., Cheektowaga, NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "SEASONAL BID FOR TOPSOIL FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

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

**RICHARD M. MOLESKI**
**Town Clerk**

PUBLISH: April 23, 1987

Item No. 7e Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga is in need of Pressure Treated Lumber, and

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain muncipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of said Lumber, Notice to be published in the April 23, 1987 issue of the Times, and BE IT FURTHER

RESOLVED that sealed bids will be accepted at the Town Clerk's Office, Town hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 a.m. on Monday June 1, 1987, and BE IT FURTHER

RESOLVED that the Cheektowaga Town Clerk is hereby designated to open and read said sealed bid proposals at 11:00 a.m. on Monday, June 1, 1987 at a public bid opening.

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NOTICE TO BIDDERS

Sealed proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 a.m. Eastern Daylight Savings Time on June 1, 1987 for the furnishing of Pressure Treated Lumber for the Town of Cheektowaga for the year 1987.

Information for bidders may be obtained from the Cheektowaga Youth Bureau Offices in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than 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 15, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication APR 23 1987; last publication APR 23 1987; and that no more than six days intervened between publications.

Denise Gracie

Sworn to before me this 23rd

day of April, 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 NOV. 30, 19 89

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

Sealed proposals will be received and considered at the Town Clerk's Office, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, until 11:00 a.m. Eastern Daylight Savings Time, on June 1, 1987 for the furnishing of Pressure Treated Lumber for the Town of Cheektowaga for the year 1987.

Information for bidders may be obtained from the Cheektowaga Youth Bureau Offices in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than 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 15, 1987
PUBLISH: April 22, 1987

Item No. 8 Approval of three (3) building permits for Parkside Village, Inc. This item was withdrawn.

Item No. 9 Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is eligible to receive approximately $689,000 in Community Development Block Grant funds for the 1987-88 Program Year, and

WHEREAS, a public hearing regarding the use of funds was held on March 16, 1987, and

WHEREAS, the Town Director of Community Development has submitted a recommendation regarding the use of said funds, which activities to principally benefit low and moderate income persons pursuant to the goals and objectives of the Housing and Community Development Act and its governing rules and regulations, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed on behalf of the Town to submit to the U.S. Department of Housing and Urban Development an application for Community Development Block Grant funds totaling $689,000 for the 1987-88 Program Year, said application incorporating the attached project allocations of Community Development Block Grant funds.

* See next page for project allocations

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
1987-88 PROGRAM YEAR

| | $689,000 |
|---|---|
| Administration | 78,703 |
| Code Enforcement | 65,600 |
| Village of Depew | 55,445 |
| Village of Sloan | 18,252 |
| Planning | 25,000 |
| Supplemental Services * | 15,000 |
| Housing Rehabilitation | |
| Cheektowaga | 50,000 |
| Depew | 20,000 |
| Sloan | 10,000 |
| Economic Development | 351,000 |
| TOTAL | $ 689,000 |

* Supplemental Services includes housing counseling and weatherization services. Individual contract amounts are subject to negotiations with individual agencies.

Item No. 10 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

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:

| | |
|---|---|
| 141 Louis Street | $6008.00 |
| 67 Betty Lou Lane | 5831.00 |
| 2848 Harlem Road | 6,399.00 |

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, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

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

WHEREAS, the Western New York Loyalty Day Committee is sponsoring a Loyalty Day Parade on Sunday, May 3, 1987 at 2:00 P.M., and

WHEREAS, the parade route includes Clinton Street from the Buffalo City Line to Meadowbrook Parkway in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services and to insure compliance with the Vehicle and Traffic Law.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 11b Motion by Councilman Johnson, Seconded by Councilman Santa Maria

WHEREAS, Cleveland Hill Baseball, Inc. will be holding its Opening Day Ceremonies on Saturday, May 16, 1987, and

WHEREAS, Cleveland Hill Baseball, Inc. has requested permission to conduct a parade as part of its Opening Day Ceremonies and has submitted a proposed parade route, NOW, THEREFORE, BE IT

Item No. 11b cont'd

RESOLVED that permission is hereby granted Cleveland Hill Baseball, Inc. to hold its parade on Saturday, May 16, 1987, and BE IT FURTHER

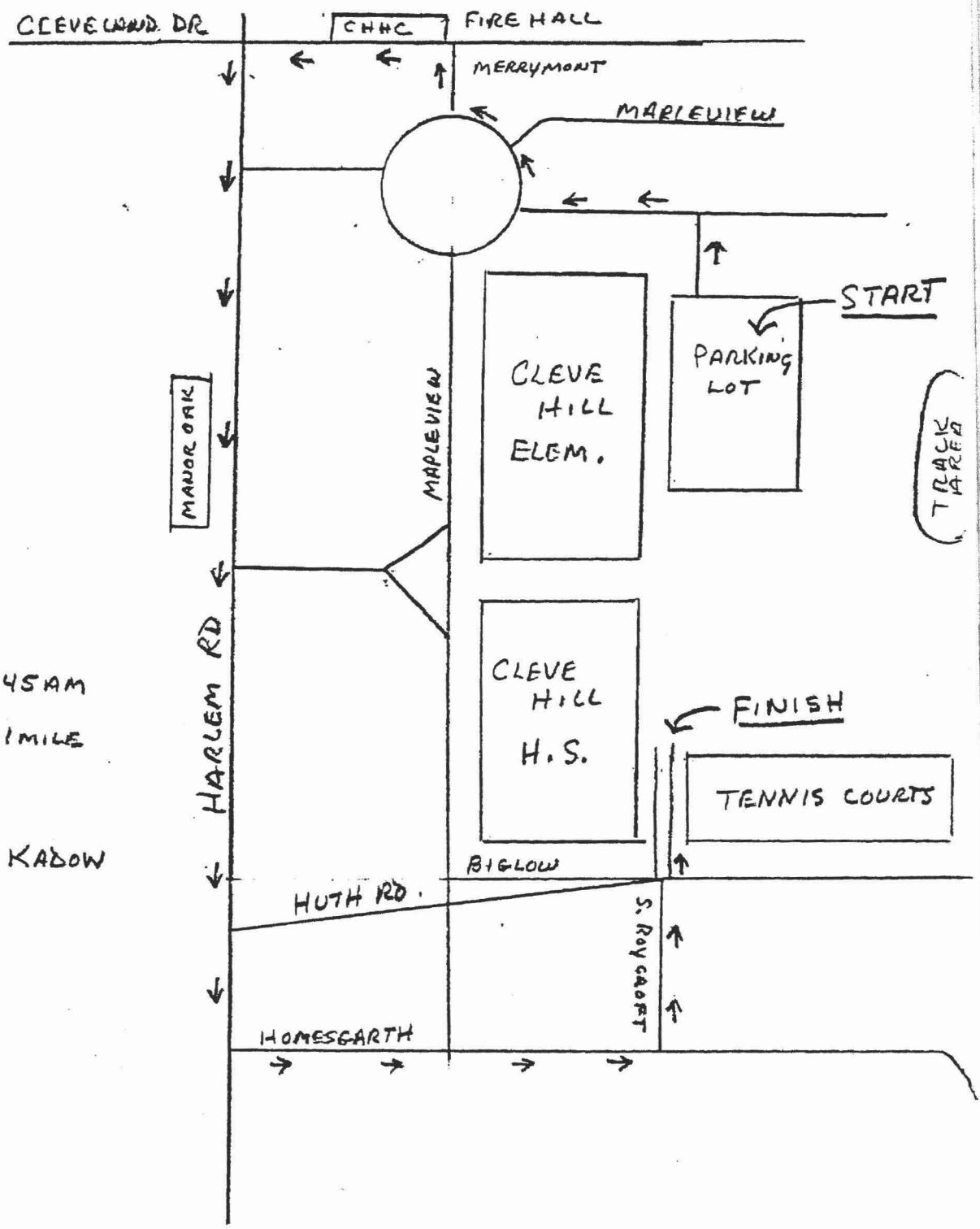
RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services along the parade route as specified in the attached diagram, and to insure compliance with the Vehicle & Traffic Law.

* See next page for diagram

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

# CLEVELAND HILL
# BASEBALL INC.

## PARADE ROUTE




SATURDAY

AY 16TH.

00 AM TO 11:45AM

TOTAL ROUTE - 1 MILE

QUESTIONS?

CALL; GARY KADOW

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

WHEREAS, the Williamstowne Senior Citizens have chosen June 13 and June 14, 1987 as the weekend to celebrate their annual "Polish American Festival 1987," and

WHEREAS, the Williamstowne Senior Citizens, as part of their celebration, will be sponsoring a parade, commencing at 9:00 A.M., on Saturday, June 13, 1987, and

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

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilmen Rogowski and Jaworowicz

Item No. 12a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the Town Board of the Town of Cheektowaga has previously created a corporation known as the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging new industrial development within the Town, and

WHEREAS, by resolution dated February 7, 1983, this Town Board approved the proposed By-Laws of the Cheektowaga Economic Development Corporation, and

WHEREAS, the aforesaid By-Laws provide that all directors of the Cheektowaga Economic Development Corporation shall be appointed by resolution of the Town Board of the Town of Cheektowaga, and

WHEREAS, the Board of Directors of the Cheektowaga Economic Development Corporation have recommended the appointment of individuals as hereinafter listed to the Board of Directors of said Corporation, and

WHEREAS, this Town Board is in agreement with the recommendations of the Directors of the Cheektowaga Economic Development Corporation, NOW, THEREFORE, BE IT

RESOLVED that the following individuals are hereby appointed to the Board of Directors of the Cheektowaga Economic Development Corporation for a term of three years, said term effective until the subsequent reappointment for said Board positions on or about April 16, 1990.

Joseph Ball
Richard Fitzgerals
Amedeo Duke
Joseph Lipowski
Harry Sicherman
James Antkowiak
Conrad Gorski
Lawrence Budzillo

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 12b Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, previously this Town Board created the position of Superintendent-Wastewater Pump Station, and

WHEREAS, the Erie County Personnel Department classified such position on as a competitive position, and

WHEREAS, Thaddeus P. Brudz was appointed to such position on a provisional basis, and

WHEREAS, the examination for such position was held and the results released, and

WHEREAS, under civil service laws and rules, the Town has the option of appointing Mr. Brudz to a second provisional term, NOW, THEREFORE, BE IT

RESOLVED that Thaddeus P. Brudz, , Cheektowaga, New York 14225 be and hereby is appointed to the provisional position of Superintendent-Wastewater Pump Station pending the results of the civil service examination for such position, at a salary in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 12c Motion by Councilman Johnson, Seconded by Councilman Kowal

BE IT RESOLVED that Eugene A. Ruszkowski of Cheektowaga, New York is hereby appointed to the promotional position of General Mechanic in the Facilities Department, effective immediately.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 12d Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga Department of Sanitation has vacancies in the Motor Equipment Operator (Class B) classification, and

WHEREAS, said vacancies have been duly bid in the Sanitation Department as per Collective Bargaining Agreement, NOW, THEREFORE, BE IT

RESOLVED that the following be appointed to the position of Motor Equipment Operator (Class B) in the Sanitation Department at a salary in acordance with the Bargaining Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

| | | EFFECTIVE |
|---|---|---|
| Michael Myers | Cheektowaga, N.Y. 14206 | 3/23/87 |
| Richard Wdowik | Cheektowaga, N.Y. 14227 | 4/21/87 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 13a Motion by Councilman Gabryszak, Seconded by Councilman Kowal

BE IT RESOLVED that the position of Welder be and hereby is created in the Central Garage, and BE IT FURTHER

RESOLVED that such position be posted for a period of ten (10) work days in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 13b Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, there is a need to create the promotional position of Senior Clerk in the Town Justice Court, and

WHEREAS, upon filling of such position, the position of Clerk-Typist in such department will be abolished, NOW, THEREFORE, BE IT

RESOLVED that the promotional position of Senior Clerk be and hereby is created in the Town Justice Court, effective immediately, and BE IT FURHTER

RESOLVED that such position be posted for a period of ten (10) work days in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

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

BE IT RESOLVED that the following individuals hired by the Facilities Department to assist in conducting its 1987 summer program be and hereby are terminated as follows:

| Parks Division - #01-007110-1-0-1491-001 | EFFECTIVE |
|---|---|
| Brian Anderson | Immediately |
| Norman Anderson | Immediately |
| Thomas Wertz | 4/15/87 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 14b Motion by Councilman Gabryszak, Seconded by Councilman Johnson

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Sewer Maintenance Department effective immediately:

Brian Ziemba

Robert Fissler

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 15a Motion by Councilman Kowal, Seconded by Councilman Gabryszak

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

| Parks Division - #01-007110-1-0-1491-001 $3.35 per hr. | EFFECTIVE |
|---|---|
| Leonard Glowacki | 4/21/87 |
| Larry Williams | 4/21/87 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 15b Motion by Councilman Santa Maria, Seconded by Councilman Kowal

BE IT RESOLVED that the following be hired as Seasonal Employees in the Town Clerk's Office effective immediately at the rate of $3.35 per hour:

Paula Ciminelli
Kelly Jeffords
Judy Kaczmarek
Lou Ann Aepelbacher

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 16 Retain firm to conduct feasibility study regarding proposed addition to Police and Court Building
This item was withdrawn.

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

WHEREAS, Alfred F. Wnek, Highway Superintendent, has advised the Town Board of his intent to attend the TOWN AND COUNTY OFFICERS TRAINING SCHOOL OF THE STATE OF NEW YORK at Cornell University, Ithaca, N.Y. on June 8th, 9th, and 10th, 1987 together with Alfred F. Wnek, Jr., and Robert Nader, both Foremen in the Highway Department, NOW, THEREFORE, BE IT

RESOLVED that Highway Superintendent, Alfred F. Wnek, and his Foremen, Alfred F. Wnek, Jr. and Robert Nader are hereby authorized to attend the above training course, arriving at the Howard Johnson, N. Triphammer Road, Ithaca, N.Y. the evening of June 7th, and BE IT FURTHER

RESOLVED that Alfred F. Wnek will be using his highway automobile for transportation and that they shall be reimbursed for all travel and necessary expenses in connection with said training school, as provided for through budgeted line item, Highway - Travel - 045130.4082.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Kowal, Gabryszak and Santa Maria
NAYES: Councilman Johnson
ABSENT: Councilman Rogowski and Jaworowicz

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

WHEREAS, the Zamboni Company, manufacturers of ice resurfacing machines is sponsoring a free Zamboni Maintenance Seminar on April 24, 1987 at the Beeshire Inn, Fulton, New York,

Item No. 17b cont'd

WHEREAS, Facilities Department Director James J. Matecki has requested that Maintenance Man Bernard Kotarski participate in said seminar, NOW, THEREFORE, BE IT

RESOLVED that Maintenance Man, Mr. Bernard Kotarski, 108 Nantucket Drive, Cheektowaga, New York 14225, is hereby authorized to attend the Zamboni Maintenance Seminar on April 24, 1987 at the Beeshire Inn, Fulton, New York, and BE IT FURTHER

RESOLVED that expenses incurred by Mr. Kotarski shall not exceed $25.00 chargeable to Account #7110.2507.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 17c Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, the Empire Section of the International Municipal Signal Association (IMSA) is holding their annual Spring Seminar on April 29 and 30, 1987 in Newark, New York,and

WHEREAS, the purpose of this seminar is to disseminate information and educational material in the field of public safety as it relates to signals, signs and markings, and

WHEREAS, it is recommended that Arthur J. Blachowski, the Town's Sign Crew Representative, attend said seminar, NOW, THEREFORE, BE IT

RESOLVED that Arthur Blachowski be and hereby is authorized to attend the IMSA seminar on April 29 and 30, 1987 in Newark, New York, and BE IT FURTHER

RESOLVED that Arthur Blachowski be reimbursed for all necessary and reasonable expenses, not to exceed $175.00, plus mileage.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 18 Authorize Developer of Phase 6 of Losson Green Estates Subdivision to pay cost of installation of hydrant on Hillpine Road
This item was withdrawn.

Item No. 19 Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, Change Order No. 1 for the reconstruction of the Rein Road Bridge was approved in the amount of $12,551.98 by Town Board resolution dated April 6, 1987, and

WHEREAS, the scope of work as outlined in said Change Order No. 1 has incorrectly applied a credit of $12,750.00 and, under this Change Order No. 1 credit should be applied at the close out of this project instead, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 1 (REVISED) in the amount of $25,301.98 as an increase in the contract of Omer Construction Co., Inc., 621 Aero Drive, Cheektowaga, New York 14225, be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby directed to sign said Change Order No. 1 (REVISED) on behalf of this Town Board.

Item No. 19 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

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

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to April 20, 1987 are hereby aproved and made a part hereof.

| FUND | AMOUNT |
|---|---|
| GENERAL FUND | $ 84,433.96 |
| SPECIAL DISTRICTS FUND | 21,516.59 |
| HIGHWAY FUND | 15,550.48 |
| CAPITAL FUND | 27,277.43 |
| TRUST & AGENCY FUND | 573.75 |
| COMMUNITY DEVELOPMENT FUND | 7,060.33 |
| PART TOWN FUND | 140.00 |
| HUD-REHABILITATION FUND | 3,167.00 |
| SPECIAL ASSESSMENT FUND | 7.95 |
| | $159,727.49 |

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, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

## III. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Minutes of Planning Board - March, 1987
Received and Filed.

## IV. GENERAL COMMUNICATIONS

Item No. 22a N.Y.S. DEPARTMENT OF TRANS. - Notices of Order - Harlem Road at Gierlach; Harlem Rd. at Gruner
Copies were sent to: Alfred F. Wnek, Highway Superintendent; Robert Lis, Chief of Police; Chester Bryan, Town Engineer; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 22b N.Y.S. DEPARTMENT OF TRANS. - Designation of Restricted Highway - Portion of Walden Avenue
Received and Filed.

Item No. 23 Order to Show Cause, Affidavit, Affidavit in Support of Order to Show Cause and Proposed Notice of Claim - Angela & Joseph Grys 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. 24a NOTICE OF CLAIM - Marilyn Kruass 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; Alfred Wnek, Highway Superintendent; Laverack & Haines, Insurance Company.
Received and Filed.

Item No. 24b NOTICE OF CLAIM - John Pajonk 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; Ron Marten, Building and Plumbing Inspector; Council Office; Laverack & Haines and Joseph J. Naples, Insurance Companies.
Received and Filed.

Item No. 24c NOTICE OF CLAIM - Jerome M. Augustyniak 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; Chester Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; Laverack & Haines, Insurance Company.
Received and Filed.

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At this time, the Supervisor presented a Proclamation regarding: "Better Hearing and Speech Month"

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## V. SUSPENSION OF RULES

Motion by Councilman Johnson, Seconded by Councilman Gabryszak to suspend the rules to include the following five (5) items.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 25 Motion by Councilman Gabryszak, Seconded by Councilman Santa Maria

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of a repeater station and installation, which bids were duly received and opened at the April 20, 1987 public bid opening, and

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

WHEREAS, 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, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of a repeater station adn installation be and hereby is awarded to Motorola C & E, Inc., 415 North French Road, North Tonawanda, New York 14120, said bid being the lowest meeting the requirements of the specifications, said bid price being $7,686.00.

Item No. 25 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

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

WHEREAS, by resolution dated May 7, 1984, this Town Board adopted an ordinance relating to ambulances now known as Chapter 4A of the Code of the Town of Cheektowaga (hereinafter referred to as the Ambulance Services Ordinance), and

WHEREAS, the Emergency Medical Services Board has recommended that section 4 A-4 of such ordinance be amended, and

WHEREAS, this Town Board wishes to amend the Ambulance Services ORdinance to incorporate such recommendations, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the Town Law of the State of New York a public hearing be held on the 4th day of May, 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 and place it may be determined by the Town Board whether the Ambulance Services Ordinance shall be amended as shown on 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 and having a general circulation therein, not less than ten (10) days prior to the date of said hearing.

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

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 20th day of April, 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 4th day of May, 1987 at 7:00 o'clock P.M. at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest shall have an opportunity to be heard, and at which time and place it may be determined by the Town Board whether Chapter 4 A of the Code of the Town of Cheektowaga relating to ambulance services shall be amended as follows:

Section 4 A-4 shall be amended to read as follows:

Section 4 A-4. Licenses required.

A. No person shall engage in the business of providing emergency medical service and transporting by ambulance the sick, disabled or injured persons within the Town of Cheektowaga without obtaining and maintaining at all times a separate license for each ambulance so operated:

B. No person shall act in the capacity of driver or attendant of an ambulance under this ordinance without having in his possession a license therefor, as approved by the Town and issued by the Town Clerk.

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

Dated: April 20, 1987

RICHARD M. MOLESKI
Town Clerk

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

Item No. 26 cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Denise Gaire, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication APR 23 1987; last publication APR 23 1987; and that no more than six days intervened between publications.

Denise Gaire

Sworn to before me this 23rd

day of April, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE OF HEARING**

**NOTICE IS HEREBY GIVEN THAT** in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 20th day of April, 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 4th day of May, 1987 at 7:00 o'clock p.m. at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest shall have an opportunity to be heard, and at which time and place it may be determined by the Town Board whether Chapter 4A of the code of the Town of Cheektowaga relating to ambulance services shall be amended as follows:

Section 4 A-4 shall be amended to read as follows:

Section 4 A-4 Licenses required.

A. No person shall engage in the business of providing emergency medical service and transporting by ambulance the sick, disabled or injured persons within the Town of Cheektowaga without obtaining and maintaining at all times a separate license for each ambulance so operated.

B. No person shall act in the capacity of driver or attendant of an ambulance under this ordinance without having in his possession a license therefor, as approved by the Town Board and issued by the Town Clerk.

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

**RICHARD M. MOLESKI**
**Town Clerk**

**DATED: April 20, 1987**
**PUBLISH: April 23, 1987**

Item No. 27 Motion by Councilman Johnson, Seconded by Councilman Santa Maria

WHEREAS, notification has been received of a one day seminar sponsored by the Niagara Frontier Section of the Air Pollution Control Association on Underground Storage Tank Liabilities, and

WHEREAS, attendance at said seminar by Town personnel associated with underground storage tank responsibilities would be beneficial, NOW, THEREFORE, BE IT

RESOLVED that authorization is granted for the attendance of said Underground Storage Tank Liabilities Seminar on May 13, 1987 in Niagara Falls, New York, for two (2) representatives of the Engineering Department and one (1) representative from the Building and Plumbing Department with the registration fee of fifty dollars ($50.00) per person to be reimbursed by the Town as a necessary and justifiable expense associated with on-going Town business.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 28 Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, the position of Junior Accountant has been created by this Town Board, and

WHEREAS, the necessary forms have been filed with Erie County Personnel, and

WHEREAS, Theresa Rusin, Depew, New York 14043, appears on the eligible list for Junior Accountant, NOW, THEREFORE, BE IT

RESOLVED that Theresa Rusin be hired to the position of Junior Accountant at the starting salary of $26,053.12, effective immediately, and BE IT FURTHER

RESOLVED that such salary shall be subject to review and analysis by this Town Board for the 1988 budget year, and BE IT FURTHER

RESOLVED that the position of Assistant Accountant be abolished in the Accounting Department.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 29 Motion by Supervisor Weber, Seconded by Councilman Johnson

WHEREAS, the Unsafe Building and Collapsed Structures Ordinance of the Town of Cheektowaga, New York requires that unsafe buildings be repaired, demolished or removed, and

WHEREAS, Borden Losson Corporation, who according to the Assessor's Office records, is the owner of an unsafe vacant block and frame structure located at 830 Borden Road, Cheektowaga, New York, has neglected to repair, demolish or remove said unsafe building, and

WHEREAS, a hearing was held before the Town Board on April 20, 1987, at which time all persons having an interest in the structure were given an opportunity to be heard, NOW, THEREFORE, BE IT

RESOLVED that Borden Losson Corporation is hereby directed to fully repair said building or to board over and secure all exterior door and window openings with new plywood in a manner acceptable to the Building Inspector and to demolish and remove a stockade fence along the south property line, and to paint over the graffito on the east and south walls of the building, and BE IT FURTHER

Item No. 29 cont'd

RESOLVED that in the event Borden Losson Corporation neglects or refuses to complete the above items immediately, the Town of Cheektowaga will perform same and assess the land upon which these structures are located for all costs incurred.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, Kowal, Gabryszak, Santa Maria
NAYES: 0
ABSENT: Councilman Rogowski and Jaworowicz

Item No. 30 Motion by Supervisor Weber, Seconded by Councilman Kowal to adjourn the meeting in memory of Leo E. Nowakowski and Andrew Sommerfield, Electrical contractor from Sloan.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 9
May 4, 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 4th day of May, 1987 at 7:00 o'clock P.M., Eastern Daylight Saving 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; Andrew Kulyk, Member of Zoning Board of Appeals; Sam LaGreca, Employment and Training Director II; Robert Lis, Chief of Police; Ronald Marten, Building Inspector; Raymond Pugh, Member of Cheektowaga Planning Board; Julia Reinstein, Town Historian; Donald Wegner, Chairman, Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; and Patricia Wojcik, Senior Services Coordinator.

## I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Ambulance Services 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. Said amendment being as follows:

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

Section 4 A-4. Licenses required

A. No person shall engage in the business of providing emergency medical service and transporting by ambulance the sick, disabled or injured persons within the Town of Cheektowaga without obtaining and maintaining at all times a separate license for each ambulance so operated:

B. No person shall act in the capacity of driver or attendant of an ambulance under this ordinance without having in his possession a license therefor, as approved by the Town Board and issued by the Town Clerk.

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

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

## II. RESOLUTIONS

Item No. 3A Motion by Councilman Santa Maria Seconded by Councilman Jaworowicz

Item No. 3A Cont'd.

WHEREAS, Bernard L. Rusiniak has made application and requested the rezoning of property located at 2878 and 2882 Union Road from C-Retail Business District and R-Residential District to C-Retail Business District and RA-Apartment District, said applicant being the 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 May 18, 1987 at 6:30 o'clock P.M., Eastern Daylight Saving 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, Gabryszak and Santa Maria |
| NAYES: | 0 |
| ABSENT: | 0 |

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication MAY - 7 1987 ; last publication MAY - 7 1987 ; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 7th

day of May, 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 NOV. 30, 19 89

**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 May 1967 at 6:30 o'clock, p.m., Eastern Daylight Savings Time of said day for the purpose of considering the application of Bernard L. Rusiniak to rezone from C & R -Retail Business and Residence District to C & RA -Retail Business and Apartment District on property located at 2878 & 2882 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 fifteen (15), Township eleven (11), Range seven (7) of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point on the west line of Union Road as a 100 foot wide road, 1327.59 feet northerly of the intersection of the westerly line of Union Road and the south line of Lot 15; thence westerly along a line at an interior angle of 88°,58',10', and parallel with the south line of Lot 15, 799.90 feet to the east line of Map Cover No. 2198; thence northerly along the east line of Subdivision Lots 187 through 193 of Cover 2198 and at an internal angle of 91°,11',50', 221.43 feet to a point; thence easterly at an internal angle of 88°,48',10', and parallel with the south line of Lot 15, 800.54 feet to the west line of Union Road; thence southerly along the west line of Union Road 221.43 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**
**Rudy A. Santa Maria**
**RICHARD M. MOLESKI**
**Town Clerk**

**PUBLISH: May 7, 1967**

Item No. 3B Motion by Councilman Santa Maria Seconded by Councilman Jaworowicz

WHEREAS, Richard M. Stiegler has made application and requested the rezoning of property located at a vacant lot on Armond Lane, near Borden Road from R-Residential District to RC-Restricted Business District, said applicant being the 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 May 18, 1987 at 6:30 o'clock P.M., Eastern Daylight Saving 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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication MAY - 7 1987; last publication MAY - 7 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 7th day of May, 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 NOV. 30, 1989

**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 May 1967 at 6:30 o'clock, p.m., Eastern Daylight Savings Time of said day for the purpose of considering the application of Richard M. Stiegler to rezone from R -Residential District to RC -Restricted Business District on property located at Vacant Lot near corner of Borden/Armond 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

Vacant Parcel - Armond Lane

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 Forty-five (45), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and more particularly bounded and described as follows:

BEGINNING at a point in the west line of said lot, said line also being the center line of Borden Road, distant seven hundred forty-six and twenty-three hundreths (746.23) feet north of its intersection with the south line of said lot; thence easterly along the north line of Armond Lane as shown on Map CoverNumber 2252 and said line extended easterly, one-hundred ninety-five (195) feet to the point of beginning; thence northerly at right angles to the last line described line one hundred eighteen and twenty-seven hundreths (118.27) feet to a point in the south line of lands conveyed to Jozefa Kucio by deed recorded in Liber 2773 of Deeds at Page 33; thence easterly and along the south line of lands said Kucio sixty-four and sixty-three hundreths (64.63) feet; thence southerly at right angles to the last described line, a measured distance of one hundred eighteen and twenty-four hundreths (118.24) feet to a point; on the north line of Armond Lane; thence westerly along the north line of Armond Lane a distance of sixty-four and ninety-one hundreths (64.91) feet to the point 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**
**Rudy A. Santa Maria**
**RICHARD M. SKOLEBKI**
**Town Clerk**

**PUBLISH: May 7, 1967**

Item No. 4A Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on April 20, 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 | Direction | Entrance Street | Traffic Stops | Sign Location |
|---|---|---|---|---|
| Harvest Lane | North-south | Autumn Lane | Westbound | N.E. Corner |

ARTICLE X

Parking, Standing and Stopping

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

A. No parking this side or one-side parking

| | | |
|---|---|---|
| AUTUMN LANE | East side | from the north curbline of Como Park Blvd. northerly to house #31, thence westerly to the east curbline of Harvest Lane |
| HARVEST LANE | East side | from the north curbline of Como Park Blvd. northerly to end |

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.

Item No. 4A 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.

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication MAY - 7 1987; last publication MAY - 7 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 7th day of May, 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 NOV. 30, 1989

**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 4th day of May, 1987 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Gabryszak

WHEREAS, this Town Board held a public hearing on the April 20, 1987 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to the 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 thereto the following:

Street - Harvest Lane
Direction - North-south
Entrance Street - Autumn Lane
Traffic Stops - Westbound
Sign Location - N.E. Corner

ARTICLE X

PARKING, STANDING AND STOPPING

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

A. No parking this side or one-side parking

AUTUMN LANE, East side; from the north curbline of Como Park Blvd. northerly to house #31, thence westerly to the east curbline of Harvest Lane

Harvest Lane, East side; from the north curbline of Como Park Blvd. northerly to end

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 |
| 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 May 4, 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 4B, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of May 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 7, 1987

Item No. 4B Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an ordinance relating to ambulances now known as Chapter 4A of the Code of the Town of Cheektowaga ("Ambulance Services 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, in the course of its operation and in conjunction with the Town's Law Department and Police Department, has reviewed the said Ambulance Services Ordinance and evaluated its implementation and impact upon the provision of ambulance services to the residents of the Town of Cheektowaga; and

WHEREAS, as a result of such review and evaluation, certain amendments to said Ambulance Services Ordinance were recommended; and

WHEREAS, a public hearing concerning such amendments was duly held on May 4, 1987, at which time the public was afforded the opportunity to discuss such amendments, all in accordance with the provisions of the Town Law, and

WHEREAS, the Town Board has reviewed such recommendations and wishes to amend the Ambulance Services Ordinance to incorporate such recommendations; NOW, THEREFORE, BE IT

RESOLVED that the Ambulance Services Ordinance shall be and hereby is amended as follows:

Section 4 A-4 shall be amended to read as follows:

Section 4 A-4. Licenses required.

A. No person shall engage in the business of providing emergency medical service and transporting by ambulance the sick, disabled or injured persons within the Town of Cheektowaga without obtaining and maintaining at all times a separate license for each ambulance so operated:

B. No person shall act in the capacity of driver or attendant of an ambulance under this ordinance without having in his possession a license therefor, as approved by the Town Board and issued by the Town Clerk.

and, BE IT FURTHER

RESOLVED that a copy of this resolution be entered in the minutes of the Town Board of the Town of Cheektowaga held on May 4, 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, and BE IT FURTHER

RESOLVED that the aforementioned amendments to the Ambulance Ordinance of the Town of Cheektowaga, New York shall take effect ten (10) days after said publication.

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.

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks;

first publication MAY - 7 1987;

last publication MAY - 7 1987;

and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 7th

day of May, 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 NOV. 30, 1989

**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 4th day of May, 1987 at 7:00 o'clock p.m. Daylight Savings 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 Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an ordinance relating to ambulances now known as Chapter 4A of the Code of the Town of Cheektowaga ("Ambulance Services 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, in the course of its operation and in conjunction with the Town's Law Department and Police Department, has reviewed the said Ambulance Services Ordinance and evaluated its implementation and impact upon the provision of ambulance services to the residents of the Town of Cheektowaga; and

WHEREAS, as a result of such review and evaluation, certain amendments to said Ambulance Services Ordinance were recommended; and

WHEREAS, a public hearing concerning such amendments was duly held on May 4, 1987, at which time the public was afforded the opportunity to discuss such amendments, all in accordance with the provisions of the Town Law, and

WHEREAS, the Town Board has reviewed such recommendations and wishes to amend the Ambulance Service Ordinance to incoporate such recommendations; NOW, THEREFORE, BE IT

RESOLVED, that the Ambulance Services Ordinance shall be and hereby is amended as follows:

Section 4 A-4 shall be amended to read as follows:

Section 4 A-4. Licenses required.

A. No person shall engage in the business of providing emergency medical service and transporting by ambulance the sick, disabled or injured persons within the Town of Cheektowaga without obtaining and maintaining at all times a separate license for each ambulance so operated:

B. No person shall act in the capacity of driver or attendant of an ambulance under this ordinance without having in his possession a license therefor, as approved by the Town Board and issued by the Town Clerk.

and, BE IT FURTHER

RESOLVED, that a copy of this resolution be entered in the minutes of the Town Board of Cheektowaga held on May 4, 1987 and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper-publishedin the Town of Cheektowaga and having a general circulation therein; and the affadavit of such publication be filed with the Town Clerk, and BE IT FURTHER

RESOLVED, that the aforementioned amendments to the Ambulance Ordinance of the Town of Cheektowaga, New York shall take effect ten (10) days after said publication.

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 hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 4, 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 4A, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of May 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 7, 1987

Item No. 5 Motion by Councilman Jaworowicz Seconded by Councilman Gabryszak

WHEREAS, it is in order that bids be advertised to cover the application of a chemical root control agent to sanitary sewer lines in various locations in the Town of Cheektowaga, and

WHEREAS, funds have been budgeted for this purpose, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the application of a chemical root control agent to sanitary sewer lines, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on May 18, 1987 at 11:00 A.M., Eastern Daylight Savings 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 May 18, 1987 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads, for the application of chemical root control agent to sanitary sewer lines in the Town of Cheektowaga.

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; May 4, 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.

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication MAY - 7 1987; last publication MAY - 7 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 7th day of May, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 18, 1987 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the application of a chemical root control agent to sanitary sewer lines in the Town of Cheektowaga.

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: May 4, 1987**
**PUBLISH: May 7, 1987**

Item No. 6A Motion by Councilman Rogowski Seconded by Councilman Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the provision of air conditioning in the Senior Citizens Center Banquet Room and the Losson Community Center Meeting Room, which bids were duly received and opened on April 22, 1987, AND

WHEREAS, said bids were referred to the Town Engineer and the consulting firm of Babinsky-Klein Engineering for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated April 30, 1987, AND

WHEREAS, said report recommends that the bid for the installation of an air conditioning system in the Senior Citizens Center Banquet Room be awarded to B.H. Refrigeration, Inc., 818 Elmwood Avenue, Buffalo, New York 14222 for their base bid, including only Alternate 1, NOW, THEREFORE, BE IT

RESOLVED that the contract for the installation of an air conditioning system in the Senior Citizens Center Banquet Room be and hereby is awarded to B.H. Refrigeration, the lowest responsible bidder meeting the requirements of our specifications at their total bid price of $54,500.00, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Baord, be and hereby is authorized and directed to sign said agreement with B. H. Refrigeration, Inc., AND, BE IT FURTHER

RESOLVED that the funding for this project is to be charged to the Facilities Capital Project Account for air conditioning at the Senior Citizens Center and Losson Community Center Meeting Room.

*SEE NEXT TWO (2) PAGES 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—686-3447
716—686-3448

April 30, 1987

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Air Conditioning Bids
Senior Citizens Center
Losson Park Community Center

Gentlemen:

Bids were publicly opened in the Town Hall Council Chambers by the Town Clerk on April 22, 1987 at 11:00 A.M. for the provision of air conditioning at the Senior Citizens Center Banquet Room and the Losson Community Center Meeting Room.

Bids for the Senior Citizens Center Banquet Room were submitted by four (4) contractors as follows:

| CONTRACTOR'S NAME | BASE BID | ALT #1 OFFICE (DEDUCT) | ALT #2 PLANTINGS (DEDUCT) | ALT #3 PATIO (DEDUCT) |
|---|---|---|---|---|
| B.H. Refrigeration | $89,167 | $3,100 | $2,090 | $32,577 |
| F.C. Kellner | $106,315 | $6,000 | $2,175 | $35,000 |
| M. Kandefer, Inc. | $108,750 | $7,500 | $1,250 | $34,575 |
| Mollenberg-Betz | $109,000 | $5,400 | $1,400 | $35,400 |

Bids for the Losson Park Community Center Meeting Room were received from five (5) bidders as follows:

| CONTRACTOR'S NAME | BASE BID |
|---|---|
| Bosch Enterprizes, Inc. | $15,600 |
| F.C. Kellner | $18,900 |
| B.H. Refrigeration | $20,180 |
| M. Kandefer, Inc. | $21,300 |
| Mollenberg-Betz | $21,400 |

TO SUPERVISOR WEBER AND
TOWN BOARD MEMBERS

April 30, 1987

Bids for the Senior Citizens Center Banquet Room came in in excess of funds that were budgeted for this purpose. The air conditioning system that was bid was for a perimeter type that would give equal distribution along the full length of the Banquet Room. It would be installed on both sides. This would be more aesthetically acceptable and would also provide better cooling distribution and comfort for persons in the room. A cheaper unit would have been a floor model that would be blowing cool air into the room creating discomfort to those in the vicinity of such a unit. Alternate #1 was submitted in order to provide cooling in the main office of the Senior Citizens Center. Alternate #2 was received to determine costs for plantings that would act as a screen at the back concrete patio. Alternate #3 was to provide roofing of the concrete patio.

A meeting of the Recreation Committee was held on April 28, 1987 to review these bids and determine the course of action. It was agreed that the funds budgeted for both the Senior Citizens Center and the Losson Park Community Center air conditioning shall be applied to the Senior Citizens Center Air Conditioning Project. Bid award at the earliest time is essential in order to allow for the delivery time needed for the air conditioning units. The base bid is being deducted by Alternate #2 (plantings). The base bid is also being deducted by Alternate #3 (patio). These two (2) items can be considered for budgeting at some future time. The bids, with the deduction of Alternates #2 and #3, are as follows:

| CONTRACTOR'S NAME | BASE BID INCLUDING ALTERNATE #1 |
|---|---|
| B.H. Refrigeration | $54,500.00 |
| F.C. Kellner | $69,140.00 |
| Mollenberg-Betz | $72,200.00 |
| M. Kandefer, Inc. | $72,925.00 |

A resolution for the award of the Senior Citizens Center air conditioning system, including the office, is being submitted for a total cost of $54,500.00. The acceptance of the air conditioning bid for the Losson Park Community Center Meeting Room is being delayed for a review by the Town Board as to whether to appropriate sufficient funds to cover the cost of this work. A decision on this matter is required by the June 1, 1987 Town Board Meeting.

Very truly yours,

TOWN OF CHEEKTOWAGA

C L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

CC: J. Matecki
P. Wojcik

Item No. 6B Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of the Walden Avenue Sanitary Sewer Extension in Sanitary Sewer District No. 7, which bids were duly received and publicly opened on April 22, 1987, AND

WHEREAS, said bids were referred to the Town Engineer and the consulting firm of Nussbaumer & Clarke, Inc., for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated April 30, 1987, AND

WHEREAS, said report recommends that the bid be awarded to Tom Greenauer Development, Inc., 2699 Transit Road, Elma, New York 14089, the lowest responsible bidder meeting the requirements of our specifications at the total bid price of $40,143.75, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to sign said agreement with Tom Greenauer Development, Inc.

*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—686-3447
716—686-3448

April 30, 1987

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Re: Walden Avenue Sanitary Sewer
Extension - Sewer District No. 7

Gentlemen:

On Wednesday, April 22, 1987 the Town Clerk opened and read bids that were received for the Walden Avenue Sanitary Sewer Extension. Five (5) bidders submitted bids as follows:

| | |
|---|---|
| Tom Greenauer Development, Inc. ..... | $ 40,143.75 |
| Kandy Company, Inc. ..... | $ 43,167.00 |
| Mar-Wal Construction Co., Inc. ..... | $ 48,355.00 |
| Videoseal Corporation ..... | $ 53,005.00 |
| Adam Construction Co. ..... | $ 54,474.00 |

Extension of this sanitary sewer was requested by business properties along the south side of Walden Avenue east of Dick Road. Permission for such an extension is required from the Erie County Department of Environment and Planning. We have received a telephone call advising that permission is granted for application to extend this sanitary sewer and written confirmation is forthcoming.

It is recommended that the bid be awarded to Tom Greenauer Development, Inc., 2699 Transit Road, Elma, New York 14089 (675-9434) for their bid of $40,143.75 which is the lowest bid submitted. The petition and Town Board approval for this project sets an upper limit of $56,000.00 for this work. The engineer's estimate is $64,505.00.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the reconstruction of Pfohl Road, which bids were duly received and publicly opened on April 22, 1987, AND

WHEREAS, bids were referred to the Town Engineer, the Highway Superintendent and the consulting firm of Tallamy, Van Kuren, Gertis & Associates for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated April 30, 1987, AND

WHEREAS, said report recommends that the bid be awarded to Northeast Diversification, 77 West Drullard Avenue, Lancaster, New York for the base bid plus Alternate A and Alternate B, NOW, THEREFORE, BE IT

RESOLVED that the contract for the Pfohl Road Reconstruction Project be and hereby is awarded to Northeast Diversification, the lowest responsible bidder meeting the requirements of the specifications at the total bid price of $473,519.70, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign said agreement with Northeast Diversification, AND, BE IT FURTHER

RESOLVED that funding for this construction project shall be charged to the bonds issued for highway improvements.

*SEE NEXT TWO (2) PAGES 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—686-3447
716—686-3448

April 30, 1987

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Reconstruction of
Pfohl Road

Gentlemen:

As authorized by Town Board resolution of April 6, 1987, bids were received on Wednesday, April 22, 1987 at 11:00 A.M. Bids were opened by the Town Clerk in the Council Chambers with many contractors represented at the bid opening.

The bids were submitted by five (5) construction firms with the following tabulation. Alternate A requires piping along Pfohl Road rather than open drainage ditches. Alternate B specifies the use of filter fabric cloth under the pavement. Alternate C specifies the use of concrete pavement at the east end of Pfohl Road. We would like to bring to the Town Board's attention that Toro Construction, in their attorney's letter of April 24, 1987 (copy attached), stated that their bid tabulation should not have a $10,000 mobilization cost added to each of their bids as we had intended. The listed bids of Toro as shown below are as they submitted and not corrected. Acceptance of the base bid plus Alternates A & B makes Northeast Diversification the lowest bidder no matter how the $10,000 mobilization cost is treated.

| CONTRACTOR | BASE | BASE + A | BASE + B | BASE + A + B | ALTERNATE C |
|---|---|---|---|---|---|
| Toro Construction | $424,872.00* | $469,212.00 | $438,372.00* | $482,712.00* | +$43,519.00 |
| Northeast Diversification | $431,704.20 | $464,069.70 | $441,154.20 | $473,519.70 | No Bid |
| M. Falgiano Construction | $464,890.00 | $498,960.00 | $478,890.00 | $512,960.00 | +$49,890.00 |
| Custom Topsoil | $478,136.00 | $517,940.00 | $487,586.00 | $527,390.00 | +$35,000.00 |
| Nichter Utility Construction | $565,585.50 | $609,378.00 | $579,085.50 | $622,878.00 | +$16,000.00 |

* Does not include mobilization item 699.04 - noted as $10,000.00

The bids, together with the alternates, were reviewed at a meeting in the Highway Superintendent's Office. It is the recommendation of the Highway Superintendent, the Town Engineer and the consulting engineers that the bid be awarded to Northeast Diversification for their base bid plus Alternates A and B which include piping and filter fabric at the total bid price of $473,519.70.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

CC: A. Wnek
J. Kirisits

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the purchase of football equipment for use in the Cheektowaga Recreation Department, as a result of advertisement 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.

BE IT RESOLVED that the bid be awarded to the following bidder, meeting specifications as follows: (SEE ATTACHED)

Laux Sporting Gods, Inc.
25 Pineview Drive
North Tonawanda, New York 14120

*SEE NEXT PAGE FOR BID PROPOSAL

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

SPECIFICATIONS AND BID PROPOSALS

Pursuant to and in accordance with your advertisement for bids dated April 6, 1987, and the instruction to bidders relating thereto, the undersigned offers to furnish all equipment as desribed in your specifications and deliver to the Cheektowaga Recreation Department located in the Cheektowaga Recreation Center, 2600 Harlem Road, Cheektowaga, New York 14225.

| | | |
|---|---|---|
| Rawlings H D Helmets (white with full cage mask) | Bid Price | 74.95 |
| Bike IV Helmets style 7780 (size 6½ - 7) | | 74.90 |
| Rawlings CPXL Shoulder Pads Youth | | 29.90 |
| Bike Jaw Pads 3/4 inch | | 2.88 pr |
| Bike Jaw Pads 1 inch | | 2.88 pr |
| D R B Rib Pads | | 10.50 |
| Youth Girdle Medalist - YM | | 5.90 |
| Youth Girdle Medalist - YL P5855 | | 5.90 |
| Youth Girdle Shells - YM | | 5.90 |
| Youth Girdle Shells - YL | | 5.90 |
| JR8 Neck Rolls | | 3.90 |
| Collegiate Jr - NR Neckroll | | 3.90 |
| Rawlings Rib Vest | | 15.90 |
| F-100 Footballs | | 8.25 |
| F-200 Footballs | | 8.25 |

Delivery _____ days after receipt of order.

SIGNED James J. Laux

TITLE President

COMPANY LAUX SPORTING GOODS

ADDRESS 25 PINEVIEW DRIVE

N. TONAWANDA, N.Y. 14120

PHONE 716-691-3367

Item No. 7A Motion by Councilman Santa Maria Seconded by Councilman Jaworowicz

BE IT RESOLVED that Cheryl Cyrankowski, , Cheektowaga, New York, part-time Dog Control Officer in the Town Clerk's Office be and hereby is terminated, effective April 24, 1987.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 7B 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:

| Parks Division - #01-007110-1-0-1491-001 | Effective |
|---|---|
| Richard Coffta | 5/23/87 |
| Frederick Roll | 5/28/87 |
| Billy Joe Spradlin | 5/16/87 |
| **#01-007110-1-0-1391-001** | |
| Carol Brinkworth | 5/23/87 |
| **Bldg. Mtce. Division - #01-001625-1-0-1491-001** | |
| Josephine Ratajczak | 5/23/87 |

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

BE IT RESOLVED that Ann Skowron, , be terminated as an employee in the Department of Senior Services, and

BE IT FURTHER RESOLVED that Dorothy Shea, Cheektowaga 14225 be hired as a part-time nutrition site manager at $4.25 per hour, at a maximum of 20 hours weekly as of Friday, May 1st.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 9A 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:

| | EFFECTIVE |
|---|---|
| **JUSTICE COURT - Seasonal - $3.75 per hour** | |
| Deanna McGuire | 5/18/87 |

Item No. 9A Cont'd.

SANITATION DEPARTMENT - Part-time - $5.00 per hour

| | |
|---|---|
| Todd Greiner | 4/28/87 |
| Theodore Parisien | 4/27/87 |
| Matthew Cywinski | 5/18/87 |
| James Daminski | 5/04/87 |
| Gregory Szymanek | 5/04/87 |
| Peter Myhalenko,Jr. | 5/04/87 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 9B 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 1987 summer program:

| Parks Division - #01-007110-1-0-1491-001 - $3.35 per hour | Effective |
|---|---|
| Albert Green | 5/05/87 |
| Charles Roberto | immediately |
| Kevin Kopacz | immediately |
| John Trzaska | immediately |
| Ed Zielinski | immediately |

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 Kowal

WHEREAS, by resolution dated April 6, 1987 this Town Board created the position of Graphic Artist in the Police Department, and

WHEREAS, such position was duly posted in accordance with the collective bargaining agreement between the Town and the Town Employees' Association, and

WHEREAS, no union employee bid on such job, and

WHEREAS, Carol L. White, a part-time employee in the Town who performs graphic artist work for the Town, applied for such position, and

WHEREAS, Carol L. White meets all the job requirements for Graphic Artist and has been recommended for such position by the Chief of Police, NOW, THEREFORE, BE IT

RESOLVED that Carol L. White, Cheektowaga, New York 14225, be and hereby is appointed to the position of Graphic Artist in the Police Department, effective immediately, at a salary in accordance with the position of Telephone Operator, as stated in the collective bargaining agreement between the Town and the Town Employee's Association.

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 Kowal*

*WHEREAS, the Town of Cheektowaga Department of Sanitation has vacancies in the Motor Equipment Operator (Class B) classification, AND*

*WHEREAS, said vacancies have been duly bid in the Sanitation Department as per the Collective Bargaining Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT*

*RESOLVED that the following individuals be and hereby are appointed to the position of Motor Equipment Operator (Class B) in the Sanitation Department at a salary in accordance with the Collective Bargaining Agreement:*

| | *EFFECTIVE* |
|---|---|
| *Thomas Carney* | *4/21/87* |
| *Frank Ladowski* | *4/21/87* |
| *Anthony Terranova* | *4/23/87* |
| *Frank Klima* | *4/27/87* |

*Upon Roll Call....*
*AYES:* *Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *0*

*Item No. 11A* *Motion by Councilman Kowal Seconded by Councilman Johnson*

*WHEREAS, there is presently in effect a collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc., and*

*WHEREAS, the parties to this agreement are desirous of modifying such agreement relative to the job assignment of sergeants, NOW, THEREFORE, BE IT*

*RESOLVED that the Supervisor be and hereby is authorized to execute the attached Memorandum of Agreement with the Town of Cheektowaga Police Club, Inc.*

**SEE NEXT PAGE FOR COPY OF MEMORANDUM OF AGREEMENT.*

*Upon Roll Call....*
*AYES:* *Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *0*

MEMORANDUM OF AGREEMENT

This Agreement made the 4th day of May, 1987 between the Town of Cheektowaga, New York and the Town of Cheektowaga Police Club, Inc.

RECEIVED
1987 MAY 12 AM 9 08
CHEEKTOWAGA
TOWN CLERK

WHEREAS, the parties have entered into a Collective Bargaining Agreement, effective January 1, 1987, which expires December 31, 1988, and

WHEREAS, the parties wish to modify that Agreement, the parties agree, that contrary to the provisions of said Collective Bargaining Agreement:

When a sergeant who is assigned to the front desk/communications area is absent from duty, his position will be filled by another sergeant who is assigned to that position. Such assignment will constitute overtime and the position may be filled by the officer who is absent.

After each sergeant who is assigned to the position of front desk/communications area has had the opportunity to work overtime, during a month, then when a sergeant so assigned is absent the vacancy can be filled by an officer of lower rank who will then be assigned as acting sergeant for that shift.

This Agreement shall remain in effect until a new Collective Bargaining Agreement is entered into, between these parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and the date written above.

Town Supervisor

Town Councilman

Town Councilman

Town Councilman

Town Councilman

Town Councilman

Town Councilman

Town Councilman

President, Cheektowaga Police Club, Inc.

Item No. 11B 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:

167 Curtiss St. $5129.90

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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 11C Motion by Supervisor Weber Seconded by Councilman Johnson

WHEREAS, the Town has received an application from the Buffalo Airport Center Associates, a limited partnership with the Buffalo Airport Center, Inc., a wholly owned subsidiary of Snyder Corporation, as general partner, seeking the Town's participation in the redevelopment of the Westinghouse Plant facility at 4454 Genesee Street, in the Town, to the level of $2,000,000.00; and

WHEREAS, by resolution of February 3, 1986, the Supervisor was authorized to execute, on the Town's behalf, a funding approval and grant agreement and loan guarantee acceptance provisions with the Department of Housing and Urban Development to commit acceptance of a loan from that Department under the Section 108 Guaranteed Loan Program in the sum of $2,000,000.00 to the Town and has so executed such documents, securing for the Town a commitment for such loan funds; and

WHEREAS, the Town Board has fully reviewed the partnership's request for Town participation and is of the judgement that the project will serve to protect the tax base of the town in the property, to the benefit of the Town and its inhabitants, and that town participation in the redevelopment is necessary in order to fully effectuate such redevelopmment and to achieve full benefit to the Town; NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to execute on the Town's behalf and forward to the partnership an offer to commit the Town to participation in the redevelopment of the Westinghouse Plant facility upon the general terms and conditions as set forth in a Synopsis of such general terms and conditions of Town Participation in the redevelopment project, which is attached to and made part of this resolution, up to a level of $2,000,000.00 upon the partnership's

acceptance of such offer within 30 days of its tender by the Town, the partnership's compliance with all terms and conditions of such synopsis relative to applicable conditions to be met as conditions precedent to final execution of agreements relative to Town participation, and execution of an agreement for payments in-lieu-of taxes, previously negotiated between representatives of the Town and the partnership, and set forth in a written agreement, which is annexed to and made part of this resolution; further conditioned upon the amendment of the existing agreement between the partnership and the Erie County Industrial Development Agency setting payments in lieu of taxes for the Westinghouse plant premises, to substitute therefore, for the full effective term of the agreements between the partnership and the Erie County Industrial Development Agency concerning such premises, the terms, conditions and amounts of payments in lieu of taxes as negotiated between the partnership and the Town, as reflected in the annexed written agreement; AND IT IS FURTHER

RESOLVED that upon acceptance of the Town's offer to commit to participation in the redevelopment by the partnership, James F. Mietlicki, Counsel to the Cheektowaga Economic Development Corporation, shall be immediately designated and authorized to act as the representative of the Town relative to all legal matters involved in the preparation of the agreements and related documentation between the Town, the partnership and the Erie County Industrial Development Agency as current recorded titleholder to the redevelopment site, and the closing of such agreements relative to Town participation subject to oversight by the Office of the Town Attorney and the Town Board, with his compensation for services rendered on the Town's behalf to be fixed in accordance with the terms of the aforesaid synopsis, which compensation shall under the terms of such synopsis, constitute a cost of Town participation to the partnership, and which shall be reimbursed to the Town by the partnership; AND, IT IS FURTHER

RESOLVED that upon completion of the preparation of agreements and related documents relative to Town participation, and review of same by the Office of Town Attorney and the Town Board, the Supervisor shall be authorized to execute same on behalf of the Town, without further action by the Town Board, and to obligate and pay over such sums as required under the terms of such agreements, in accordance with applicable rules, regulations, and procedures.

*SEE NEXT THIRTEEN (13) PAGES FOR COPY OF AGREEMENT.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AGREEMENT

THIS AGREEMENT is made and entered into this day of 1987, by and between:

THE TOWN OF CHEEKTOWAGA (Hereinafter called the Town) a municipality located in the County of Erie and State of New York, with offices at the Cheektowaga Town Hall, Cheektowaga, New York; and

BUFFALO AIRPORT CENTER ASSOCIATES (Hereinafter called B.A.C.A.) a New York limited partnership with offices at 690 Delaware Avenue, Buffalo, New York; and

THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY, (Hereinafter called E.C.I.D.A.) a New York Public Benefit Corporation with offices at 424 Main Street, Buffalo, New York.

RECITALS

By various agreements dated August 1, 1985, involving as parties B.A.C.A, E.C.I.D.A., and certain other parties, the E.C.I.D.A. took record title to certain premises located at and commonly known as 4454 Genesee Street, Cheektowaga, New York, more fully described in Schedule "A" annexed hereto, and did enter into an agreement to lease the said premises to the B.A.C.A., for purposes of the industrial development of the premises by the B.A.C.A.

Under the said Lease Agreement, and specifically under Section 4.3 thereof, the B.A.C.A. is obligated to make certain payments in lieu of taxes on account of the said premises to the taxing authorities having assessment and tax levying powers relating to the premises for the duration of such lease, including to the Town.

There is currently pending with the Town an application from the B.A.C.A. seeking the Town's participation in relation to the acquisition and/or rehabilitation and development of the premises in the sum of $ 2,000,000.00, which participation would be funded through the Town's entitlement to obtain funding under the Section 108 Loan Program of the U.S. Department of Housing and Urban Development.

Pursuant to resolution of the Town Board of the Town, and as a condition precedent to further negotiations concerning the terms of the Town's participation as aforesaid, adopted at a regular meeting of the said Town Board on March , 1986, it is necessary that the parties enter into this Agreement to provide for certain other provisions concerning payments in lieu of taxes on account of the premises by B.A.C.A to the Town, and other taxing authorities as set forth in Schedule "B" hereof, as have been negotiated between the Town and B.A.C.A., which other conditions are acceptable to E.C.I.D.A. due to and as a result of the substantial participation of the Town in the development of the premises which is anticipated by the parties, and conditioned upon such substantial participation by the Town.

NOW, THEREFORE, the parties hereby agree as follows:

1. During the period in which this Agreement is effective, B.A.C.A. agrees that it shall be responsible for the making of an annual payment in lieu of taxes to the Town of $ 400,000.00, for and on account of the taxes which would be imposed and collected by the taxing authorities set forth in Schedule "B" hereof except for the public ownership of the premises.

2. Unless this agreement is otherwise sooner terminated, as set forth herein, this agreement shall run from and cover payments in lieu of taxes from the first tax status date covered in the payment in lieu of taxes agreement between B.A.C.A. and E.C.I.D.A (Section 4.3. of the said Lease between such parties) to the end of the 1996 tax year in relation to payments in lieu of taxes collected as general Town taxes and special district taxes other than school taxes, and to the end of the 1996-97 tax year in relation to payments in lieu of school taxes.

3. The aforesaid payment in lieu of taxes is intended to apply only to existing conditions at the premises. In the event of any new construction at the premises, which shall include any new buildings on the premises with the exception of appurtances to existing structures at the premises in the nature of loading docks and bays, entranceway enclosures, and such other appurtances constructed to provide access and movement for tenants of existing structures, B.A.C.A. agrees that it shall be responsible during the periods for which this agreement shall remain in effect for making an additional annual payment in lieu of taxes on account of such new construction, which additional payment shall be determined annually by the process of the assessment of such new construction by the Town Assessor in the same manner as privately owned real properties in the Town are assessed, and the application to such assessment of the tax rate applicable annually for such taxes as are set forth in Schedule "B" hereof. Such additional payment in lieu of taxes shall be determined on an annual basis with reference to such assessment level and rate of taxes as are applicable for such annual taxing year during the continuance of this agreement, and in relation to all taxes considered hereunder. Such additional payment in lieu of taxes shall be paid by B.A.C.A to the Town at the same time as the payment set forth in Paragraph 1 is to be due and owing hereunder, as set forth below.

4. The agreed payment in lieu of taxes to the Town shall be due and payable to the Town from B.A.C.A. on or before the 15th day of February of each and every year during which this agreement shall be in effect, and such payment shall include both the base payment required under Paragraph 1, and any additional payment determined under Paragraph 3, above; however, in the event that this agreement is executed and becomes effective subsequent to a triggereing date of February 15, and B.A.C.A. has therefore already tenderred payment of County and Town taxes owing for the year of execution under the existing

agreement for payment in lieu of taxes incorporated in agreements with E.C.I.D.A., B.A.C.A. shall be permitted to tender the payment in lieu of taxes for that year only, attributable to the school districts covered by the provisions of this agreement, on or before October 15th of such year only.

5. The parties agree that the provisions of this Agreement concerning payment in lieu of taxes shall not be subject to diminution as the result of adverse changes at the premises while such agreement remains in effect. This provision shall not apply to any material casualty loss that may occur to the premises during such term hereof, and, in the event of such a loss, the parties agree to negotiate in good faith based upon a fair market value analysis of the situation.

6. With respect to the Town, special districts and school districts covered by this Agreement, B.A.C.A. agrees that it hereby waives any benefit which might accrue to it during the term of this agreement as the result of the outcome of pending proceedings commenced by the Westinghouse Corporation, former owners of the premises, against the Town and its Assessor, relative to the level of tax assessment applicable to the premises. Notwithstanding the foregoing provision, B.A.C.A. shall have the right to continue the litigation and to seek a reduction in Erie County Taxes based upon the results thereof.

7. In the event that the premises cease to be used in accordance with the provisions of New York State Industrial Development Agency Act, or the existing agreements between the B.A.C.A and E.C.I.D.A., or in accordance with the provisions of a loan agreement to be entered into between the Town and B.A.C.A, relative to Town participation in the project as aforesaid, the Town may elect to terminate this agreement by the giving of notice of such election to B.A.C.A at its offices personally or by certified mail, which termination shall become effective 30 days after the giving of such notice.

8. In the event of termination under Paragraph 7 of this agreement, the existing provisions of the Lease between B.A.C.A. and E.C.I.D.A., as applicable, shall come into and remain in force and effect in relation to payments in lieu of taxes.

9. In the event that B.A.C.A. shall fail to pay any payment in lieu of taxes due under this agreement, or any part thereof, when same comes due, the amount or amounts so due shall then be considered as in default, shall continue as an obligation of B.A.C.A. until fully paid, and shall accrue interest at the same rate as if such obligations were delinquent taxes under applicable laws.

10. The B.A.C.A. agrees that it shall be responsible for the payment of all legal costs and fees incurred in relation to the representation of the Town relative to the preparation and entry of this agreement.

11. B.A.C.A. agrees that it shall be responsible for the payment of all leagl costs and fees incurred in relation to the representations of the Town relative to the preparation and execution of this agreement at an hourly rate not to exceed $ 75.00 per hour, and an aggregate maximum not to exceed $ 2,000.00

IN WITNESS WHEREOF, the parties have caused thia Agreement to be executed on the above written date.

TOWN OF CHEEKTOWAGA

By_____

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

By_____

BUFFALO AIRPORT CENTER ASSOCIATES

By_____

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Nos. 5 and 78, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the northerly line of Genesee Street at the southeast corner of lands appropriated by the State of New York for the widening of Genesee Street as Map No. 61 Parcel No. 64 by Notice of Appropriation recorded in Erie County Clerk's Office in Liber 7600 of Deeds page 289; thence northwesterly along lands so appropriated 14.12 feet to the east line of lands conveyed to the Niagara Frontier Port Authority by deed recorded in Erie County Clerk's Office in Liber 7233 of Deeds page 31; thence northerly along the east line of lands so conveyed by last aforesaid deed the following 5 courses (1) northerly 615.40 feet (2) northeasterly 78.15 feet (3) northerly 224.76 feet (4) easterly 71 feet (5) northerly 240.65 feet to the northeasterly corner thereof on the northwesterly line of lands conveyed to Westinghouse Electric Corporation as Parcel No. 3 in deed recorded in Erie County Clerk's Office in Liber 3851 of Deeds page 98; thence northeasterly along the northwesterly line of lands so

conveyed by Parcel No. 3 of the last aforesaid deed 629.86 feet to the west line of lands conveyed to Westinghouse Electric Corporation as Parcel No. 1 in deed last aforesaid; thence northerly along the west line of lands so conveyed as Parcel No. 1 of the last aforesaid deed 43.23 feet to the northwest corner thereof and the north line of said Lot No. 5, Township 11, Range 7; thence easterly along the north line of said Lot No. 5, Township 11, Range 7, 661.32 feet to its intersection with the west line of said Lot No. 78, Township 11, Range 7; thence northerly along the west line of said Lot No. 78, Township 11, Range 7, 786.50 feet to the southwest corner of lands conveyed to The Niagara Frontier Transportation Authority by deed recorded in Erie County Clerk's Office in Liber 9407 of Deeds page 173; thence easterly along the south line of lands so conveyed by last aforesaid deed 1032.29 feet to the southeast corner thereof on the southwesterly line of lands conveyed to the Lehigh Valley Railroad by deed recorded in Erie County Clerk's Office in Liber 791 of Deeds page 208; thence southeasterly along the southwesterly line of lands so conveyed to the aforesaid railroad by last aforesaid deed 1064.72 feet to the westerly line of Sugg Road; thence southerly along the westerly line of Sugg Road 776.36 feet to the most northerly points of land appropriated by the State of New York as Map No. 25, Parcel No. 26 by Notice of Apropriation recorded in Erie County Clerk's Office in Liber 7550 of Deeds page 7; thence southerly along the westerly line of lands so appropriated by last aforesaid Notice of Appropriation the following 3 courses running along the westerly line of Sugg Road as widened (1) southerly 300.40 feet (2) southerly 225 feet (3) southwesterly 66.20 feet to the north line of Genesee Street as widened; thence westerly along the north line of Genesee Street as widened and along the north line of lands appropriated for the widening of Genesee Street as Map No. 25 Parcel No. 26 by Notice of appropriation recorded in Erie County Clerk's Office in Liber 7550 of Deeds page 7, 2756.30 feet to the point of beginning.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to (i) any streets and roads abutting the above described premises to the center lines thereof and (ii) any premises adjoining the above described premises;

SCHEDULE B

| TAX | ANNUAL P.I.L.O.T. |
|---|---|
| Maryvale School District | $ 86,342.80 |
| Lancaster School District | 112,147.69 |
| Town General | 44,653.66 |
| Highway 1,2,3,4 | 35,288.81 |
| General Garbage | 32,008.80 |
| General Light | 12,508.80 |
| Storm Sewer District # 3 | 80.80 |
| Sanitary Sewer District # 6 | 680.80 |
| Sanitary Sewer District # 6(fixed) | 33,010.40 |
| Sanitary Sewer District # 7 | 27,650.80 |
| U-Crest Fire District | 15,626.80 |

SYNOPSIS

General Terms of Town of Cheektowaga Participation in Acquisition of the Westinghouse Site through the Buffalo Airport Center, Inc., a Limited Partnership

The following shall constitute general terms upon which the Town of Cheektowaga shall agree in principal to participation in the acquisition of the former Westinghouse site and the development of such site as an industrial-commercial development by the Buffalo Airport Center Associates and Buffalo Airport Center, Inc. (hereinafter referred to as the "partnership").

A. The Town shall participate in acquisition of the site to a level of $ 2,000,000.00.

B. The Town's portion of acquisition funding shall be repaid to the Town by the partnership with interest at an annual rate of interest equal to the rate of interest of a loan to be made to the Town from H.U.D. under the Section 108 Guaranteed Loan Program, the proceeds of which shall be used to fund Town participation in the project, which rate shall be determined at the closing of such loan, plus 0.5% additional annual interest.

C. Repayment of the Town's portion of acquisition funding is to be made by the partnership over a 6 year term, amortised over a 10 year repayment schedule. Such repayment shall be made in equal monthly installments amortised over the said 10 year repayment period, with each such payment to be applied first to the repayment of all accrued interest, and then to the reduction of outstanding principal, with all unpaid principal and accrued interest remaining at the end of such 6 year term to be due, owing, and payable at the conclusion of such term. The amount of the monthly payment shall be determined subject to the rate of interest imposed in Paragraph "B", supra.

D. The partnership shall secure repayment to the Town by its compliance with the special condition imposed upon the Town as a condition of its obtaining the Section 108 Guaranteed Loan as is referred to in Paragraph "B", supra, namely, the partnership providing an unconditional and irrevocable Letter of Credit in the sum of $ 2,000,000.00, or such additional sum as may be required by H.U.D., in form which must be approved by the Secretary of H.U.D., and issued by a financial institution acceptable to the Secretary. The Town and the partnership acknowledge their understanding that the requirements of the Secretary for approval of the required Letter of Credit obligate the partnership to provide a letter in sum acceptable to the Secretary of $ 2,000,000.00, authorising H.U.D. to draw upon the issuing financial institution on site up to the aggregate amount of $ 2,000,000.00, which letter shall be irrevocable, unconditional and transferable, and drafts upon which may be presented to the issuing institution not later than 30 days after the due date of the balloon payment as determined under Paragraph "C", supra. Such letter shall not in any

way be amplified or modified by any agreement in which such letter is referred to, or to which such letter relates, and no such reference shall be deemed incorporated in such letter by reference in any agreement. The Town further acknowledges that it shall accept and agree to a modification in the requirements of the Secretary to allow such Letter of Credit to be issued in favor of the Town as opposed to the Secretary. Any other or further modification in such requirements which the partnership may negotiate or obtain from the Secretary shall not be deemed to modify the requirements of this paragraph as a condition of Town participation unless such modification is specifically approved and accepted by the Town, acting through the Town Board or its designated representative.

E. Funds provided by the Town relative to this project are to be used exclusively for its acquisition of an interest in the Westinghouse site, and shall be drawn down from the proceeds of the Town's Section 108 Guaranteed Loan from H.U.D. in accordance with federal requirements in relation to federally funded projects.

F. The partnership agrees that it shall comply with all requirements imposed by H.U.D. and all other federal requirements in relation to federally funded projects.

G. The partnership shall use its best efforts to cause a minimum of 200 new jobs to be created through the development of the site and the subletting of portions of the property to tenants for use as ongoing businesses. For purposes of this provision, new jobs shall be defined as follows:

1. Jobs developed since commencement of redevelopment of the site in the fall of 1985, and remaining in place at the closing of the loan between the Town and H.U.D. and/or of the acquisition agreement between the Town and the partnership; and

2. Jobs developed thereafter by the partnership and remaining in place for a minimum of one year, or by a tenant who shall be a lessee at the site, for at least one year from such time;

3. To be considered as a new job, the job must be a full time job position, but part time jobs may be aggregated to full time job equivalents (e.g. 2 positions of 20 hours per week which would otherwise comply shall equal one full time job).

4. Jobs brought to the site as relocation of existing jobs from within the Buffalo Standard Metropolitan Area shall not be taken into account in meeting these requirements.

In the event that this job creation commitment is not achieved within 2 years following closing of the acquisition agreement, the Town shall have the option to accelerate and call in full all principal and accrued interest remaining for payment under the agreement.

H. Relative to any transfer of the site or a portion thereof during the term of the acquisition agreement, the following shall apply:

1. Lands north on the north access roadway in the rear parking lot (now unimproved) may be transferred without restriction;

2. The partnership is prohibited from transferring its interest in the site or any portion thereof to the Niagara Frontier Transportation Authority or any other governmental or tax exempt entity for the period of Town participation in the project. The partnership further agrees that it shall not attempt to circumvent this prohibition by transfer to a third party who would then consummate the prohibited transaction. However, the partnership may negotiate a transfer of the site or any portion thereof to the N.F.T.A. or other governmental or tax exempt entity under circumstances in which such entity is actively threatening condemnation by eminent domain, and the Town shall not withhold consent to such a sale in lieu of condemnation if, as a condition of such sale, the acquiring entity shall agree that it shall fully assume the obligations of the partnership for the making of payment to the Town and other taxing authorities covered by an agreement for payments in lieu of taxes, referred to in Paragraph "K", infra, between the partnership and the Town to the same levels as set forth in such agreement. It shall be the responsibility of the partnership to negotiate the inclusion of such provision for payment in lieu of taxes with the acquiring entity under this sub-paragraph. In the event that the partnership is unable to obtain such agreement from such entity concerning payment in lieu of taxes, the Town shall have no obligation to consent to such sale.

3. In the event of transfer to any other third party, the amounts to be paid to the Town under the acquisition agreement shall be immediately due and payable upon transfer, absent permission from the Town for assumption of the obligation by such third party purchaser.

I. The partnership agrees that it shall co-operate with and/or undertake, as appropriate, all necessary compliance procedures relative to federally imposed requirements concerning the project to the satisfaction of the agency or authority charged with enforcement of such requirements.

J. In the event of a pre-payment of acquisition funding by the partnership to the Town, the partnership shall be responsible for the payment of, and hold the Town harmless from, any pre-payment penalties imposed by H.U.D. which may result from pre-payment of the Section 108 Guaranteed Loan from H.U.D. to the Town. The agreement between the Town and H.U.D. concerning the Section 108 Guaranteed Loan provides in part that the Town, as Borrower, may repurchase the Note given in relation to the Loan, in whole or in part, upon payment to the Federal Financing Bank of a price upon the amount repurchased which would, if the Note were purchased and held to maturity, produce a yield to the purchaser for the

period from the date of repurchase to maturity equal to the interest rate which would be set on a loan from the Secretary of the Treasury to the Bank to finance an advance having a payment schedule identical to that which is in effect on this Note, together with accrued interest on this Note through the date of repurchase. This provision shall determine the level of any pre-payment penalties which may be imposed against the Town by H.U.D. upon pre-payment of the Section 108 Guaranteed Loan, and shall likewise determine the liability of the partnership for any pre-payment penalty in the event of a pre-payment under this paragraph. The partnership may only elect to pre-pay acquisition funding to the Town in full. Upon an election by the partnership to pre-pay acquisition funding, the Town shall obtain a determination from the Secretary of the Treasury, through H.U.D., of applicable pre-payment penalty under the above cited provision, if any, which shall be determined in accordance with the provisions of the Note. The partnership's liability for any pre-payment penalty shall be fixed by such a determination, assuming that a timely pre-payment follows. The partnership shall have no liability for any penalties thereafter imposed by H.U.D. against the Town arising in connection or out of a determination by the Town to utilise the pre-paid funds in any other approved manner. The partnership shall further be liable for any and all incidental costs incurred by the Town as the result of the partnership's election to pre-pay the funds, which are imposed by H.U.D., the Secretary of the Treasury, or Federal Financing Bank. The Town, upon pre-payment, shall, within 10 days of such pre-payment, return to the partnership the security held by it under this agreement. The partnership agrees that, in the event of a pre-payment of acquisition funding, the provisions of Paragraph "H", supra, regarding transfer restrictions, shall survive as an independant covenant for the full remaining term of the agreement, and shall deliver to the Town an agreement of such restriction, in form acceptable for recording, concurrent with the return of security held by the Town.

K. The terms of the acquisition agreement shall be in accordance with terms required by H.U.D., and shall include the same basic provisions normally required in loan agreements relative to economic development loans made in the Town of Cheektowaga by the Cheektowaga Economic Development Corporation, but reflecting the peculiarities of the acquisition of legal title to the premises by the Town. Such provisions shall include but are not limited to insurance requirements, default and acceleration, conditions of assumability, modification, waiver and construction. In addition, such agreement shall reflect and provide for Payment in Lieu of Taxes, in accordance with terms previously negotiated between the parties, and embodied in a resolution of the Town Board. All such provisions shall be subject to approval of the Town Board, the Town Attorney, and H.U.D.

L. The acquisition agreement shall be contingent upon the following:

1. Town ability to obtain the H.U.D. Section 108 Guaranteed Loan in the amount of $ 2,000,000.00;

2. Partnership compliance with any conditions imposed by H.U.D. relative to such loan, or the project itself;

3. Transfer of record title to the site to the Town by E.C.I.D.A.;

4. The partnership having obtained necessary modifications to the existing E.C.I.D.A. agreements so as to protect the interests of E.C.I.D.A. and Chase Lincoln Bank, N.A. and allow the partnership's continuing development of the project;

5. The partnership providing the Town with a commitment to expend a minimum of $ 2,000,000.00 toward the improvement of the project site as an industrial-commercial development;

6. Agreement that the partnership shall hold the Town harmless from any costs incurred in the defense of any administrative or judicial proceedings which may be taken by any third party seeking to remedy any environmental concerns, past, present or developing during the term of the acquisition agreement, and any costs assessed against the Town for the remedying of any environmental conditions or concerns (this requirement may be met by providing the Town with a letter of counsel to the partnership, certifying that all provisions of indemnification and hold harmless agreements presently existing between the partnership E.C.I.D.A., and the Westinghouse Corporation, provide the same protections to the Town as are provided to the partnership and E.C.I.D.A., with such letter specifically setting forth each and every such provision and agreement).

M. Upon full compliance with the provisions of the agreement, and repayment in full of acquisition funds to the Town by the partnership, the Town shall reconvey the site to E.C.I.D.A., or, in the event of repayment of outstanding IDdustrial Revenue Bonds at such time, to the partnership.

N. The taking of the site, or such portion thereof as will result in destruction of a substantial portion of the existing structures at the site, meaning demolition of all or a portion of the main building at the site, by eminent domain, shall be deemed a condition of acceleration of the repayment due hereunder. However, the Town may, in the event that such taking does not impair the viability of the site as an industrial-commercial development site which is in private control, elect, in its absolute discretion, to waive acceleration.

O. As a condition of the loan, the partnership shall be responsible for the payment of any and all fees and charges imposed by H.U.D. in relation to the Town's Section 108 Guaranteed Loan, or required to satisfy any H.U.D. requirement, and all filing fees, costs, fees, taxes and other charges, including attorney's fees in accordance with the rate of fee charges relative to Town economic development loans (0.75% of funding involved, which is the full and total attorney's fees) incurred by the Town or for services on its behalf in relation to Town involvement in acquisition of the project site.

P. Assumption of the agreement by any third party purchaser of the partnership's interest in the premises may only be permitted as allowed under H.U.D. regulations, upon compliance by the partnership and the proposed purchaser with any requirements as may be imposed by H.U.D. or other federal agencies having regulatory interest relating to the proposed purchase and assumption, and by permission of the Town. In the event of an assumption, the partnership shall be responsible for payment of all costs and fees, including attorney's fees, involved in the processing of documentation necessary for such assumption, which responsibility may be assumed by the assuming party.

DATED: Cheektowaga, New York
March 10, 1987

Item No. 11D Authorize Supervisor to sign agreement with County/State regarding William Street reconstruction and drainage.
THIS ITEM WAS WITHDRAWN.

Item No. 12 Motion by Councilman Santa Maria Seconded by Councilman Gabryszak

WHEREAS, the Town is currently involved in an assessment review proceeding relating to the Kenville Homes, and

WHEREAS, the Assessor is in need of a special appraisal on the said property, 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 appraisal for the sum stated in the Assessor's letter dated April 30, 1987, a copy of which is attached hereto.

*SEE NEXT PAGE FOR COPY OF LETTER FROM ASSESSOR.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

CASIMIR A. KOZMINSKI
ASSESSOR

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

686-3440

April 30, 1987

Supervisor Daniel E. Weber
Honorable Town Board Members
Town of Cheektowaga
Broadway & Union Rds.
Cheektowaga, New York 14227

Re: Jerome Weinstein and Phoebe Chason
as Trustees of the Godfrey M. Weinstein
Trust -vs- Casimir Kozminski, et al
Article 7 Proceeding

Dear Honorable Town Board Members:

It will be necessary for this department to engage the services of GAR Associates for a preliminary appraisal for the Kenville Homes (Apartments).

The present owners of said Kenville Homes and the Assessors Office are "miles apart" on our value of this said property and the appraisal will be necessary to determine where we stand.

The above is brought to your attention as a point of information. There is a sufficient amount of money in my budget to cover the approximate $3,000 cost for the said appraisal. A copy of proposed resolution is attached.

Sincerely,

Casimir A. Kozminski
Assessor

CAK/js
CC: Mr. Joseph G. Sacco, Atty.

Item No. 13 Motion by Councilman Kowal Seconded by Councilman Johnson

WHEREAS, this Town Board granted permission to the developer of Phase 6 of Losson Green Estates Subdivision to install one (1) hydrant in the Bellevue Fire District #9, by resolution dated April 6, 1987, AND

WHEREAS, the hydrant location as approved by the Board of Fire Commissioners of Bellevue Fire District #9 is situated on the east side of Hillpine Road at the common line of sublots #112 and #113, NOW, THEREFORE, BE IT

RESOLVED that the cost of said hydrant is to be borne by the subdivision developer, AND, BE IT FURTHER

RESOLVED that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority with such funding recovered by Town billings to the responsible fire companies.

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 Supervisor Weber Seconded by Councilman Rogowski

WHEREAS, Parkside Village Inc. has requested permission to erect mobile homes on 36 Parkside Circle, 38 Parkside Circle, 40 Parkside Circle, 41 Parkside Circle, 46 Parkside Circle, 48 Parkside Circle, 4 Dogwood Drive, and 16 Cardinal Road, AND

WHEREAS, the street paving has not as yet been completed on Parkside Circle, Dogwood Drive, and Cardinal Road, AND

WHEREAS, Section 13-13 of the Local Law For The Administration And Enforcement Of The State Building Construction Code provides that in the event the street paving has not been installed the Town Board may issue a building permit provided the applicant for the building permit furnishes the Town of Cheektowaga with a surety bond conditioned that the street paving will be completed within six (6) months after the issuance of the building permit and complies with all other provisions of said Local Law, and

WHEREAS, Parkside Village Inc. has provided such surety bond to the Town of Cheektowaga and had complied with all other provisions of said Local Law, NOW, THEREFORE, BE IT

RESOLVED that Parkside Village Inc. be and is hereby granted the aforementioned building permits.

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 Santa Maria Seconded by Councilman Gabryszak

WHEREAS, the Ledyard Bridge, constructed some 50 to 60 years ago, has structural and substructure deterioration, AND

WHEREAS, this Town Board has concerns about the adequacy of this structure to safely handle pedestrian and mobile traffic in the Village of Depew, AND

WHEREAS, there is need to determine the strength and integrity of the structure, its load carrying capacity and its ability to accommodate pedestrian and vehicle traffic, AND

Item No. 15 Cont'd.

WHEREAS, an engineering report will be necessary in order to seek funding for the bridge modification repair or replacement, NOW, THEREFORE, BE IT

RESOLVED that the proposal as submitted by Krehbiel Associates, Inc. in their letter of March 30, 1987 be and hereby is approved and accepted, AND, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign said agreement with Krehbiel Associates, Inc.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 16A Motion by Councilman Santa Maria Seconded by Councilman Johnson

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 March 20, 1987, rendered the determinations shown on the attached memo dated April 1, 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 April 1, 1987 memo attached hereto:

Item II 350 Cayuga Road

*SEE NEXT FOUR (4) PAGES FOR RECOMMENDATIONS OF ENVIRONMENTAL ADVISORY COMMITTEE

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: April 1, 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 March 20, 1987, in the Town Hall Council Chambers.

ITEM I 180 Stradtman – Proposed Warehouse/Office Building

Applicant: B DiPizio

Determination: Tabled - After a lengthy discussion it was determined that the applicant must submit a revised site plan which will indicate a number of things. First to be shown is drainage. The applicant must show on site retention of storm waters and have the plan approved by the Town Engineer. The applicant must also show where he will install solid fence as screening along Girard and Stradtman and must clean the existing property which is littered with debris. He has indicated that at least 300 trees of several varieties have been planted on the property already. This has enhanced the aesthetics of the property. A yard fire hydrant must be installed. This hydrant will be installed after the Erie County Water Authority installs a fire hydrant on Stradtman. (The Doyle Fire District has already requested this of the Water Authority.)

ITEM II 350 Cayuga Road - Proposed Conversion Of A Three Family Dwelling Into A Two Family With A Real Estate Office

Applicant: Empire National Leasing Corp.

Determination: Non-Significant - Mr. Dabner of Empire National has submitted a revised parking and drainage plan. The drainage has been deemed to be adequate by the Engineering Department. A fence will be installed along the rear lot line and part of the Northerly lot line to provide screening of the parking area. The area now is composed of homes and a variety of offices and it was felt that this use is compatible with the area.

ITEM III Losson Park Village - Proposed Subdivision

Applicant: Pat Marrano

Determination: Tabled - Various agencies have been solicited for comments on this project. The first comment was from the Southline Fire District. They request a culvert at the North end of the subdivision capable of carrying their heaviest rescue vehicle of approximately 30 tons. They also have requested that hydrants be spaced no more than 500 feet apart to provide adequate fire protection.
Erie County submitted comments indicating that they will have approvals by way of the sewer lines and they had indicated that there were unconfirmed hazardous waste sites to the Northeast of the subdivision.
The Traffic Safety Commission of the Town of Cheektowaga reviewed the preliminary plan and had several concerns. They have suggested that there be 2 road stubs to the West of the subdivision instead of one as shown, that there be a left turn lane at the intersection of the Towers Extension and Losson Road and that it be so marked and they also are requesting additional landscaping at that Losson Road intersection so that it will be more compatible with the park like atmosphere on the North side of Losson. The New York State Department of Environmental Conservation has indicated they are not an involved agency and have no concerns at this time.

A question was raised regarding the building of all the proposed duplexes along Towers. The developer indicated that it was far easier to sell the lots as two families on a collector road the size of Towers Boulevard. There was also a question regarding the shown 35 ft. set back. The Zoning Ordinance had changed the required set back to 50 ft. and it was suggested that the developer approach the Zoning Board for a variance to build the 2 family dwellings 35 ft. from Towers. At this point the Committee suggested to the developer that he submit a revised plan indicating the changes with regard to the stub roads on the West side of the sub-division, the intersection of Losson and Towers, as well as some minor changes that were suggested by the Traffic Safety Commission. He was also instructed to submit a statement which would address any other concerns expressed by the various agencies.

ITEM IV Creekside Apartments - Proposed Rezoning For Six Eight Unit Apartment Bldgs

Applicant: B. Rusiniak

Determination: Tabled - The applicant wishes to demolish 2878 through 2882 Union Road. At the present time these are deteriorating 1 & 2 family dwelling units. The existing property is zoned Retail Business for the first 200 ft. with the balance zoned Residential . The applicant wishes to rezone the rear residential portion to an RA-Apartment District. After discussing the site plan that was submitted it was decided that the applicant will move the road to line up with the existing traffic signal at Union Road and the Appletree Mall. He was to also install 1 or 2 yard hydrants as required by N.P.F.A. and the Building Code. He will have to submit a detailed plan for the piping or bridging of an existing drainage ditch that runs through the front half of the property. The Town Highway Department and Town Engineering Department will have final approval of this drainage modification. It was suggested that he add additional parking above and beyond what is required by the Zoning Ordinance. The Zoning Ordinance requires 1½ parking spaces per dwelling unit. It was suggested that parking be upgraded so that there will be accomodations for 2 parking spaces per dwelling unit. The applicant was then requested to submit a revised site plan addressing these changes and also to show the easement, if one exists for the drainage ditch. If an easement does not exist, he must have the legal papers drawn up so that one may be established.

ITEM V Thruway Mall - Proposed Go-Cart Track

Applicant: Tony Ferraro Enterprises

Determination: Non-Significant - The applicant is proposing to install a go-cart track between the existing roller skating rink and the Conrail Frontier Yard. The go-cart track will be in operation during the late spring and summer months. Hours of operation vary during the week with the closing time to be 11 or 12 o' clock at night. A question was posed to the applicant regarding the noise emanating from the go-cart. The applicant indicated he had a go-cart with him and would be happy to demonstrate it for the Committee. The go-cart was run in the parking lot and judged to be quieter than a lawnmower and hardly noticeable when 40 or 50 ft. away from the person listening. The site would be landscaped and a landscaping plan submitted to the Town Planning Board. There are no residential developments within 300 feet of the site. The area is now an industrial/shopping/entertainment area and the track would be compatible in use. The determination of non-significance is subject to the use of a go-cart track in its location next to the roller skating rink being in compliance with the New York State Uniform Fire Prevention and Building Code as well as the applicant's proposal being reviewed by the Town Attorney. The Town Attorney would review this to see if the Town's Recreational Vehicle Ordinance applies to the go-cart track and its operation. If the ordinance does apply, the hours of operation will be severely curtailed and may make the construction of the track economically unfeasible.

ITEM VI Rehm Road Subdivision - Proposed Subdivision For Approximately 750 Units

Applicant: Bella Vista Development

Determination: Tabled - This item was brought before the Committee again to review a few of the comments that were received from various agencies. The County Department of Environment & Planning submitted several comments which were forwarded to the developer to be addressed by him while the NYS Department of Environment & Conservation indicated they have no concerns or involvement.

Correspondence was then read to the Committee in the form of an Environmental Referral from the Town of West Seneca. The Town of West Seneca now has before them a proposal for a mobile home park off Clinton Street near the West end of Gardenville Parkway West. The only concerns expressed by the Committee were concerning drainage. The Town Engineer and Highway Engineer have indicated that Gardenville Parkway West as well as parts of the French Road-Union Road intersection drain to the Town of West Seneca at that point and the proposed development does not indicate how this drainage would be handled. Therefore correspondence will be sent to the Town of West Seneca Community Development Director advising him of this situation and asking that the Town be kept apprised of the development and drainage as it is engineered.

TA:jd

Item No. 16B Motion by Councilman Jaworowicz Seconded by Councilman Johnson

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 April 8, 1987, rendered the determinations shown on the attached memo dated April 15, 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 April 15, 1987 memo attached hereto:

| | |
|---|---|
| Item I | 180 Stradtman |
| Item II | Losson Park Village |
| Item III | Thruway Mall |
| Item V | 3635 Genesee Street |

*SEE NEXT THREE (3) PAGES FOR RECOMMENDATIONS OF ENVIRONMENTAL ADVISORY COMMITTEE

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: April 15, 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 April 8, 1987, in the Town Hall Council Chambers.

ITEM I 180 Stradtman - Proposed Warehouse/Office Building

Applicant: B. DiPizio

Determination: Non-Significant - The applicant at previous meetings was informed of deficiencies in his proposed development. He returned at this meeting with a revised site plan and a statement to satisfy all concerns. He will provide a yard fire hydrant when a hydrant is installed on Stradtman by the Erie County Water Authority at the request of the Doyle Fire District. The storm drainage was re-designed for on site retention of storm waters and this design was approved by the Town Engineer. Decorative fencing will be provided along Girard with that stretch of property cleaned up.

ITEM II Losson Park Village - Proposed 35 Acre Subdivision

Applicant: Pat Marrano

Determination: Non-Significant - with stipulations. The applicant submitted a revised site plan. The site plan showed 2 stub streets located on the West side of the subdivision as requested by various Town departments and comissions. The plan did show the stubs as being off-set from one of the subdivision streets, Whitney Place, even though the Town Traffic Safety Commission recommended in-line placement to create a 4-way intersection. The developer insisted that too many building lots would be lost in this alignment. A number of discussions occurred regarding cross sections for the creek and the width of the easement for the creek which is located at the

North end of the subdivision. Also, the Highway Department has requested that the developer consider pre-planned curb drops to eliminate or reduce the need for cutting curbs. The Committee made the determination of non-significance based only on the concept of developing the 35 acres as a residential subdivision. There are a number of details, most of them technical in nature, that must be resolved with the various departments and agencies. Therefore this determination of non-significance is submitted to the Town Board with the stipulation that the applicant must satisfy the Traffic Safety Commission as well as other agencies.

ITEM III Thruway Mall - Proposed Demolition And Construction

Applicant: Scaffidi & Moore Architects

Determination: Non-Significant - The Thruway Mall plan was presented to the Committee because the result of the proposed demolition and construction would leave the Mall with a net gain of approximately 7,000 square feet of floor area. The proposal is to demolish the existing Mall between Penneys and Firestone, leaving the Firestone Store as an individual store and constructing a new wing to accomodate a 24,000 square foot sporting goods outfit. Included with the sporting goods outlet would be various leaseable areas for which there is no tenant at present. Since this is basically a trade-off of existing retail space for new, no adverse impacts are expected.

ITEM IV 485 Ludwig - Proposed Establishment Of A Recycling Center

Applicant: Consolidated Fibers

Determination: Non-Significant - with stipulations. The applicant, Consolidated Fibers Inc. is in the business of taking waste paper, compacting it and rebaling it for shipment to other processing locations. Due to the nature of this business, a Special Permit is required by the Zoning Ordinance. The building is fully sprinklered and has sufficient fire separation between tenants. The area is presently zoned General Manufacturing and is utilized by a variety of warehousing/office/manufacturing facilities including Joy Manufacturing located to the East of this building. The stipulations as follows:
1) That there be no exterior storage of baled waste paper.
2) That there be no exterior storage of loaded semi-trailers.

ITEM V 3635 Genesee Street - Proposed Conversion Of A Single Family Dwelling Into An Accounting Office

Applicant: J. Skrobacz

Determination: Non-Significant - This stretch of Genesee Street is zoned for a variety of businesses including retail sales, offices and warehousing. The applicant proposes to use the first floor for his accounting office with some paving to the rear for off-street parking. The applicant was referred to the Engineering Department for approval of the drainage and the Engineering Department has accepted the plan. The proposed use would be compatible with surrounding and existing businesses and the only stipulation the Committee will make is for solid fencing to be installed along the West property line for screening for the proposed parking area.

ITEM VI 2878-2882 Union Road - Proposed Rezoning From Residential To Residential Apartments For Six-8 Unit Apartment Buildings

Applicant: B. Rusiniak

Determination: Non-Significant - The applicant had been before the Committee previously and it was recommended to him at that time to revise his drawings in a number of ways. He had submitted a revised drawing which shows additional parking for tenants and guests in excess of what the Zoning Ordinance requires. The driveway was relocated to create a 4-way intersection with the traffic signal on Union Road that serves the Appletree Mall. The drainage culvert for the storm ditch that runs along the East side of the property has yet to be designed but the Town Engineering and Highway Departments will have final approval of any design. The Bellevue Fire Company will be notified of the proposed project so that they may recommend the design loads for the drainage culvert and the placement of the yard hydrant for fire fighting purposes.

TA:jd

Item No. 17A 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.

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 LICENSES

| NAME | ADDRESS | AMBULANCE COMPANY | EMT EXPIRES |
|---|---|---|---|
| *Park, Alexander, W. | Bflo, NY. 14213 | Gold | 12/31/89 |
| Ratzel, Connie L. | Bflo, NY 14207 | Gold | 12/31/89 |
| Logel, Nadine | Tonawanda, NY | Gold | 12/31/89 |
| Dole, Susan E. | Hamburg, NY 14075 | Gold | 12/31/89 |
| Ellis, James H. | Kenmore, 14217 | Gold | 12/31/89 |

*LICENSE APPROVED FOR ATTENDANT ONLY!!

*Item No. 17B* *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 driver(s)/attendant(s), and has recommended that the Town Board renew such licenses, and*

*WHEREAS, this Town Board desires to renew such driver(s)/attendant(s) licenses, NOW, THEREFORE, BE IT*

*RESOLVED that the recommendations of EMS Board concerning the renewal of the licenses for driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER*

*RESOLVED that the renewal application(s) for driver(s)/attendant(s) 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 driver(s)/attendant(s) 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

RENEWAL

| NAME | ADDRESS | AMBULANCE COMPANY | EMT EXPIRES |
|---|---|---|---|
| Dolling, Frederick C. | Hamburg | Town | 12/31/87 |
| *Melton, Latasha D. | Niagara Falls | Gold | 12/31/89 |
| Morris, Daniel J. II | , Hamburg | Town | 12/31/89 |
| O'Conor, Joseph E. Jr. | Kenmore | Gold | 3/31/89 |

*denotes attendant license only

Item No. 17C 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 a renewal 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 recommendation 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 on the attached page is hereby approved for licensing by this Town Board; 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 on the attached page.

*SEE NEXT PAGE FOR LIST OF NEW AMBULANCE VEHICLE LICENSE.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

## AMBULANCE LICENSE RENEWAL

| OWNER | VEHICLE: MAKE & YEAR | LICENSE NO. | CALL NO. |
|---|---|---|---|
| Gold Cross Ambulance Svc. | 1983 - Ford | 4489-AA | 579 |

Item No. 18 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: | 01-1410.4001 | (Town Clerk - Office Supplies) | $ 500.00 |
| | 01-599.00 | (Appropriated Fund Balance) | 30,000.00 |
| TO: | 01-1410.4051 | (Town Clerk - Microfilming) | 500.00 |
| | 01-9550.4179 | (Transfer to Capital Fund - Highway-Garage Floor) | 10,000.00 |
| | 01-8210.4568 | (Storm Sewer-Cleaning | 20,000.00 |

HIGHWAY BRIDGE FUND

| | | | |
|---|---|---|---|
| FROM: | 03-599.00 | (Bridges-appropriated Fund Balance) | 6,522.68 |
| TO: | 03-35120.4174 | (Bridges - Ludwig Bridge) | 6,522.68 |

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. 19 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 May 4, 1987 are hereby approved and made a part hereof.

| FUND | AMOUNT |
|---|---|
| GENERAL FUND | $222,413.13 |
| SPECIAL DISTRICTS FUND | 46,391.93 |
| HIGHWAY FUND | 14,607.19 |
| CAPITAL FUND | 68,102.09 |
| TRUST & AGENCY FUND | 290.00 |
| COMMUNITY DEVELOPMENT FUND | 732.46 |
| PART TOWN FUND | 904.20 |
| | $353,441.00 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

## III. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Building Permits
Received and filed.

Item No. 21 Supervisor's Statement of Funds for January and February, 1987.
Received and filed.

Item No. 22 Office of Disaster Preparedness: Quarterly report for January - March 1987.
Received and filed.

Item No. 23 Cheektowaga Public Library Board: Minutes of April 1987 meeting.
Received and filed.

## IV. GENERAL COMMUNICATIONS

Item No. 24A New York State Department of Transportation: Designation of Restricted Highway: Portion of Harlem Road and Portion of Walden Avenue.
Copies of this Notice were sent to: Robert Lis, Chief of Police; Sgt. Nacke; Sewer Maintenance Department; Traffic Safety Commission; Karen McAuley, Council Secretary; Engineering Department and Highway Department.
Received and filed.

Item No. 24B New York State Department of Transportation: Revise Permit for Traffic Signal at Clinton Street and Willowlawn Parkway.
Copies of this Notice were sent to: Robert Lis, Chief of Police; Sgt. Nacke; Sewer Maintenance Department; Traffic Safety Commission; Karen McAuley, Council Secretary; and Engineering Department
Received and filed.

Item No. 24C New York State Department of Transportation: Amendment of Permit to Own, Operate & Maintain Traffic Signal at Union Road and Cheektowaga Central School Driveway.
Copies of this Notice were sent to: Robert Lis, Chief of Police; Sgt. Nacke; Sewer Maintenance Department; Traffic Safety Commission; Karen McAuley, Council Secretary; and Engineering Department.
Received and filed.

Item No. 25A Notice of Claim: Fleet Management Professionals as subrogee of Automotive Rentals, Inc. 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 & Associates, Town's Insurance Carrier; Alfred Wnek, Highway Superintendent.
Received and filed.

Item No. 25B Notice of Claim: Becky Eckert & Thomas Eckert 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 Robert Lis, Chief of Police.
Received and filed.

Item No. 26 Temple Shaarey Zedek: Letter regarding drainage problem on cemetery property.
Copies of this correspondence were sent to: Town Board Members and Chester Bryan, Town Engineer.
Received and filed.

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

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

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

## V. SUSPENSION OF RULES

Item No. 27 Town Board opposition for plans for establishment of Thruway interchange on William Street.
THIS ITEM WAS WITHDRAWN.

Item No. 28 Appointment to position of Cleaner in Facilities Department.

Motion by Supervisor Weber Seconded by Councilman Jaworowicz

WHEREAS, a vacancy currently exists in the position of Cleaner in the Facilities Department, and

WHEREAS, such position was duly posted in accordance with the agreement between the Town and the Town Employee's Association and no union employee bid on such job opening, and

WHEREAS, Josephine Ratajczak, part-time cleaner in the Facilities Department, applied for such position and has the experience and qualifications for such job, NOW, THEREFORE, BE IT

RESOLVED that Josephine Ratajczak, of , Cheektowaga, New York 14225 be and hereby is appointed to the position of Cleaner (Shift: Mon. - Fri., 7:00 A.M. to 3:00 P.M.) in the Facilities 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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 29 Appointment to Clerk-Stenographer in Council Office

Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, by resolution dated April 6, 1987, this Town Board created the position of Clerk-Stenographer in the Council Office, AND

WHEREAS, such position 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 such job, and

WHEREAS, the civil service eligible list for such position was duly canvassed and applications accepted, and

WHEREAS, Juliana M. Sisti appears on such list and applied for such position, and

Item No. 29 Cont'd.

WHEREAS, Juliana M. Sisti has had experience working in the Council Office and knows the office procedure, NOW, THEREFORE, BE IT

RESOLVED that Juliana M. Sisti, , Sloan, New York 14212, be and hereby is appointed to the position of Clerk-Stenographer in the Council Office, 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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 30 Authorize 15 day sick leave for Highway Department employee.

Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, Robert C. Kiszewski, MEO "B" in the Highway Department, is currently on sick leave from his position, and

WHEREAS, Mr. Kiszewski will exhaust all his personal leave, vacation and sick leave as of May 14, 1987, and

WHEREAS, Mr. Kiszewski has requested extended sick leave payments for an additional fifteen (15) days, and

WHEREAS, such extended sick leave payments are authorized by Section 8.02 (c) of the agreement between the Town and the Town Employees' Association, NOW, THEREFORE, BE IT

RESOLVED that Robert C. Kiszewski be and hereby is granted extended sick leave payments for fifteen (15) days, which payments must be repaid to the Town upon his return to service.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 31 Removal of garbage and debris from 147 Chapel.

Motion by Councilman Santa Maria Seconded by Councilman Jaworowicz

WHEREAS, Lucy Wawrzynski, was the owner of Cheektowaga, New York and is now deceased, and

WHEREAS. the Estate of Lucy Wawrzynski has no assets other than the house at and

WHEREAS. a large amount of accumulated garbage and debris that was inside was removed and placed in front of the house, and

WHEREAS, such garbage and debris is now creating an emergency health hazard and should be removed immediately, NOW, THEREFORE, BE IT

RESOLVED that the Sanitation Department General Foreman and/or Superintendent of Highways be and hereby are directed to arrange for the removal of all debris located in front of 147 Chapel Avenue, and BE IT FURTHER

RESOLVED that any costs associated with the removal of such debris be assessed against the property and added to the tax bill.

Item No. 31 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. 32 Notice of Hearing to tower under Removal and Storage of Vehicles Law

Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, Local Law No. 2 of the Year 1986 of the Town of Cheektowaga ("Removal and Storage of Vehicles") provides for the safe and expeditious removal of disabled motor vehicles from Town streets and for the supervision and control of towers who tow for the Town, and

WHEREAS, such local law provides for the revocation by the Chief of Police of a tower's permission to tow for the Town and also provides for an appeal by such a tower, and

WHEREAS, the Chief of Police has recommended that Rusiniak's Towing and Recovery, Inc. be suspended for a period of 30 days from towing for the Town for violating Section 78-13 of such local law, and

WHEREAS, Rusiniak's Towing & Recovery, Inc. has appealed from the determination of the Chief of Police, and

WHEREAS, Section 78-17 of such local law provides that the Town Board shall schedule a hearing to hear such appeal, NOW, THEREFORE, BE IT

RESOLVED that a hearing shall be held on the 18th day of May, 1987 at 7:00 P.M. in the Council Chambers of Town Hall, Broadway and Union Road, Cheektowaga, New York, at which time and place all parties shall be heard concerning the aforementioned suspension, and BE IT FURTHER

RESOLVED that the Town Clerk shall forward the attached Notice to Rusiniak's Towing and Recovery, Inc. at least ten (10) days prior to the date of the aforementioned hearing.

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

NOTICE OF HEARING

PLEASE TAKE NOTICE, that a hearing will be held at the following referenced time and place by the Town Board of the Town of Cheektowaga to hear an appeal made by the following referenced tower concerning a suspension of such tower's letter of authorization to tow vehicles for the Town of Cheektowaga pursuant to Local Law No. 2 of the Year 1986 ("Vehicles, Removal and Storage"):

TIME: Monday, May 18, 1987
7:00 P.M.

PLACE: Council Chambers
Town Hall
Broadway and Union Roads
Cheektowaga, New York 14227

TOWER CONCERNED: Rusiniak's Towing and Recovery, Inc.
2916 Union Road
Cheektowaga, New York 14227

SUBJECT MATTER: 30 day suspension of tower's letter of authorization to tow vehicles for the Town of Cheektowaga.

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

Item No. 32 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. 33 Motion by Councilman Rogowski Seconded by Councilman Jaworowicz to adjourn the meeting in memory of Henry (Sarge) Abramowski, former Town Employee, 20 year Active Volunteer Fireman of Doyle Hose Co. No. 2, and 27 year veteran of the United States Army.

DATED: May 4, 1987

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 18th day of May, 1987 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: 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: Supervisor Daniel E. Weber

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Robert Lis, Chief of Police; Sal LaGreca, Employment and Training Director II; Andrew Kulyk, Zoning Board Member; Julia Reinstein; Pat Wojcik, Recreation Director-Senior Citizens; Bruce Chamberlin, Assistant Chief of Police; Ray Pugh, Planning Board Member; Ron Marten, Building and Plumbing Inspector; Captain John Schaller, Police Department; Alfred Wnek, Highway Superintendent.

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

In the absence of Supervisor Daniel E. Weber, Donald Wegner, Deputy Supervisor, chaired the meeting.

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

## I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to hear an appeal made by the following referenced tower concerning a suspension of such tower's letter of authorization to tow vehicles for the Town of Cheektowaga pursuant to Local Law No. 2 of the Year 1986 ("Vehicles, Removal and Storage"):

Rusiniak's Towing & Recovery, Inc.
2916 Union Road
Cheektowaga, New York 14227

relative to 30 day suspension of tower's letter of authorization to tow vehicles for the Town of Cheektowaga.

An agreement was reached to suspend said license for 15 day period.

## II. RESOLUTIONS

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

WHEREAS, by resolution dated January 5, 1987, this Town Board established its 1987 Work Sessions as being held on the second Saturday of each month at 10:00 A.M., and

Item No. 3 cont'd

WHEREAS, this Town Board now desires to change the dates and time of such Work Sessions for the months of June, July, August and September, NOW, THEREFORE, BE IT

RESOLVED that Town Board Work Sessions for the months of June, July, August and September in 1987 shall be established as being the fourth Mondays in such months at 6:00 P.M., and BE IT FURTHER

RESOLVED that the Town Board Work Sessions for the remaining months of 1987 shall remain as the Second Saturdays of such months at 10:00 A.M.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 4a 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 June 1, 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 May 21, 1987, said amendments being set forth in the 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 June 1, 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:

B. No parking anytime

| | | |
|---|---|---|
| OLCOTT PLACE | east side | from the south curbline of Herbert Avenue southerly to terminus. |

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

Dated: May 18, 1987

RICHARD M. MOLESKI
Town Clerk

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

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication MAY 21 1987; last publication MAY 21 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 21st day of May, 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 NOV. 30, 19 89

**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 June 1, 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:

B. No parking anytime

OLCOTT PLACE; East side; from the south curbline of Herbert avenue southerly to terminus.

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

**RICHARD M. MOLESKI**
**Town Clerk**

**DATED: May 14, 1987**
**PUBLISH: May 21, 1987**

Item No. 4b Motion by Councilman Jaworowicz, Seconded by Councilman Santa Maria

WHEREAS, the Town Attorney's Office and the Planning Board of the Town of Cheektowaga have recommended that certain provisions of Chapter 82 of the Code of the Town of Cheektowaga (Zoning Ordinance) be amended or repealed;

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of Section 264 of the Town Law of the State of New York, a public hearing be held on the 1st day of June, 1987 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the Zoning Ordinance shall be amended and changed as provided in the attached Notice of Hearing; and

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

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

NOTICE OF HEARING

ON PROPOSAL TO AMEND

CHAPTER 82 OF THE CODE OF THE TOWN OF CHEEKTOWAGA
(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 18th day of May, 1987, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 1st day of June, 1987 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether Chapter 82 of the Code of the Town of Cheketowaga (Zoning Ordinance) shall be amended and changed as follows:

1. RESOLVED that Article I - GENERAL PROVISIONS, Section 82-20.1.C.(1) which relates to landscaping general provisions shall be amended by deleting therefrom the words "otherwise subject to development plan review".

2. RESOLVED that Article I - GENERAL PROVISIONS, Section 82-20.1.D.(1) shall be amended by substituting the word "section" for the word "chapter" therein.

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

Dated: May 18, 1987

RICHARD M. MOLESKI
Town Clerk

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

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication MAY 21 1987; last publication MAY 21 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 21st day of May, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE OF HEARING**
**ON PROPOSAL TO AMEND**
**CHAPTER 82 OF THE CODE OF THE TOWN OF CHEEKTOWAGA**
**(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 18th day of May, 1987, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 1st day of June, 1987 at 7:00 o'clock p.m., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have opportunity to be heard, and at which time and place it shall be determined by the Town Board whether Chapter 82 of the Code of the Town of Cheektowaga (Zoning Ordinance) shall be amended and changed as follows: 1. RESOLVED THAT ARTICLE I — GENERAL PROVISIONS, Section 82-20.1 C (1) which relates to landscaping general provisions shall be amended by deleting therefrom the words "otherwise subject to development plan review".

2. RESOLVED THAT ARTICLE I — GENERAL PROVISIONS, Section 82-20.1 D (1) shall be amended by substituting the word "section" for the word "chapter" therein.

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK**
**RICHARD M. MOLESKI**
**Town Clerk**
**DATED: May 18, 1987**
**PUBLISH: May 21, 1987**

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of a new concrete floor at the highway garage addition, which bids were duly received and publicly opened on April 22, 1987, 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, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of a new concrete floor at the highway garage addition be and hereby is awarded to J. Pearce & Son, Inc., 420 Meyer Road, West Seneca, New York 14224, the lowest responsible bidder meeting the requirements of our specifications at the total bid price of $72,538.85 with the award being made at the following bid item prices:

| | | |
|---|---|---|
| Item 1 | Subgrade | $9,184.00 |
| Item 2 | Trench Drain | $2,340.00 |
| Item 3 | Bumper Barriers | $3,000.00 |
| Item 4 | Backfill | $6,120.00 |
| Item 5 | Steel Pipe | $1,400.00 |
| Item 6 | Frames & Grates | $960.00 |
| Item 7 | Concrete Floor | $49,534.85 |

and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to sign said agreement with J. Pearce & Son, Inc. for the construction of a new concrete floor at the highway garage addition, and BE IT FURTHER

RESOLVED that funding for this project is to be charged to the Capital Fund - Highway Garage Floor.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

WHEREAS, bids were duly received by this Town Board at a bid opening on April 20th, 1987 for (Two) New and Unused Dump Trucks w/plows 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 Buffalo Mack, Inc., 175 Jefferson Avenue, Buffalo, New York at the purchase price after trade-in of $129.694.00 being the lowest responsible bidder meeting specifications.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

*WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of material to build six (6) picnic shelters, which bids were duly received and opened at the May 11, 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, NOW, THEREFORE, BE IT*

*RESOLVED that the contract for the furnishing of material to build six (6) picnic shelters be and hereby is awarded to Robert Woodson, Inc., 3520 Dewey Avenue, Rochester, New York 14616, said bid being the lowest meeting the requirements of the specifications at the bid price of $16,998, and BE IT FURTHER*

*RESOLVED that funding for said picnic shelters shall be charged to account #7110-023.*

*Upon Roll Call....*
*AYES:* Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
*NAYES:* 0
*ABSENT:* Supervisor Daniel E. Weber

Item No. 5d Motion by Councilman Jaworowicz Seconded by Councilman Johnson

*WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the remodeling of the Roycroft Pump Station, which bids were duly received and publicly opened on April 22, 1987, and*

*WHEREAS, bids were referred to the Town Engineer and the consulting firm of Nussbaumer & Clarke, Inc. for analysis, tabulation and report, which said analysis, tabulation and report is hereby attached and contained in a letter from the Town Engineer to the Town Board dated May 14, 1987, and*

*WHEREAS, said report recommends that Contract B (Plumbing) and Contract C (Heating) be awarded to Matthew Kandefer Plumbing & Heating Corporation for submission of the lowest bid price meeting the requirements of the specifications, NOW, THEREFORE, BE IT*

*RESOLVED that the Plumbing and Heating Contract for the Roycroft Pump Station Remodeling be and hereby is awarded to Matthew Kandefer Plumbing & Heating Corporation, 873 Mineral Spring Road, West Seneca, New York 14224, the lowest responsible bidder meeting the requirements of the specifications at the bid price of $1,540.00 for Contract B (Plumbing) and $10,495.00 for Contract C (Heating), and BE IT FURTHER*

*RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to sign said agreement with Matthew Kandefer Plumbing & Heating Corporation.*

* *See next two (2) pages for report*

*Upon Roll Call....*
*AYES:* Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
*NAYES:* 0
*ABSENT:* Supervisor Daniel E. Weber

**Town of Cheektowaga**

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3447
716—686-3448

May 14, 1987

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Roycroft Pump Station

Gentlemen:

Bids were received and opened on Wednesday, April 22, 1987 at 11:00 A.M. for remodeling work that is necessary at the Roycroft Pump Station. Because of the State Wicks Law, we are required to bid the contract separately for the trades. It would have been more advantageous to the Town to have this as one complete project rather than segmenting it as required by the State law.

Bids from four (4) separate contractors were submitted as follows:

CONTRACT A - GENERAL CONSTRUCTION AND MECHANICAL

The engineer's estimate is $36,600.00. Only one (1) bid was received from Amherst Construction Inc. for the bid price of $42,400.00.

CONTRACT B - PLUMBING

The engineer's estimate is $2,360.00. Three (3) bids were received as follows:

| | | |
|---|---|---|
| 1) | Kandefer Plumbing & Heating Corporation | $1,540.00 |
| 2) | C & C Plumbing & Heating Corporation | $3,569.00 |
| 3) | Ricchiazzi Plumbing & Heating, Inc. | $5,095.00 |

CONTRACT C - HEATING AND VENTILATING SYSTEMS

The engineer's estimate is $10,650.00. Two (2) bids were received as follows:

| | | |
|---|---|---|
| 1) | Kandefer Plumbing & Heating Corporation | $10,495.00 |
| 2) | Ricchiazzi Plumbing & Heating, Inc. | $18,756.00 |

CONTRACT D - ELECTRICAL

The engineer's estimate is $11,405.00. Only one (1) bid was received from Weydman Electric Construction at their bid price of $15,972.00.

It is recommended that only Contracts B and C be awarded at this time based on bids being competitive and falling within the engineer's estimate.

It is recommended that the bids for Contracts A and D be rejected. It is felt that the bids are not competitive and exceed the engineer's estimate. Our bidding of these two (2) contracts is recommended. A pre-bid meeting will be held at the Bloomfoot Pump Station on June 1, 1987. This is being arranged in order to answer any questions that prospective bidders may have on this project and to encourage more bidding participation.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

*Item No. 5e* *Motion by Councilman Kowal, Seconded by Councilman Gabryszak*

*WHEREAS, bids were duly received by this Town Board at a bid opening on March 2, 1987 for One (1) New and Unused 1987 Model Year Stump Cutter 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 Vermeer Sales & Services of Western New York, Inc., 3784 Dodgeson Road, Alexander, New York 14005 at a total cost of $28,261.00 less Trade In-Allowance of $4,000.00 for a total purchase price of $24,261.00 being the lowest responsible bidder meeting specifications.*

*Upon Roll Call....*
*AYES:* *Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Supervisor Daniel E. Weber*

*Item No. 5f* *Motion by Councilman Kowal Seconded by Councilman Gabryszak*

*WHEREAS, bids were duly received by the Town Board at a bid opening on May 4th, for topsoil for use by the Town of Cheektowaga Highway Department, as a result of advertising thereof, 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 for Topsoil be awarded to Custom Topsoil, Inc., 320 Crabapple Lane, Cheektowaga, N.Y. 14227, the lowest responsible bidder meeting specifications as set forth on the tabulation sheet compiled by the Superintendent of Highways, a copy of which is attached hereto and made a part hereof.*

* *See next two (2) pages for report*

*Upon Roll Call....*
*AYES:* *Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Supervisor Daniel E. Weber*

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

May 12, 1987

Supervisor Daniel E. Weber
Town Board Members
Town Hall, Cheektowaga NY 14227

Dear Town Board Members:

Bids for Topsoil were received by the Town Board on May 4th, 1987 and after reviewing same, I recommend the following be awarded:

Topsoil - Custom Topsoil Inc., 320 Crabapple Lane
Cheektowaga NY 14227

Attached hereto is a tabulation of bids submitted by the above company. I trust the above will meet with your approval.

Very truly yours,

ALFRED F. WNEK
Highway Superintendent

AFW:erp

cc: Town Board
Town Clerk
Law Office
Sewer Dept.
Plant #5

BID SHEET - To be filled out by Bidder.

Custom Topsoil Inc.
Name of Company

320 Crabapple Lane, Cheektowaga, New York 14227 (716) 668-4444
Address & Phone

PURSUANT TO INFORMATION FOR Seasonal Requirements for the Town of Cheektowaga, I bid the following:

TOPSOIL

| | | | | | |
|---|---|---|---|---|---|
| Regular | $ 10.95 | Per Yard Deliv. | $ 8.00 | Picked-up* |
| Screened | $ 14.95 | Per Yard Deliv. | $ 11.00 | Picked-up* |
| Shredded | $ 12.95 | Per Yard Deliv. | $ 9.50 | Picked-up* |

* Please indicate below location of topsoil if picked-up by Highway Department. West Seneca - East & West Roads
Amherst - Transit Road - 1/4 mile N. of Klein Road.

*Item No. 5g* *Motion by Councilman Jaworowicz Seconded by Councilman Kowal*

*WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the reconstruction of Vern Lane, which bids were duly received and publicly opened on May 6, 1987, and*

*WHEREAS, bids were referred to the Town Engineer, the Highway Superintendent and the consulting firm of Nussbaumer & Clarke, Inc., for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated May 14, 1987, and*

*WHEREAS, said report recommends that the bid be awarded to Toro Construction, Inc., 5765 Newhouse Road, East Amherst, New York 14651 for the total bid price of $274,745.50, NOW, THEREFORE, BE IT*

*RESOLVED that the contract for the Vern Lane Reconstruction Project be and hereby is awarded to Toro Construction, Inc., the lowest responsible bidder meeting the requirements of the specifications at the total bid price of $274,745.50, and BE IT FURTHER*

*RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign said agreement with Toro Construction, Inc., and BE IT FURTHER*

*RESOLVED that funding for this construction project shall be charged to the bonds issued for highway improvements.*

* *See next page for report*

*Upon Roll Call....*
*AYES:* *Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Supervisor Daniel E. Weber*

**Town of Cheektowaga**

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3447
716—686-3448

May 14, 1987

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Reconstruction of
Vern Lane

Gentlemen:

As authorized by Town Board resolution of April 20, 1987, bids were received on Wednesday, May 6, 1987 at 11:00 A.M. Bids were opened by the Town Clerk in the Council Chambers with many contractors represented at the bid opening.

Bids were submitted by four (4) construction firms with the following tabulation:

| | Toro Constr. | Custom Topsoil | M. Falgiano | Falcone Conc. |
|---|---|---|---|---|
| Bid "A" Vern/Union | $24,897.50 | $32,489.50 | $38,151.40 | $30,863.00* |
| Bid "B" Wm. to Dowmer | $190,918.00 | $211,015.50 | $225,298.50 | $237,298.10* |
| Bid "C" Dowmer to Sandy | $33,430.00 | $37,090.00 | $54,527.50 | $46,050.50 |
| Bid "D" Sandy to Union | $25,500.00 | $26,250.00 | $36,375.00 | $45,450.00 |
| Total Bid Price | $274,745.50 | $306,845.00 | $354,352.40 | $359,661.60* |

* Corrected Amounts

The bids were reviewed at a meeting in the Highway Superintendent's Office. It is the recommendation of the Highway Superintendent, the Town Engineer and the consulting engineers that the bid be awarded to Toro Construction, Inc. at the total bid price of $274,745.50.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

Item No. 6a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, it is in order that bids be advertised to cover the construction of one (1) basketball court at the Rehm Road Park and three (3) tennis courts at Stiglmeier Park, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the Construction of Tennis and Basketball Courts, Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 1st day of June, 1987 at 11:00 A.M., Esatern Daylight Savings 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 the 1st day of June, 1987 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the installation of asphaltic tennis and basketball courts at Rehm Road and Stiglmeier Parks in the Town of Cheektowaga.

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 bid must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to one hundred percent (100%) of the contract award.

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

RICHARD M. MOLESKI
Town Clerk

Dated: May 18, 1987

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

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication MAY 21 1987; last publication MAY 21 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 21st day of May, 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 NOV. 30, 1988

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on the 1st day of June, 1987, at 11:00 a.m. Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the installation of asphaltic tennis and basketball courts at Rehm Road and Stiglmeier Parks in the Town of Cheektowaga.

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%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to one hundred percent (100%) of the contract award.

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

**RICHARD M. MOLESKI**
**TOWN CLERK**

**DATED: May 18, 1987**
**PUBLISH: May 21, 1987**

Item No. 6b Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, there is need to replace the roofing on the Maryvale Community Center, Dartwood Park Community Center, Town Hall Building, the Incinerator Building and the roof of the Sewer Maintenance Department 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 this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of labor, material, tools and equipment for said roofing repairs, said 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 5th day of June, 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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 5th day of June, 1987, at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals necessary to replace the roofs on five (5) Town buildings: (1) The Town Hall at Broadway and Union Roads; (2) The Maryvale Community Center at 3409 Genesee Street; (3) The Sewer Department Office Building on 200 Southern Parkway; (4) The Incinerator Building on Union Road and; (5) The Dartwood Community Center at 222 Autumnwood Drive, and all related work, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Trautman Associates, Consulting Engineers for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 470 Franklin Street, Buffalo, New York 14202, from which latter office copies may be secured upon payment of $50.00 per set of documents. Bidders returning bidding documents wtihin two (2) weeks after receipt of bids will be refunded their full deposit. Non-bidders returning bidding documents seven (7) days before bids are due will be refunded their full deposit. Bidders returning plans late receive no deposit. Non-bidders receive no deposit.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Roof Replacement Work".

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

Bidding documents will be delivered by UPS upon request and receipt of an additional non-refundable delivery and handling charge of $10.00 payable by separate check.

The contract is to be lump sum. No bidder may withdraw his bid within 60 days after the actual date of the opening thereof.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Item No. 6b cont'd

Bidders are required to furnish a Proposal Guaranty of ten percent (10%) of the amount of the proposal, either by bank cashier's check, payable to the Owner, or by Bid Bond, conforming to law, and satisfactory to Owner.

100% Performance, Labor and Material Payment Bonds are required.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

BY ORDER OF: RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

Dated: May 18, 1987

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

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication MAY 21 1987; last publication MAY 21 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 21st

day of May, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 5th day of June, 1987 at 11:00 a.m., local time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals necessary to replace the roofs on five (5) Town buildings: (1) The Town Hall at Broadway and Union Roads; (2) The Maryvale Community Center at 3409 Genesee Street; (3) The Sewer Department Office Building on 200 Southern Parkway; (4) The Incinerator Building on Union Road and; (5) The Dartwood Community Center at 222 Autumnwood Drive, and all related work, complete in place, and ready for use, in accordance with the Contract Documents therefor, including Plans, Specifications and Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to bidders may be examined at the above office and at the Office of the Engineers at 470 Franklin Street, Buffalo, New York 14202, from which latter office copies may be secured upon payment of $50.00 per set of documents. Bidders returning bidding documents within two (2) weeks after receipt of bids will be refunded their full deposit. Non-bidders returning bidding documents seven (7) days before bids are due will be refunded their full deposit. Bidders returning plans late will receive no deposit. Non-bidders receive no deposit.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Roof Replacement Work". Any bid not delivered in person shall be mailed to the office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Bidding documents will be delivered by UPS upon request and receipt of an additional non-refundable delivery and handling charge of $10.00 payable by seperate check.

The contract is to be lump sum. No bidder may withdraw his bid within 60 days after the actual date of the opening thereof.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Bidders are required to furnish a Proposal Guaranty of ten percent (10%) of the amount of the proposal, either by bank cashier's check, payable to the Owner, or by Bid Bond, conforming to law and satisfactory to Owner.

100% Performance, Labor and Material Payment Bonds are required.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

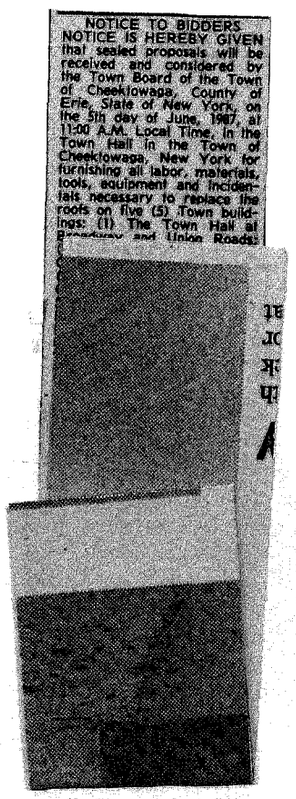
The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

**BY ORDER OF:**
**RICHARD M. MOLESKI**
**Town Clerk**
**Town of Cheektowaga**

**DATED: May 18, 1987**
**PUBLISH: May 21, 1987**

# State of New York

ERIE COUNTY
CITY OF BUFFALO



NOTICE TO BIDDERS
NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 5th day of June, 1987, at 11:00 A.M. Local Time, in the Town Hall in the Town of Cheektowaga, New York for furnishing all labor, materials, tools, equipment and incidentals necessary to replace the roofs on five (5) Town buildings: (1) The Town Hall at

Susan E. Landel

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 ~~xxxxxxxxxxxxxxxxxxxxxxxxxx~~ the first insertion being on the 21st day of May 19 87 ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ and the last insertion being on the ~~xxxxxxx~~ day of ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~

Susan E Landel

Sworn to before me this 22nd day of May 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.*

# State of New York

ERIE COUNTY
CITY OF BUFFALO

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 5th day of June, 1987, at 11:00 A.M. Local Time, in the Town Hall in the Town of Cheektowaga, New York for furnishing all labor, materials, tools, equipment and incidentals necessary to replace the roofs on five (5) Town buildings: (1) The Town Hall at Broadway and Union Roads; (2) The Maryvale Community Center at 3409 Genesee Street; (3) The Sewer Department Office Building on 200 Southern Parkway; (4) The Incinerator Building on Union Road and; (5) The Dartwood Community Center at 222 Autumnwood Drive, and all related work, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, instructions to Bidders, etc., prepared by Trautman Associates, Consulting Engineers for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and instructions to Bidders may be examined at the above office and at the office of the Engineers at 470 Franklin Street, Buffalo, New York 14202, from which latter office copies may be secured upon payment of $50.00 per set of documents. Bidders returning bidding documents within two (2) weeks after receipt of bids will be refunded their full deposit. Non-bidders returning bidding documents seven (7) days before bids are due will be refunded their full deposit. Bidders returning plans late receive no deposit. Non-bidders receive no deposit.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Roof Replacement Work".

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

Bidding documents will be delivered by UPS upon request and receipt of an additional non-refundable delivery and handling charge of $10.00 payable by separate check.

The contract is to be lump sum. No bidder may withdraw his bid within 60 days after the actual date of the opening thereof.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Bidders are required to furnish a Proposal Guaranty of ten percent (10%) of the amount of the proposal, either by bank cashier's check, payable to the Owner, or by Bid Bond, conforming to law, and satisfactory to Owner.

100% Performance, Labor and Material Payment Bonds are required.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

By Order of
RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
Dated: May 18, 1987.

Susan E. Landel

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 ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ the first insertion being on the 21st day of May 19 87 ~~and the last insertion being on the xxxxxxxx day of xxxxxxxxxxxxxxxx, 19xxxxxxxxxxxx~~

Susan E Landel

22nd day of May 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. 6c Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the remodeling of the Roycroft Pump Station, which bids were duly received and publicly opened on April 22, 1987, and

WHEREAS, bids were referred to the Town Engineer and the consulting firm of Nussbaumer & Clarke, Inc. for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated May 14, 1987, and

WHEREAS, said report recommends that the bids as submitted for Contract A (General Construction and Mechanical) and Contract D (Electrical) be rejected and that the project be rebid for said two (2) items, NOW, THEREFORE, BE IT

RESOLVED that bids for Contract A (General Construction and Mechanical) and Contract D (Electrical) be and hereby are rejected, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is requested to publish a Notice to Bidders for the Roycroft Pump Station Remodeling General Construction and Mechanical Work and Electrical Work, notice to be published in THE BUFFALO NEWS and THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received and publicly opened on the 8th day of June, 1987 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

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

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 8th day of June, 1987 at 11:00 A.M., Local Time, in the Town Hall, in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required to remodel the Roycroft Pumping Station including main sewage pump replacement (1), electrical fixture removals, additions and relocations, and all related work, complete in place, texted and ready for use, in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202, from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two $25.00 checks made payable to the Town of Cheektowaga, New York.

There will be a pre-bid meeting at the site of the Roycroft Pump Station on June 1, 1987 at 10:00 A.M. The Roycroft Pump Station is located at 483 Roycroft Boulevard, Cheektowaga (just south of Wehrle Drive).

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Remodeling of the Roycroft Pumping Station."

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

Item No. 6c cont'd

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidder requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this 30-day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal be accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. <u>These taxes are not to be included in the bid</u>.

The work shall be completed within 180 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

BY ORDER OF: RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

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

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication MAY 21 1987; last publication MAY 21 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 21st day of May, 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 NOV. 30, 1989

**LEGAL NOTICE**

**NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 8th day of June, 1967 at 11:00 a.m., local time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required to remodel the Roycroft Pumping Station including main sewage pump replacement (1), electrical fixture removals, additions and relocations, and all related work, complete in place and ready for use, in accordance with the Contract Documents therefor, including Plans, Specifications and Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the said project.**

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to bidders may be examined at the above office and at the Office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202, from which latter office copies may be secured upon payment of $50.00 per set of documents. Deposits should be made in the form of two (2) $25.00 checks made payable to the Town of Cheektowaga, New York.

There will be a pre-bid meeting at the site of the Roycroft Pump Station on June 1, 1967, at 10:00 AM. The Roycroft Pump Station is located at 483 Roycroft Boulevard, Cheektowaga (just south of Wehrle Drive). The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Remodeling of the Roycroft Pumping Station." Any bid not delivered in person shall be mailed to the office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Any bidder returning plans and specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the plans and specifications before the bid opening will be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this thirty (30) day period.

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

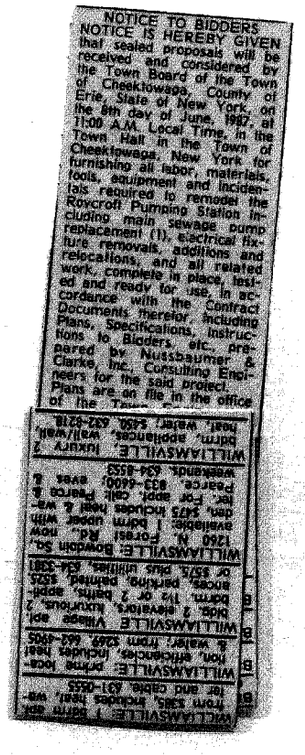
The work shall be completed within 180 consecutive calendar days, to begin 5 pays after the "Order to Commence Work" has been issued.

**BY ORDER OF:**
**RICHARD M. MOLESKI**
**Town Clerk**
**Town of Cheektowaga**

**PUBLISH: May 21, 1967**

# State of New York

ERIE COUNTY
CITY OF BUFFALO



NOTICE TO BIDDERS
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Susan E. Landel

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 a ~~week for ____ weeks~~, the first insertion being on the 21st day of May 19 87 ~~and the last insertion being on the ____ day of ____ 19____~~

Susan E Landel

Sworn to before me this 22nd day of May 19 87

Francis X. Vollmer Jr.

Notary Public, Erie County, N.Y.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 89

State of New

ERIE COUNTY
CITY OF BUFFA

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There will be a pre-bid meeting at the site of the Roycroft Pump Station on June 1, 1987 at 10:00 A.M. The Roycroft Pump Station is located at 483 Roycroft Boulevard, Cheektowaga (just south of Webrie Drive).

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Remodeling of the Roycroft Pumping Station."

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

Any bidder returning Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classed as non-bidders. Any bidder requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents received after this 30-day period.

The right to reject any and all bids, to waive any informalities in or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga and in accordance with law, are hereby reserved.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to five percent (5%) of the amount of the bid, conditioned that, if his proposal be accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the state on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

The work shall be completed within 180 consecutive calendar days to begin five (5) days after the "Order to Commence Work" has been issued.

By Order of:
RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

Susan E. Landel

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 a ~~week for~~ ~~weeks~~, the first insertion being on the 21st day of May 19 87 ~~and the last insertion being on the day of~~ ~~19~~

Susan E Landel

Sworn to before me this ____ day of ____ Ma

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. 6d Motion by Councilman Gabryszak, Seconded by Councilman Kowal

WHEREAS, Ron Zoeller, Sanitation Department Foreman, has requested that bids be received for the purchase of trucks with refuse packers for the Sanitation Department, and

WHEREAS, funds have been allocated for said trucks with refuse packers, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Trucks with Refuse Packers, said notice to be published in THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 1st of June at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers in the Cheektwoaga Town Hall.

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NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 1st, 1987 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads for two (2) garbage trucks with Thirty-Two (32) Cubic yard packer bodies.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: May 18, 1987

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

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

AFFIDAVIT - NEXT PAGE

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

Mary J. Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication MAY 21 1987; last publication MAY 21 1987; and that no more than six days intervened between publications.

Mary J. Lewandowski

Sworn to before me this 21st

day of May, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga June 1st, 1987, at 11:00 a.m, Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for two (2) garbage trucks with Thirty-Two (32) cubic yard packer bodies.

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: May 18, 1987
PUBLISH: May 21, 1987

*Item No. 7* *Motion by Councilman Johnson, Seconded by Councilman Gabryszak*

*WHEREAS, the Town has adopted a policy whereby street lighting facilities within recently constructed subdivisions are owned and maintained by the Town which has resulted in a significant savings in annual utility company charges, and*

*WHEREAS, it is appropriate to inventory a supply of light standards and luminaires for replacement and repair purposes when needed, NOW, THEREFORE, BE IT*

*RESOLVED that authorization is hereby granted to the Facilities Maintenance Department to purchase street lighting equipment for future repair purposes in an amount not to exceed $3,000.00 and that said purchase be funded through the Special Districts Fund 905182.4432.*

*Upon Roll Call....*
*AYES:* *Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Supervisor Daniel E. Weber*

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

*WHEREAS, the Town of Cheektowaga has not been able to provide direct library service to the Dick Road-North Creek Drive area of Town, and*

*WHEREAS, such area is of sufficient size and density to justify direct library service, and*

*WHEREAS, Store Front Libraries have been very successful in the United States, Erie County and on Kelly Drive in Cheektowaga, NOW, THEREFORE, BE IT*

*RESOLVED that this Town Board hereby requests the Director of the Cheektowaga Libraries to study the feasibility of locating a Store Front Library in the Dick Road-North Creek Drive area of Town and to submit a written report thereon to this Board, and BE IT FURTHER*

*RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this resolution to the Director of the Cheektowaga Libraries.*

*Upon Roll Call....*
*AYES:* *Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Supervisor Daniel E. Weber*

*Item No. 8b* *Motion by Councilman Gabryszak, Seconded by Councilman Jaworowicz*

*WHEREAS, in June, 1984, a store front library was opened in the miniplaza located on Kelly Drive at French Road in the southern portion of Cheektowaga, and*

*WHEREAS, such store front library has become an enormous success and is used regularly by Town residents, and*

*WHEREAS, no permanent full-size library exists in the southern portion of Cheektowaga even though the population of such area of Town warrants such a library, and*

*WHEREAS, the Master Plan of Library Service for Cheektowaga, formulated in the early 1960's, projected the building of five full service libraries in the Town, and*

*WHEREAS, there are presently only three full service libraries and one store front library in the Town, and*

*Item No. 8b cont'd*

*WHEREAS, this Town Board feels that the County should provide funding for a full service library facility in the French Road-Losson Road area of Town, NOW, THEREFORE, BE IT*

*RESOLVED that Nancy Killian, Director of the Cheektowaga Libraries, be and hereby is requested to study the feasibility of locating a full service library in the French Road-Losson Road area of Town and submit a written report to this Board addressing the following concerns:*

1. *Site and size of facility*
2. *Population to be served*
3. *Annual costs to be borne by the Town of Cheektowaga*
4. *Expected hours of service*
5. *Expected usage*

*and BE IT FURTHER*

*RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this resolution to the Director of the Cheektowaga Libraries.*

*Upon Roll Call....*
*AYES:* *Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Supervisor Daniel E. Weber*

*Item No. 9* *Motion by Councilman Jaworowicz, Seconded by Councilman Santa Maria*

*WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1987 to the Erie County Board of Elections, and*

*WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly voters, provided, however, that this requirement may be waived in writing by the Erie County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, and*

*WHEREAS, the Town of Cheektowaga includes 111 Election Districts; 43 Polling Places, of which 42 provide proper accessibility and 1 which does not, and*

*WHEREAS, the Town of Cheektowaga is a fully developed community and has within its environs very few or recently constructed buildings which provide the required accessibility and are also available for use as polling places, and*

*WHEREAS, conversion of the current inaccessible polling place, is neither economically feasible nor cost effective at this time, and*

*WHEREAS, the Town is cognizant of this situation and continues to seek an accessible location to replace the inaccessible location, and, when financially and otherwise practicable, will convert the present inaccessible location to provide accessibility, NOW, THEREFORE, BE IT*

*RESOLVED that the attached list of Town of Cheektoaga polling places for 1987 be approved for submittal to the Erie County Board of Elections, and BE IT FURTHER*

*RESOLVED that the Town Board herewith requests a waiver in writing from the Erie County Board of Elections for inaccessible polling place(s), as designated on same attached list which is made a part of this resolution.*

Item No. 9 cont'd

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

* See next forty-six (46) pages for list of polling places

ELECTION NOTICE rev. 5/18/87

Town of Cheektowaga, County of Erie, New York
POLLING PLACES

We the undersigned composing the Board of the Town Officers of the Town of Cheektowaga, New York do hereby give notice that we have designated the following Polling Places in said Town of Cheektowaga for the Primary and General Election.

District #1 - St. Mary's Greek Orthodox Church, 940 Losson Road

District #2 - Bellevue Fire Station, Como Park & Bennett Road

District #3 - Amvets Post #14, 4721 Broadway, Depew

District #4 - Forks Fire Hall No. 2, Nagel Dr. & South Creek Drive

District #5 - U-Crest Fire Hall, 255 Clover Place

District #6 - Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.

District #7 - Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.

District #8 - Maryvale Community Center, 3409 Genesee Street

District #9 - Maryvale Continuing Education Bldg., 777 Maryvale Drive

District #10 - Cerebral Palsy Assoc., North Hill Elementary, 4635 Union Road

District #11 - Cerebral Palsy Assoc., North Hill Elementary, 4635 Union Road

District #12 - Infant of Prague School Hall, 921 Cleveland Drive

District #13 - Cleveland Drive Presbyterian Church, 735 Cleveland Drive

District #14 - Cleveland Hill Fire Hall, 440 Cleveland Drive

*District #15 - St. Aloysius School, 157 Cleveland Drive

*District #16 - St. Aloysius School, 157 Cleveland Drive

*District #17 - St. Aloysius School, 157 Cleveland Drive

*District #18 - St. Aloysius School, 157 Cleveland Drive

*District #19 - St. Aloysius School, 157 Cleveland Drive

District #20 - Cleveland Hill High School, Mapleview Drive

District #21 - Cleveland Hill High School, Mapleview Drive

District #22 - Cleveland Hill High School, Mapleview Drive

District #23 - Infant of Prague School Hall, 921 Cleveland Drive

District #24 - Cerebral Palsy Assoc. North Hill Elementary School, 4635 Union Rd.

District #25 - Maryvale Continuing Education Bldg., 777 Maryvale Drive

District #26 - Maryvale Community Center, 3409 Genesee Street

District #27 - Mother of Divine Grace Church, 500 Maryvale Drive

District #28 - Mother of Divine Grace Church, 500 Maryvale Drive

District #29 - Cleveland Hill Primary School, 7 Community Drive

District #30 - Cleveland Hill Primary School, 7 Community Drive

District #31 - Pine Hill Elementary School, 1635 East Delavan

District #32 - Pine Hill Elementary School, 1635 East Delavan

District #33 - Villa Maria College, 240 Pine Ridge

District #34 - Pine Hill Fire Hall, 2435 Genesee Street

District #35 - Cheektowaga Recreation Center, Town Park, Harlem Road

District #36 - Queen of Martyrs School, 180 George Urban Blvd.

District #37 - Maryvale Community Center, 3409 Genesee Street

District #38 - U-Crest Fire Hall, 255 Clover Place

District #39 - U-Crest Fire Hall, 255 Clover Place

District #40 - Anna M. Reinstein Memorial Library, 2580 Harlem Road

District #41 - Anna M. Reinstein Memorial Library, 2580 Harlem Road

District #42 - St. John Gualbert Hall 120 Alexander Avenue

District #43 - St. John Gualbert Hall 120 Alexander Avenue

District #44 - Rescue Fire Hall, 20 Pine Ridge Road

District #45 - Rescue Fire Hall, 20 Pine Ridge Road

District #46 - Sloan Fire Hall, 55 Gates Street, Sloan

District #47 - Sloan Fire Hall, 55 Gates Street, Sloan

District #48 - Sloan Fire Hall, 55 Gates Street, Sloan

District #49 - Sloan Fire Hall, 55 Gates Street, Sloan

District #50 - Sloan Fire Hall, 55 Gates Street, Sloan

District #51 - Theodore Roosevelt School, 2495 William Street

District #52 - Theodore Roosevelt School, 2495 William Street

District #53 - Ukrainian Holy Trinity Orthodox Hall, 200 Como Park Blvd.

District #54 - Theodore Roosevelt School, 2495 William Street

District #55 - Doyle Fire Hall No. 1, William & Alaska

District #56 - Grover Cleveland School, Rossler & Dingens

District #57 - Doyle Fire Hall No. 2, Willowlawn & Griswold Street

District #58 - South Branch Library, 2660 William Street

District #59 - Sciole Elementary School, 86 Alys Drive, Depew

District #60 - Sciole Elementary School, 86 Alys Drive, Depew

District #61 - Forks Fire Hall No. 2, Nagel & South Creek Drive

District #62 - Hy-View Fire Hall, 8 Airport Drive

District #63 - Hy-View Fire Hall, 8 Airport Drive

District #64 - Forks Fire Hall (Memorial Hall), 3340 Broadway

District #65 - St. Barnabas School, 2099 George Urban Blvd.

District #66 - Maryvale Primary Bldg., 1 Nagel Drive

District #67 - Garden Village Apartments Recreation Center 70 Garden Village Drive

District #68 - West End Hose Co. No. 6 2325 George Urban Blvd.

District #69 - Queen of Martyrs, 180 George Urban Blvd.

District #70 - Cheektowaga Recreation Center, Town Park, Harlem Road

District #71 - Cleveland Hill High School, Mapleview Drive

District #72 - Cleveland Hill Fire Hall, 440 Cleveland Drive

District #73 - Cleveland Heights Christian Church, 4774 Union Road

District #74 - Bellevue Fire Hall Como Park Blvd. & Bennett Road

District #75 - Maryvale Continuing Education Bldg., 777 Maryvale Drive

District #76 - Our Lady of the Blessed Sacrament School, 2620 George Urban Blvd.

District #77 - Ukrainian Holy Trinity Orthodox Church Hall, 200 Como Park Blvd.

District #78 - Doyle Fire Hall No. 1 William & Alaska Street

District #79 - Southline Fire Hall, 1049 French Road

District #80 - Garden Village Apartments Recreation Center, 70 Garden Village Drive

District #81 - Southline Fire Hall, 1049 French Road

District #82 - St. Mary's Greek Orthodox Church, 940 Losson Road

District #83 - Dartwood Community Center 222 Autumnwood Drive

District #84 - Dartwood Community Center 222 Autumnwood Drive

District #85 - Bellevue Fire Hall, Como Park Blvd. & Bennett Road

District #86 - Amvets Post # 14, 4721 Broadway, Depew

District #87 - St. Barnabas School 2099 George Urban Blvd.

District #88 - West End Hose Co. No. 6 2325 George Urban Blvd.

District #89 - Hy-View Fire Hall, 8 Airport Drive

District #90 - Infant of Prague School Hall, 921 Cleveland Drive

District #91 - Hy-View Fire Hall 8 Airport Drive

District #92 - Maryvale Primary Bldg., 1 Nagel Drive

District #93 - U-Crest Fire Hall, 255 Clover Place

District #94 - Ukrainian Holy Trinity Orthodox Hall, 200 Como Park Blvd.

District #95 - Doyle Fire Hall No. 1 William & Alaska Streets

District #96 - Maryvale Primary Bldg., 1 Nagel Drive

District #97 - South Branch Library 2660 William Street

District #98 - Forks Fire Hall No. 2 Nagel & South Creek Drive

District #99 - Cleveland Heights Christian Church, 4774 Union Road

District #100 - Maryvale Continuing Education Bldg., 777 Maryvale Drive

District #101 - Queen of Martyrs School, 180 George Urban Blvd.

District #102 - Forty & Eight Voiture Hall, 810 Rein Road

District #103 - Our Lady of the Blessed Sacrament School, 2620 George Urban Blvd.

District #104 - Ukrainian Holy Trinity Orthodox Hall, 200 Como Park Blvd.

District #105 - John F. Kennedy School, 305 Cayuga Creek Road

District #106 - Garden Village Apartments Recreation Center, 70 Garden Village Drive

District #107 - Garden Village Apartments Recreation Center, 70 Garden Village Drive

District #108 - Dartwood Community Center, 222 Autumnwood Drive

District #109 - Dartwood Community Center, 222 Autumnwood Drive

District #110 - Southline Fire Hall, 1049 French Road

District #111 - Southline Fire Hall, 1049 French Road

*Denotes non-accessibility to building for handicapped

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD
Supervisor:
Daniel E. Weber
Councilmen:
Thomas M. Johnson
William P. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak
Rudy A. Santa Maria

RICHARD M. MOLESKI
Town Clerk

Publish:

Waiver requested — ---

☒ NO

Assembly Dist. or Ward 143
Election District 3 & 86
Address 4721 Broadway

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Amvets Buddy Knaus Post #14

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Main Hall

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

exterior ☐ YES ☐ NO
interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only

Waiver Granted ☐

Waiver Rejected ☐

Richard M. Mosbi 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward [illegible]
Election District 35 & 70
Address 2600 Harlem Rd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Recreation Center

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Entrance Foyer

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

exterior ☐ YES ☐ NO
interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard W. Wolcott
Signature

Date 4/30/87

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Town or City [illegible]
Assembly Dist. or Ward 142
Election District 33
Address 240 Pine Ridge Rd

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Villa Maria College

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Cafeteria

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Mlecki
Signature

4/30/87
Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 145
Election District 105
Address 305 Cayuga Creek Rd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
John F. Kennedy High School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Entrance Foyer

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McCabe 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 143
Election District 55. 78. 95
Address William & Alaska STs.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Doyle Fire Hall #1

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
1st Floor Meeting Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Mackie 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 145
Election District 27 & 28
Address 500 Marvvale Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Mother of Divine Grace School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
GYM

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. Mesbi
Signature
Date 4/30/8

TOWN CLERK
Title

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 145
Election District 42 & 43
Address Gualbert Ave.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
St. John Gualbert

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Hall

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McLaskie 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward 143
Election District 12 23 00
Address 921 Cleveland Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Infant of Prague School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Green Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

exterior ☐ YES ☐ NO
interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Mlecki 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ Yes
☒ NO

Assembly Dist. or Ward 145
Election District 2, 85, 74
Address Como Park & Bennett Rd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Bellevue Fire Hall

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Meeting Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. McCabe 4/30/8
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver Requested — ☒ NO

Assembly District —
Election District 79, 81, 110, 111
Address 1049 French Rd

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Southline Fire Hall

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Meeting Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

exterior ☐ YES ☐ NO
interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. Weeks 4/30/
Signature Date

TOWN CLERK
Title

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 143
Election District 46, 47, 48, 49, 50
Address 55 Gates Ave.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Sloan Fire Hall

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Main Hall

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Mlecki 4/30/8
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward [illegible]
Election District 53, 77, 94, 104
Address 200 Como Park Blvd

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Ukrainain Holy Trinity Orthodox Hall

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Main hall

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

exterior ☐ YES ☐ NO
interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. Mackie 4/30/87
Signature Date

TOWN CLERK
Title

☒ NO

Assembly District [illegible]
Election District 58 & 97
Address 2660 William St.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
South Branch Library

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Meeting Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. Moskis 4/30/87
Signature Date

TOWN CLERK
Title

☒ NO

Assembly Dist. or Ward 145
Election District 83, 84, 108, 109
Address 222 Autumnwood Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Dartwood Community Center

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Community Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McKie 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested — ---

☒ NO

Assembly Dist. or Ward 143
Election District 57
Address Willowlawn & Griswald

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Doyle Fire Hall #2

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Main Floor Meeting Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only

Waiver Granted ☐

Waiver Rejected ☐

Richard M. McCabe 4/30/87
Signature Date

TOWN CLERK
Title

☒ NO

Election District 5, 38, 39, 93
Address 255 Clover Place

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
U-Crest Fire Hall

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Engine Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McKelvie 4/30/87
Signature Date

TOWN CLERK
Title

☒ NO

Assembly Dist. or Ward 143
Election District 40 & 41
Address 2580 Harlem Rd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Reinstein Library

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Meeting Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McCabe 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ YES ☒ NO

Assembly ____ Election District 56
Address Rossler & Dingens St

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Grover Cleveland School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
GYM

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M McCabe 4/30
Signature Date

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Town or City
Assembly Dist. or Ward 145
Election District 8, 26, 37
Address 3409 Genesee St

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Maryvale Community Center

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Community Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M McCabe
~~Signature~~ Date 4/30/8

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward 143
Election District 62, 63, 89, 91
Address 8 Airport Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Hy-View Fire Hall

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Engine Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Mokabi 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ Yes
☒ NO

Town or City [illegible]
Assembly Dist. or Ward 143
Election District 34
Address 2435 Genesee St.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Pine Hill Fire Hall

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Engine Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

exterior ☐ YES ☐ NO
interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☒ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McKee 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 143
Election District 73 & 99
Address 4774 Union Rd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
   Cleveland Heights Christian Church

2. What part of building and type of room is polling place located?
   (eg., community room, 1st floor, entrance foyer, gym, etc.)
   Community Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McCabe
Signature Date 4/30/87

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Town or City CHEEKTOWAGA
Assembly Dist. or Ward 143
Election District 36, 69, 101
Address 180 Gen. Urban Blvd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Queen of Martyr School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
GYM

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McCabe 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward 143
Election District 65 & 87
Address 2099 Geo. Urban Blvd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
St. Barnabas School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Meeting Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McCabe 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward 143
Election District 59 & 60
Address 86 Alys Drive

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Alys Drive Elementary School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
first floor hallway

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. McLaughlin 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ Yes
☒ NO

Assembly Dist. or Ward [illegible]
Election District 51, 52, 54
Address 2495 William St.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Theodore Roosevelt School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
GYM

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. McKeon 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

☒ NO

Assembly Dist. or Ward 143
Election District 29 & 30
Address 7 Community Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Cleveland Hill Primary School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
1st floor hallway

| | | | |
|---|---|---|---|
| 3. | Is this polling place located within its election district boundaries? | ☒ YES | ☐ NO |
| 4. a. | Is there a level surface leading into building at designated entrance? (no steps) | ☒ YES | ☐ NO |
| b. | Between entrance and polling place room? | ☒ YES | ☐ NO |
| 5. | If answer to either 4a or 4b is no, are steps ramped? | | |
| | exterior | ☐ YES | ☐ NO |
| | interior | ☐ YES | ☐ NO |
| 6. | If answer to 4b is no, is an elevator available? | ☐ YES | ☐ NO |
| 7. | Are all doorways which voters are required to pass through at least 32 inches wide? | ☐ YES | ☐ NO |

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

| | | | |
|---|---|---|---|
| 1. | Is there another entrance to this building which would make the polling place accessible? | ☐ YES | ☐ NO |
| 2. | Can stairways be ramped? | ☐ YES | ☐ NO |
| 3. | Is there another location within election district which is accessible and could be designated as a polling place? | ☐ YES | ☐ NO |
| 4. | Is there a location in a contiguous election district which is accessible and could be designated as a polling place? | ☐ YES | ☐ NO |

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only

Waiver Granted ☐

Waiver Rejected ☐

Richard M. McCabe
Signature

4/30/87
Date

TOWN CLERK
Title

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 145
Election District 20 21 22 71
Address Mapleview Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Cleveland Hill High School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
first floor hallway

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

exterior ☐ YES ☐ NO
interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M Mosher 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 143
Election District 1 & 82
Address 940 Losson Rd

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
St. Mary's Orthodox Greek Catholic Church

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
1st Floor Meeting room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☒ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McCabe 4/30/87
Signature Date

TOWN CLERK
Title

☒ NO

Assembly Dist. or Ward 145
Election District 74 80 106 107
Address Apt. 70 Garden Village DR.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Garden Village Dr.

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
REC ROOM

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only

Waiver Granted ☐

Waiver Rejected ☐

Richard M. McKabe 4/30/87
Signature Date

TOWN CLERK
Title

☒ NO

Assembly Dist. or Ward 143
Election District 102
Address 810 Rein Rd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
   Forty & Eight Voiture Hall

2. What part of building and type of room is polling place located?
   (eg., community room, 1st floor, entrance foyer, gym, etc.)
   Meeting Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. Mosbi 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Town or City [illegible]
Assembly Dist. or Ward 145
Election District 68 & 88
Address 2325 Geo. Urban Blvd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
West End Hose Co #5

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Engine Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Mleski 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward 143
Election District 6 7 76 103
Address 2620 Geo. Urban Blvd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Our Lady of the Blessed Sacrament School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Foyer of Church

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

exterior ☐ YES ☐ NO
interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. Mlecki 4/30/87
Signature Date

TOWN CLERK
Title

☒ NO

Assembly Dist. or Ward 143
Election District 13
Address 635 Cleveland Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Cleveland Drive United Presbyterian Church

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
FOYER

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McKelvie 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward 143
Election District 10, 11, 24
Address 4635 Union Road

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
North Hill Elementary School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Mokski 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward 143
Election District 66, 92, 96
Address 1 Nagel Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Union U-Crest Elementary School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
GYM

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. McCabe 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 143
Election District 9, 25, 75, 100
Address 777 Maryvale Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Maryvale Elementary School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
GYM

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. Mosbie 4/30/ 87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward 143
Election District 31 & 32
Address 1635 E. Delavan Ave

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Pine Hill Elementary School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
GYM

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Meaki A30/87
Signature Date

Town Clerk
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

☐ NO

Assembly Dist. or Ward
Election District 15, 16, 17, 18, 19
Address 157 Cleveland Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
St. Aloysius School

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
GYM

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☐ YES ☒ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☒ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☒ NO

2. Can stairways be ramped? ☐ YES ☒ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☒ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☒ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts. St. Aloysius Church is the only Building available for use as a polling place for these (5) Districts. Though not completely accessible, there are only (2) steps down into the gym

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McKelvie 4/30/87
Signature Date

Town Clerk
Title

Waiver requested — —

☒ NO

Assembly Dist. or Ward 1-3
Election District 14 & 72
Address 440 Cleveland Dr.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Cleveland Hill Fire Hall

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Enlnge Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

exterior ☐ YES ☐ NO
interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Mleski 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ Yes ☒ NO

Assembly Dist. or Ward 143
Election District 4, 61, 96
Address Nagel & S. Creek

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Fork's Fire Hall No. 2

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Engine Room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Richard M. McCabe 4/30/87
Signature Date

TOWN CLERK
Title

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 143
Election District 44 & 45
Address 20 Pine Ridge Rd.

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Rescue Fire Hall

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Recreation room

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. Mosbis 4/30/87
Signature Date

TOWN Clerk
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

Waiver requested ☐ YES ☒ NO

Assembly Dist. or Ward 145
Election District 64
Address 3340 Broadway

## POLLING PLACE ACCESSIBILITY TO THE HANDICAPPED
(Section 4-104 of Election Law)

1. Type of Premises? (eg., school, fire station, store, etc.) (Indicate if public bldg.)
Fork's Fire Hall No. 1

2. What part of building and type of room is polling place located?
(eg., community room, 1st floor, entrance foyer, gym, etc.)
Memorial Hall

3. Is this polling place located within its election district boundaries? ☒ YES ☐ NO

4. a. Is there a level surface leading into building at designated entrance? (no steps) ☒ YES ☐ NO

   b. Between entrance and polling place room? ☒ YES ☐ NO

5. If answer to either 4a or 4b is no, are steps ramped?

   exterior ☐ YES ☐ NO
   interior ☐ YES ☐ NO

6. If answer to 4b is no, is an elevator available? ☐ YES ☐ NO

7. Are all doorways which voters are required to pass through at least 32 inches wide? ☒ YES ☐ NO

**IF ANY PORTION OF QUESTIONS 5, 6 or 7 ARE ANSWERED "NO", THE POLLING PLACE IS NOT ACCESSIBLE TO THE PHYSICALLY HANDICAPPED AND A WAIVER MUST BE REQUESTED.**

REQUEST FOR WAIVER

1. Is there another entrance to this building which would make the polling place accessible? ☐ YES ☐ NO

2. Can stairways be ramped? ☐ YES ☐ NO

3. Is there another location within election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

4. Is there a location in a contiguous election district which is accessible and could be designated as a polling place? ☐ YES ☐ NO

5. If you have answered "YES" to questions 1, 2, 3, or 4, please explain reason for not making a change of the polling place or why present polling place cannot be made accessable (stairs ramped, entrance changed, etc). Also describe efforts which have been made to achieve accessability and if disabled individuals or groups have participated in efforts.

Richard M. McCabe 4/30/87
Signature Date

TOWN CLERK
Title

Board Use Only
Waiver Granted ☐
Waiver Rejected ☐

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

WHEREAS, there is need to remodel the Roycroft Pump Station, including main sewage pump replacement (1), ventilation additions and modifications, electrical fixture removals, additions and relocations and all related work, and

WHEREAS, funds have been budgeted for such remodeling work, NOW, THEREFORE, BE IT

RESOLVED that the proposal, as submitted by Nussbaumer & Clarke, Inc. to the Town Engineer and dated April 20, 1987 be and hereby is accepted and approved for the provision of professional 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 costs for general services during construction in the amount not to exceed $10,600.00 be chargeable to the Roycroft Maintenance Account #508125.4964.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

WHEREAS, by resolution dated July 7, 1986, this Town Board authorized the Supervisor to execute an agreement with the NYS Office of Parks, Recreation and Historic Preservation for a $50,000.00 grant to the Town for the construction of a lake in Stiglmeier Park, and

WHEREAS, this Town Board decided against constructing a lake in Stiglmeier Park at this time, and

WHEREAS, this Town Board still desires to avail itself of the $50,000.00 State grant to aid in the cost of improvements made in Stiglmeier Park, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests that the NYS Office of Parks, Recreation and Historic Preservation revise the aforementioned agreement to provide a $50,000.00 grant to the Town to be used towards the installation of a parking lot and sewer and water lines in Stiglmeier Park, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute the revised agreement, as prepared by the NYS Office of Parks, Recreation and Historic Preservation, and all vouchers and other papers necessary to effectuate this grant.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 11b Motion by Councilman Gabryszak, Seconded by Councilman Jaworowicz

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 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

Item No. 11b cont'd

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:

| | |
|---|---|
| 164 St. Felix Avenue | $2,451.00 |
| 225 Gates St. | 4,486.00 |
| 41 Lena Avenue | 6,142.00 |
| 70 Beale Avenue | 5,423.00 |
| 362 Wagner Avenue | 8,011.00 |
| 141 St. Louis Street | Increase previous loan authorization by $40.00 |

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

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: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

WHEREAS, the New York State Department of Transportation is completing the improvement of their Transit Road ditch, which waters are directed into a Town drainage system as shown on the Town Official Drainage Systems Map C-3 and located north of Strasmer Road and running westerly, and

WHEREAS, said Town ditch is in need of clearing and improvement in order to handle the improved road drainage from the State highway, and

WHEREAS, pursuant to Section 147 of the Highway Law of the State of New York, the Town Superintendent may enter upon any lands adjacent to the Town for the purpose of opening an existing drainage channel, NOW, THEREFORE, BE IT

RESOLVED that this Town Board agrees with the need to make the necessary drainage improvements under Section 147 of the Highway Law and as requested by the Highway Superintendent, and BE IT FURTHER

RESOLVED that this Town Board hereby directs the Highway Superintendent, or his designated representative, to enter upon the private properties as necessary in order to affect the necessary drainage improvements.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 13 Motion by Councilman Santa Maria, Seconded by Councilman Gabryszak

WHEREAS, P. Marrano has submitted a preliminary site plan for Losson Park Village, a proposed subdivision composed of some 119 building lots, which subdivision is located south of Losson Road and includes an extension of Towers Boulevard, AND

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has reviewed such preliminary site plan and has stated that the proposed development will not have a significant effect on the environment, AND

WHEREAS, the Cheektowaga Planning Board has reviewed such preliminary site plan and has stated that it has no objection to the development, AND

WHEREAS, the Town Engineer and the Superintendent of Highways have reviewed the preliminary site plan and found it acceptable but have concerns relative to improvements along the existing drainage system tributary to Slate Bottom Creek and the location of the two (2) stub streets at the west end of said Losson Park Village Subdivision, NOW, THEREFORE, BE IT

RESOLVED, that the preliminary plan for the Losson Park Village Subdivision, as shown on drawing C-86-114-01, Revision 2, is approved and accepted by this Town Board based on the developer satisfying the requirements of the Town Engineer and the Town Highway Superintendent relative to the design of the waterway and the relocation of the stub streets along the west side of said Losson Park Village Subdivision.

Motion by Councilman Johnson, Seconded by Councilman Jaworowicz to amend the above resolution and the voting was as follows:

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

AMENDED RESOLUTION

Motion by Councilman Santa Maria, Seconded by Councilman Gabryszak

WHEREAS, P. Marrano has submitted a preliminary site plan for Losson Park Village, a proposed subdivision composed of some 119 building lots, which subdivision is located south of Losson Road and includes an extension of Towers Boulevard, AND

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has reviewed such preliminary site plan and has stated that the proposed development will not have a significant effect on the environment, AND

WHEREAS, the Cheektowaga Planning Board has reviewed such preliminary site plan and has stated that it has no objection to the development, AND

WHEREAS, the Town Engineer and the Superintendent of Highways have reviewed the preliminary site plan and found it acceptable but have concerns relative to improvements along the existing drainage system tributary to Slate Bottom Creek and the location of the two (2) stub streets at the west end of said Losson Park Village Subdivision, NOW, THEREFORE, BE IT

RESOLVED, that the preliminary plan for the Losson Park Village Subdivision, as shown on drawing C-86-114-01, Revision 2, is approved and accepted by this Town Board based on the developer satisfying the requirements of the Town Engineer and the Town Highway Superintendent relative to the design of the waterway and the relocation of the stub streets along the west side of said Losson Park Village Subdivision, and, BE IT FURTHER

Item No. 13 cont'd

RESOLVED, that such preliminary plan approval is further subject to consideration of the recommendations made in the attached letter dated May 5, 1987 from the Cheektowaga Traffic Safety Commission, and BE IT FURTHER

RESOLVED, that approval of such preliminary plan is further conditioned upon the developer constructing the extension of Towers Boulevard to Losson Road prior to the construction of any portion of the subdivision under the preliminary plan.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

WHEREAS, the Town Highway Superintendent wishes to dispose of five barrels containing chemicals, and

WHEREAS, CECOS International, Inc. has offered to dispose of such barrels for the costs shown on the attached Exhibit "B", NOW, THEREFORE, BE IT

RESOLVED that CECOS International, Inc. be and hereby is retained to dispose of the aforementioned five barrels from the Highway Department pursuant to the terms set forth in the attached Exhibit "B" - Special Waste Disposal Agreement, and BE IT FURTHER

RESOLVED that the funds for such barrel removal shall be appropriated from the Highway Fund, Account No. 03-075148-4029.

* See next two (2) pages for agreement

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

May 13, 1987

RECEIVED
1987 MAY 14 AM 9 53
CHEEKTOWAGA
TOWN CLERK

Supervisor Daniel E. Weber
Town Board Members
Cheektowaga NY 14227

Re: Disposal and Description of Waste Materials

Dear Town Board Members:

I have finally received approval to dispose of five (5) barrels of the seven (7) barrels of chemicals that are located in the Highway Department.

I have received an approximate cost of disposal by CECOS International Inc. The cost of this and method is expressed in Exhibit "B" attached to this letter.

I am asking for your approval and I would appreciate the Board informing me as to the funding of this shipment. I feel the cost is much greater than anticipated.

Very truly yours,

Alfred F. Wnek

ALFRED F. WNEK
HIGHWAY SUPERINTENDENT

AFW:erp

Encl. 1

CC: Town Board
Town Clerk
Law Office
Engineering Dept.

86/58 A

EXHIBIT "B"

To Special Waste Disposal Agreement Dated 4/24/87
By and Between Contractor and Town of Cheektowaga Highway Dept.

COLLECTION, TRANSPORTATION AND/OR DISPOSAL

Unless otherwise specified, Contractor will make every effort to collect and/or transport the Waste Material upon forty-eight (48) hours prior notice.

A. COLLECTION:
Point of Origin (Specify Location): 3145 Union Rd., Cheektowaga, NY

B. WASTE MATERIAL DESCRIPTION AND DISPOSAL METHOD/RATE(S):

| | Contractor Waste Codes | Description of Waste Material | Disposal Site/Method | Disposal Rate |
|---|---|---|---|---|
| 1. | 11484-ZQA | Waste Coal Tar Emulsion Pavement Sealer* | Incineration ENSCO | $550 per 55-gal. dr. |
| 2. | | | | |
| 3. | 11484-ZQB | Waste Clean-Rite* | Incineration ENSCO | $425 per 55-gal. dr |
| 4. | 11484-ZQC | Waste Alcohols* | Incineration ENSCO | $425 per 55-gal. dr |
| 5. | 11484-ZQD | Dichlorobenzene and Monochloro-benzene* | Incineration ENSCO | $425 per 55-gal. dr |

*Material must be removable from the drum.

C. TRANSPORTATION:

| | Vehicle Type | Spot Charges | Container Rental | Liner Charge | Transportation Rate | Demurrage Rate |
|---|---|---|---|---|---|---|
| 1. | box van (from Cheektowaga, NY to El Dorado, AR) | | | | $4,800/load | $55.00/hour* |
| 2. | box van (from Cheektowaga, NY to Cincinnati, OH) | | | | $1,767.50/load | $43.75/hour** |

*Transshipment rate from Spring Grove to ENSCO - $65/dr.
**Two (2) free hours loading & unloading time
**Stop charge - $60 (if making 2nd stop)
**Overnight charge - $100
**LTL (less-than-truckload) rates quoted at order entry

*One (1) free hour loading & two (2) free hours unloading time
*Overnight charge - $100

D. TAXES, ASSESSMENTS AND FEES:
Federal, state and local taxes, assessments and fees will be charged to Customer when applicable.

E. SPECIAL DRUM CONDITIONS:
Waste Material which is approved for a Secure Chemical Management Facility ("SCMF") must meet the following requirements:

°NO VOID SPACE
°NO FREE LIQUID PRESENT
°MUST BEAR PRODUCT CODE ON TOP AND SIDE
°RING TOP DRUMS MUST HAVE BUNG TOP LIDS

F. PRICE ADJUSTMENT:
The prices set forth above may be adjusted by Contractor from time to time upon thirty (30) days written notice prior to the effective date of the adjustment.

INITIALLED FOR IDENTIFICATION

Contractor

Customer

EXHIBIT "B" - I

| | Contractor Waste Codes | Description of Waste Material | Disposal Site/Method | Disposal Rate |
|---|---|---|---|---|
| 7. | 11484-ZQE | Waste Oxford 299* | Incineration ENSCO | $425 per 55-gal. drum |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
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| 21. | | | | |
| 22. | | | | |
| 23. | | | | |
| 24. | | | | |
| 25. | | | | |

*Material must be removable from the drum.

INITIALLED FOR IDENTIFICATION

Alfred F. Wenke

Contractor Customer

*Item No. 15* *Motion by Councilman Kowal, Seconded by Councilman Johnson*

*WHEREAS, the Town Highway Superintendent has requested permission to dispose of asbestos pipe which he has stored on Town property, and*

*WHEREAS, CECOS International, Inc. has submitted a proposal to the Town Highway Superintendent to remove such asbestos pipe, NOW, THEREFORE, BE It*

*RESOLVED that the attached proposal of CECOS International, Inc. to remove such asbestos pipe, NOW, THEREFORE, BE IT*

*RESOLVED that the funds for such asbestos pipe removal be appropriated from the Town Highway Department fund.*

* *See next three (3) pages for proposal*

*Upon Roll Call....*
*AYES:* *Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Supervisor Daniel E. Weber*

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

May 13, 1987

RECEIVED
1987 MAY 14 AM 9 55
CHEEKTOWAGA
TOWN CLERK

Supervisor Daniel E. Weber
Town Board Members
Cheektowaga NY 14227

Re: Asbestos Pipe Lagging Removal

Dear Town Board Members:

I am asking for your approval to dispose of asbestos pipe in old garage by CECOS International Inc., estimate and method attached to this letter.

Very truly yours,

Alfred F. Wnek

ALFRED F. WNEK
HIGHWAY SUPERINTENDENT

AFW:erp

Encl. 2

CC: Town Board
Town Clerk
Law Office
Engineering Dept.

CECOS
INTERNATIONAL INC.
2337 Hampton Avenue
Buffalo, NY 14214
716 873-4200
TLX No. 70-1833
CECOS BU

EXHIBIT "B"

May 5, 1987

Town of Cheektowaga Highway Department
3145 Union Road
Cheektowaga, New York 14227

ATTENTION: Mr. Frec Wnek

RE: Asbestos Pipe Lagging Removal
CECOS Proposal No. BF8705-080

Dear Mr. Wnek:

CECOS International, Inc. will supply labor, equipment material and supervision to remove approximately 80 linear feet of 4 inch asbestos pipe lagging. This project will be completed on a time and material basis.

PLANNING ASSUMPTION

1. The pipe lagging is less than 20 feet from the ground and can be reached with ladders (to be supplied by the Town).

2. There will be no persons in the area at the time of removal.

COST

CECOS is prepared to perform the stated service at the following unit prices.

All charges for labor and equipment rentals will be billed on a portal to portal basis from start to finish of the project for mobilization and demobilization of equipment and materials.

No applicable taxes are included.

| | | |
|---|---|---|
| **Labor** | | |
| Project Supervisor | 9 hrs @ $30.00/hr | $ 270.00 |
| Chemical Technicians (2) | 9 hrs @ $24.00/hr/ea | 432.00 |
| **Equipment** | | |
| Rack Truck | 1 day @ $85.00/day | 85.00 |
| Air Pumps (2) | 1 day @ $45.00/day | 45.00 |
| Hako Vacuum | 1 day @ $50.00/day | 50.00 |
| Hand Tools | 1 day @ $50.00/day | 50.00 |

| | | |
|---|---|---|
| **Material** | | |
| Safety Expendables | 3 sets @ $25.00/set | 75.00 |
| Polyethylene | 2 rolls @ $65.00/roll | 130.00 |
| Asbestos Bags | 8 bags @ $1.00/bag | 8.00 |
| Sample Analysis | 2 samples @ $35.00/sample | 70.00 |
| **Freight** | | |
| Cheektowaga, New York to Niagara Falls, New York | 1 load @ $300.00/load | 300.00 |
| **Disposal** | | |
| Sanitary Landfill | 5 c.y. @ $40.00/c.y. | 200.00 |
| | TOTAL ESTIMATED COST | $1,715.00 |

The prices listed are firm for thirty (30) days and work must begin within forty-five (45) days. It should be emphasized that this is an estimated cost. Actual work on the project will be invoiced on a unit price basis. Our on-site supervisor will complete a daily worksheet which will supply specific quantities, units of manpower, equipment, materials, supplies, freight and disposal on a per day basis. This worksheet is generated by CECOS' on-site supervisor and submitted to you for verification. This will provide you with a daily record of the progress of your project. From the daily worksheets, a fair and accurate billing is prepared. You are billed specifically for those services and quantities you receive.

If conditions vary from those stated, or Town of Cheektowaga Highway Department desires additional work, CECOS will require that a change order be signed by an authorized person before additional work begins.

The following documents must be in place before work may begin:

1) Environmental Services Agreement
2) Signed Exhibit "B"
3) Purchase Order

If you should have any questions, please do not hesitate to contact me.

Sincerely,

CECOS INTERNATIONAL, INC.

Daniel O Hoffner

DANIEL O. HOFFNER
Estimator

DOH/cm
encs

cc: F. Virginia
M. Scarano

Item No. 16 Motion by Councilman Santa Maria, Seconded by Councilman Gabryszak

WHEREAS, Penn Advertising, Inc. has requested permission to rebuild existing billboard signs at 3999 Genesee Street, 4950 Genesee Street and on the North side of the Kensington Expressway at Louis Street, and

WHEREAS, said applications were referred to the Building Inspector of the Town of Cheektowaga, and

WHEREAS, said Building Inspector has recommended approval of the billboard rebuilding applications, NOW, THEREFORE, BE IT

RESOLVED that the Penn Advertising, Inc. be and is hereby granted permission to rebuild the aforementioned billboard signs in the manner as specified in their building permit application.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

WHEREAS, the North Cheektowaga Amateur Athletic Association (NCAAA) is holding its Opening Day Ceremonies on Sunday, May 31, 1987, and

WHEREAS, the NCAAA has requested permission to conduct a parade as part of its Opening Day Ceremonies, and

WHEREAS, said parade will begin at 12:00 Noon at the former Bells Market parking lot at George Urban Boulevard and Dick Road, proceed west on George URban Boulevard to the NCAAA facilities behind the former King's Plaza at George Urban and Union Road, NOW, THEREFORE, BE IT

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services and to insure compliance with the Vehicle and Traffic Law.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

BE IT RESOLVED that the following individuals will be terminated effective immediately:

Recreation Attendant (Counselor) $3.35 (7310.1803)

14225

Recreation Supervisor (Counselor) $3.50 (7310.1803)

14227

Recreation Supervisor (Senior Counselor) $4.00 (7310.1803)

14215

Administrative Intern (Clerk) (7310.1804)

14227

and BE IT FURTHER

Item No. 18a cont'd

RESOLVED that Carol White of 14225 be terminated from the Youth Bureau Administrative Intern Program (7310.1804) effective close of business May 4, 1987.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 18b 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 |
|---|---|
| Robert Havernick | Immediately |
| Mark Sopczyk | Immediately |

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal/Part-time Employees in the Departments listed:

| | EFFECTIVE |
|---|---|
| SEWER MAINTENANCE DEPARTMENT | |
| Kevin Bartosz | 6/1/87 |
| SANITATION DEPARTMENT | |
| Thomas Cherico | 5/1/87 |

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 19 Motion by Councilman Johnson, Seconded by Councilman Santa Maria

WHEREAS, Bernadette Platt, Recreation Instructor, has requested maternity leave from June 8, 1987 to September 21, 1987, during which time she will use 80 of her accumulated sick days, and

WHEREAS, Bernadette Platt has also requested permission to work half-days the week of September 21st, NOW, THEREFORE, BE IT

RESOLVED that Bernadette Platt is hereby granted maternity leave from June 8, 1987 (or earlier if she delivers before such date) until September 21, 1987, such maternity leave to be credited to Ms. Platt's sick days, and BE IT FURTHER

RESOLVED that Ms. Platt be and hereby is also authorized to work half-days the week of September 21, 1987, and BE IT FURTHER

Item No. 19 cont'd

RESOLVED that Ms. Platt's attendance at any work sessions and interviews during such maternity leave, shall be considered as time present at work and be accounted for as such in her payroll records.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 20a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, in order to provide for the provision of emergency medical services on a uniform basis, this Town Board has, on May 7, 1984, adopted an Ambulance Services Ordinance ("Ordinance"), and

WHEREAS, said Ordinance provides for the establishment and authorization of an Emergency Medical Services Board ("EMS Board") which will act as agent of the Town of Cheektowaga in the implementation of the Ordinance, and

WHEREAS, the completion of the EMS Board is set forth in Section 4A-7 of the Ordinance, and

WHEREAS, the one-year terms of the present individuals who were appointed to the EMS Board on May 19, 1986 are about to expire, NOW, THEREFORE, BE IT

RESOLVED that Laurence Kishbaugh shall be appointed to serve as the Chairman of the EMS Board for a term of one year; and BE IT FURTHER

RESOLVED that the following individuals shall be designated to serve as members of the EMS Board for a term of one year following appointment:

| | FIRE DISTRICT | REPRESENTATIVE | ALTERNATE |
|---|---|---|---|
| 1. | Forks Fire District No. 3 | Thomas Burgasser | Donald Andrews |
| 2. | Cleveland Hill Fire District No. 6 | Leo Dusing | Edward Gooch |
| 3. | South Line Fire District No. 10 | Gene Stamates | Jack Stablewski |
| 4. | U-Crest Fire District No. 4 | Francis X. Kreuzer | Robert E. Cummings |
| 5. | Sloan Fire District | Joseph Stewart | Wilbur Betts |
| 6. | Hy-View Fire District No. 8 | Robert Schmitt | Edward Jay |
| 7. | Walden Fire District No. 2 | Ronald Springer | Daniel Tybor |
| 8. | Bellevue Fire District | Ordell Reitz | |
| 9. | Doyle Fire District | Leonard Andrzejewski | Theodore Klosko |

and BE IT FURTHER

RESOLVED that the Chief of Police of the Town of Cheektowaga or his designee shall also serve as a member of the EMS Board

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 20b Appointment of Senior Clerk in Justice Court
This item was withdrawn.

Item No. 21a Motion by Councilman Rogowski, Seconded by Councilman Gabrys-ak

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

| | EFFECTIVE |
|---|---|
| **Parks Division - #01-007110-1-0-1491-001 - $3.35 per hour** | |
| Richard Coffta | 5/24/87 |
| Frecerick Roll | 5/29/87 |
| Billy Joe Spradlin | Immediately |
| David Sera | 5/19/87 |
| Gary Sieczharek | 5/19/87 |
| William Schultz | 5/19/87 |
| John Maciag | Immediately |
| Erich Fuerter | Immediately |
| Joseph P. Wolf | Immediately |
| **#01-007110-1-0-1391-001 - $4.50 per hour** | |
| Carol Brinkworth | 5/24/87 |
| **Parks Division - #01-007110-1-0-1623-001 - Pool Mechanic - $5.00 per hour** | |
| Walter Bardon | 5/19/87 |
| Marie Brutcher | |

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 21b 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 and at the rates listed:

| | EFFECTIVE |
|---|---|
| **SANITATION DEPARTMENT - Part-Time - $5.00 per hour** | |
| Michael Thompson | 5/12/87 |
| Scott Stevenson | 5/12/87 |
| Eric Kopacz | 5/15/87 |
| Jeffrey Jozwiak | 5/18/87 |
| Stanley Krzywowiaza | Immediately |
| Kevin Ratka | Immediately |
| Dennis Bolis | Immediately |
| **SEWER MAINTENANCE DEPARTMENT - Seasonal - $3.35 per hour** | |
| Glen Bobeck | Immediately |
| Thomas Brudz | Immediately |
| James Ferdinand | Immediately |
| **CENTRAL GARAGE - Seasonal - $3.35 per hour** | |
| Ronald Ruggiero | Immediately |
| Jay Tokasz | Immediately |

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 22 Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be transferred from the Adapted Recreation Program (7310.1803) to the Day Camp for the Developmentally Disabled (7310.1802) effective immediately:

Recreation Supervisors (Activity Directors) $5.00

| | |
|---|---|
| Thomas Sinica | 14211 |
| Christine Phillips | 14225 |
| Paulette Mecca | 14225 |

Recreation Supervisor (Senior Counselor) $4.00

| | |
|---|---|
| Bonnie Lynch | 14043 |

Recreation Attendants (Junior Counselor changed to Counselor II) $3.35

| | |
|---|---|
| Amy Anderson | 14227 |
| Jason Backes | 14225 |
| Cynthia Boje | |
| Christy Male | 14225 |

and BE IT FURTHER

RESOLVED that the following individuals be transferred from the Adapted Recreation Program (7310.1803) to the Day Camp for Developmentally Disabled (7310.1802) with the following change in title and

Dawn McFadden from Recreation Attendant (Counselor) to Senior Counselor, at $4.00 per hour

Deborah Wojtkowski from Recreation Supervisor (Assistant Program Coordinator) to Program Coordinator, at $6.50 per hour

Barbara Zielinski from Recreation Attendant (Junior Counselor) to Counselor III, at $3.50 per hour

David Imiola from Recreation Attendant (Junior Counselor) to Senior Counselor, at $4.00 per hour, and BE IT FURTHER

RESOLVED that Beth Kuerzdoerfer be elevated to Clerk in the Administrative Intern Program (7310.1803) at a salary rate of $4.25 per hour.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 23a Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz

WHEREAS, National Seminars, Inc. will be conducting a seminar titled "How To Work With People" at the Marriott Hotel in Amherst, New York on May 27, 1987, and

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

WHEREAS, such seminar will provide the Town's Building and Plumbing Inspector with up-to-date training in communication and related job performance skills, NOW, THEREFORE, BE IT

RESOLVED that Ronald Marten be and is hereby authorized to attend said conference at a cost to the Town of Cheektowaga not to exceed $59.00.

Item No. 23a cont'd

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 23b Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, be allowed to attend the Empire State Organization of Youth Employment Services (ESOYES) meeting in Syracuse, New York, June 1st-2nd and BE IT FURTHER

RESOLVED that Kenneth J. Kopacz be permitted excused leave to attend said meetings, and that he be reimbursed for necessary travel expenses not to exceed $125.00.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 23c Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, a Secretarial Seminar is being held at the Buffalo Marriott on May 22, 1987, and

WHEREAS, Karen McAuley, Council Secretary, has requested permission to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED that Karen McAuley be and hereby is authorized to attend the Secretarial Seminar on May 22, 1987, at a cost not to exceed the registration fee of $49.00.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 23d Motion by Councilman Santa Maria, Seconded by Councilman Gabryszak

WHEREAS, the New York State Assessors' Association is conducting a one-day seminar on Appraisal of Mobile Homes and Mobile Home Parks in Olean, New York on June 10, 1987, and

WHEREAS, said seminar is mandated by the New York State Division of Equalization and Assessments for Assessors and Real Property Appraisers to obtain continuing education credits, and

WHEREAS, necessary travel expenses and seminar registration fees will be reimbursed to the Town of Cheektowaga, NOW, THERFORE, BE IT

RESOLVED that the Town Assessor, Casimir A. Kozminski and Real Property Appraiser, William R. Conway, be and hereby are authorized to attend said seminar on June 10, 1987 and shall be provided the use of a Town Vehicle.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 24 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, by resolution dated July 7, 1986, this Town Board authorized the connection and installation of a light standard on Davidson Drive, and

WHEREAS, it appears that such light standard is unnecessary and unwarranted, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned resolution dated July 7, 1986 be and hereby is rescinded.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

BE IT RESOLVED that the New York State Electric & Gas Corporation is hereby authorized to connect one (1) 5200 lumen H.P.S. fixture, Standard No. 8, installed by the developer of the Greenwood Village Subdivision, for an annual increase to the Town General Lighting District of $42.32 in accordance with the attached proposal dated May 12, 1987 which is hereby made a part of this resolution.

* See next two (2) pages for proposal

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

NYSEG

May 12, 1987

STREET LIGHTING PROPOAL
TOWN OF CHEEKTOWAGA

Jesseca Lane

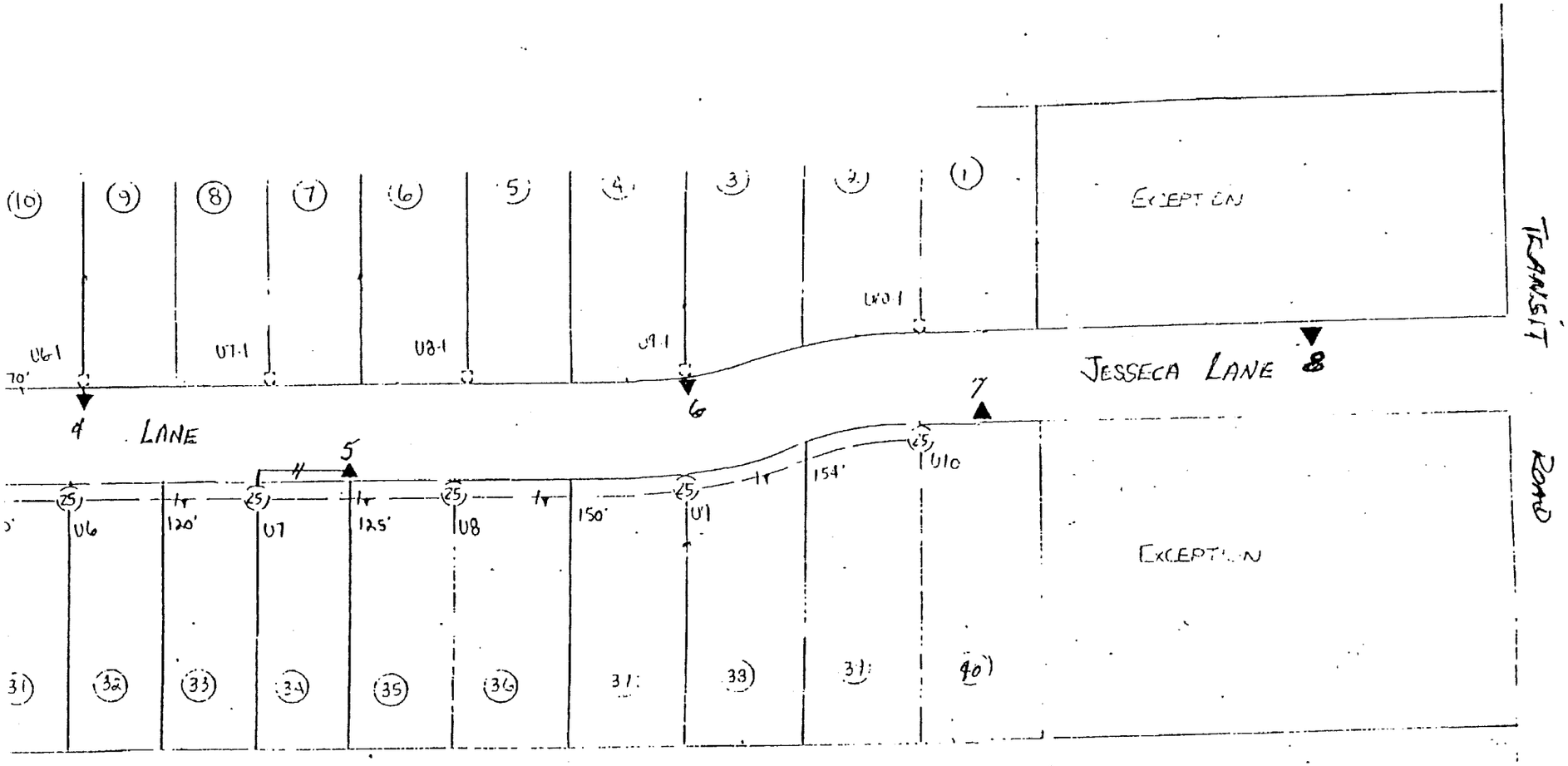
Connect 1 - 5200 lumen HPS lsmp (energy & bulb rate)

@ $42.32 each ---------- $42.32

(see attached sketch)

Standards, underground conductors andfixtures to be supplied and installed by developer; owned and maintained by the Town of Cheektowaga. Connections, energy, lamp and photo-electric eye replacements to be supplied by NYSEG>

This proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with the Town of Cheektowaga.




(25) TRANSFORMER

HANDHOLE

▲ PROPOSED 5200 LUMEN HPS POST TOP STREET LIGHT

—#— PROPOSED UNDERGROUND STREET LIGHT CONDUCTORS

NYSEG
UNDERGROUND STREET LIGHT LAYOUT
GREENWOOD VILLAGE
CHEEKTOWAGA TOWN

Item No. 26 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: | 01-1910.4811 | Contingency | $31,200.00 |
| TO: | 01-1625.1422 | Bldg. & Grounds General Mechanic | $16,000.00 |
| | 01-3120.1605 | Police-Graphic Artist | $11,000.00 |
| | 01-3310.4472 | Sign & Street Marking Highway | $ 4,200.00 |

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

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 27 Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to May 18, 1987 are hereby approved and made a part hereof.

| FUND | AMOUNT |
|---|---|
| GENERAL FUND | $ 151,822.92 |
| SPECIAL DISTRICTS FUND | 20,832.90 |
| HIGHWAY FUND | 17,224.15 |
| TRUST & AGENCY FUND | 732.00 |
| PART TOWN FUND | 439.23 |
| COMMUNITY DEVELOPMENT FUND | 575.75 |
| CAPITAL FUND | 95,258.17 |
| DEBT SERVICE FUND | 1,018,200.00 |
| | $1,305.085.12 |

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

## III. DEPARTMENTAL COMMUNICATION

Item No. 28 Supervisor's Statement of Funds for March, 1987
Received and Filed.

Item No. 29 Cheektowaga Traffic Safety Commission - minutes of April meeting
Received and Filed.

## IV. GENERAL COMMUNICATIONS

Item No. 30 — N.Y.S. Dept. of Trans. - Designation of Restricted Highway - Portion of Dingens Street
Copies were sent to: Daniel E. Weber, Supervisor; Town Board Members; Alfred Wnek, Highway Superintendent; Robert Lis, Chief of Police.
Received and Filed.

Item No. 31 — Resolution from E.C. Legislature regarding property at 1019 Walden
Copies were sent to: Town Board Members
Received and Filed.

Item No. 32a — NOTICE OF CLAIM - Francis M. Wilson 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. 32b — NOTICE OF CLAIM - Mary Murphy, Kenneth R. Murphy 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. 33 — Letter from Town resident regarding Union and Losson Road
Received and Filed.

Item No. 34 — Letter from St. John Cemetery requesting consideration for extension of storm drainage along property on Rowan Road
Copies were sent to: Daniel E. Weber, Supervisor; Town Board Members; Alfred Wnek, Highway Department; Chester Bryan, Town Engineer.
Received and Filed.

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

Motion by Councilman Gabryszak, Seconded by Councilman Kowal to suspend the rules to include the following item.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

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

## V. SUSPENSION OF RULES

Item No. 35 — Motion by Councilman Kowal, Seconded by Councilman Johnson

WHEREAS, there are piles of dirt to the rear of the Town Highway Garage on Union Road, and

WHEREAS, the Town Highway Superintendent feels such dirt is surplus of the Town's needs, is of no value to the Town, and he desires to dispose of such dirt, and

Item No. 35 cont'd

WHEREAS, Depew Development, Inc. is in need of extra dirt for its road construction work on Harlem Road and Walden Avenue and has requested permission to use the dirt to the rear of the Highway Garage, NOW, THEREFORE, BE IT

RESOLVED that Depew Development, Inc. be and hereby is authorized to remove, at its sole cost and expense, the dirt from the rear of the Highway Garage, subject to supervision and direction by the Town Highway Superintendent, and BE IT FURTHER

RESOLVED that this resolution is subject to Depew Development, Inc. agreeing to hold the Town harmless for any damages, etc. incurred while removing the dirt from Town property.

Upon Roll Call....
AYES: Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Supervisor Daniel E. Weber

Item No. 36 Motion by Councilman Kowal, Seconded by Councilman Rogowski to adjourn the meeting in memory of John Kelm, former Highway Employee and Mr. Stan Becker, Town resident.

RICHARD M. MOLESKI
Town Clerk

PUBLIC HEARINGS held at 6:30 P.M.

| NO. | ITEM |
|---|---|
| | **Meeting No. 12 June 15, 1987** |
| 1 | Special Use Permit **485 LUDWIG AVENUE** to use property for wastepaper storage and baling for recycling |
| | **Meeting No. 14 July 6, 1987** |
| 1 | Environmental Review application for Special Use Permit to use **32 JOANNE LANE** for a nursery school and family day care facility |

# PUBLIC HEARINGS


| NO. | ITEM | PAGE |
|---|---|---|
| | **Meeting No. 11 June 1, 1987** | |
| 2 | AMENDMENT TO ORDINANCES: | |
| | a. Chapter 76 of Code of Town of Cheektowaga (Vehicle & Traffic) Art. X: Parking, Standing & Stopping" OLCOTT PLACE | 1 |
| | b. Chapter 82 of the Code of the Town of Cheektowaga (Zoning Ordinance- Art. I: Sects 82-20.1.C(1) & 82-10.1.D.(1) | 1-2 |
| | **Meeting No. 12 June 15, 1987** | |
| 2 | Amendment to Traffic Ordinance - Art. VIII "Stop & Yield Intersections" - Mapleview Road; Art. X "Parking, Standing, Stopping" - Nagel Drive | 1 |

# R E S O L U T I O N S


| NO. | ITEM | PAGE |
|---|---|---|
| | Meeting No. 11 June 1, 1987 | |
| 3 | CALL FOR PUBLIC HEARINGS: | |
| | a. Special Use Permit - 485 Ludwig Avenue | 2 |
| | b. Amendment to Traffic Ordinance - Art. VIII "Stop & Yield Int." MAPLEVIEW ROAD; Art. X "Parking, Standing, Stopping" - NAGEL DR. | 3 |
| 4 | DECISIONS ON: | |
| | a. Rezoning - 2878 and 2882 Union Road | 4 |
| | b. Rezoning - Armond Lane adjacent to 849 Borden Road | 5 |
| | c. Special Use Permit - 2567 Union Road | 5-6 |
| | d. Special Use Permit - 580 Cayuga Road | 7 |
| | e. Amendment to Zoning Ord.: Art. I: Secs. 82-20.1.C.(1) & 82.20.1.D.(1) | 8 |
| 5 | NOTICES TO BIDDERS: | |
| | a. Disposal of Municipal Solid Wastes | 9-10 |
| | b. Diesel oil, fuel oil, etc. for Highway Department | 11 |
| | c. Rental of Paving Rollers for Highway Department | 12 |
| | d. Bus Transportation to and from Camp Crabapple & Camp JI-IK-DO-WAH-GAH | 13 |
| 6 | AWARDS OF BID: | |
| | a. Aerial Bucket Truck for Highway Department | 14 |
| | b. Application of Chemical Root Control Agent to Sanitary Sewer Lines in Town of Cheektowaga | 14 |
| 7 | TERMINATIONS IN: | |
| | a. Facilities Department | 15 |
| | b. Recreation Department | 15-16 |
| 8 | HIRING IN: | |
| | a. Facilities Department Summer Program | 17 |
| | b. Youth Bureau Programs | 17-18 |
| | c. Recreation Department Summer Program | 18-23 |
| | d. Various Departments | 23-24 |
| | e. Buffalo-Cheektowaga-Tonawanda Consortium, Summer Youth Prog. | 24-25 |
| 9 | Hiring of substitute school crossing guard | 25 |
| 10 | APPOINTMENTS OF: | |
| | a. Police OFficer | 25 |
| | b. Motor Equipment Operator Class B in Sanitation Dept. | 25-26 |
| | c. Laborer in Sanitation | 26 |
| 11 | Leave of absence for Police Officer | 26 |
| 12 | Authorize Traffic Safety Commission member to attend quarterly meeting | 26-27 |
| 13 | MEMORIALIZE: | |
| | a. N.Y.S.Legislature to amend Sec. 385 of State Vehicle & Traffic Law to permit tandem trucks to be oeprated on public roadway at 2001 Walden Avenue | 27 |
| | b. Governor Cuomo, State Senate and Assembly to enact amended version of Senate Bill to provide for property tax exemption for all volunteer firemen | 27-28 |
| | c. N.Y.S. Legislature to amend Erie County Tax Act to require utility corporations to pay their property taxes to local reciever of taxes | 28 |
| 14 | TOWN BOARD: | |
| | a. Requests E.C. Legislature and all cities and towns in Erie County to amend Tax Act to require utility corporations to pay their real property taxes directly to local receivers of taxes | 28-29 |
| | b. Opposition to County proposal requiring fees for use of Fire Training Facilities to Fire Districts, Fire Companies and Municipalities | 29 |

| NO. | ITEM | PAGE |
|---|---|---|
| 15 | AUTHORIZATION FOR:<br>a. Supervisor to sign agreement with Sorrento, Inc. for opening of public highway presently owned by Sorrento, Inc.<br>b. Supervisor to sign agreement for rental of campground facilities<br>c. Supervisor to sign Petition to Commissioner of Trans. for grade crossing work on Pfohl Road<br>d. Supervisor to sign agreement with County or State regarding building of drainage ditch and retention basin between Wagner and Medina Streets<br>e. Town Clerk to implement new procedure for violators of dog licensing statutes. | 29-30<br>31<br>31<br>31-32<br>32-33 |
| 16. | Adopt Deferred Compensation Plan for employees of N.Y.S. and other Participating Public Jurisdictions regarding non-union, full-time Town employees | 33 |
| 17 | Order on Consent re: Sewer District no. 3 | 33-34 |
| 18 | Petition N.Y.S. Dept. of Trans. to provide street lighting equipment at the Harlem/Walden intersection | 34 |
| 19 | AUTHORIZE N.Y.S. ELECTRIC & GAS TO:<br>a. Modify street lighting on Harlem Road<br>b. remove street lighting on Walden Avenue and petition N.Y.S. for reimbursement of removal costs<br>c. Make improvements in lighting at Vern Laen/Union Road intersection<br>d. Install one (1) street light on Standard Parkway | 34-35<br>36<br>37 |
| 20 | Permission for Western New York Jr. Tennis Tournament to conduct its 1987 Tournament in Town Park | 39 |
| 21 | Clean-up of property at 1255-1331 French Road | 39 |
| 22 | Transfer of Funds | 39-40 |
| 23 | Warrant List | 40 |
| | **Meeting No. 12 June 15, 1987** | |
| 3 | Decision on amendment to Traffic Ordinance - Art. X "Parking, Standing, STopping" - OLCOTT PLACE | 2 |
| 4 | CALL FOR PUBLIC HEARINGS:<br>a. Rezoning at 760 Dick Road<br>b. Environmental Review purposes for Special Use Permit - 32 Joanne Lane<br>c. State Environmental Quality Review Act - "Walden Galleria" | 3<br>3-4<br>5 |
| 5 | AWARD OF BIDS:<br>a. Basketball Courts at Rehm Park, Tennis Courts at Stiglmeier Pk.<br>b. Packers for Sanitation<br>c. Pressure Treated Lumber<br>d. Reroofing of several Town buildings | 5-6<br>7<br>7<br>7-8 |
| 6 | Notice to Bidders - loader and trailer for Sanitation | 8-9 |
| 7 | Acceptance of Streets in Losson Green Subdivision | 10 |
| 8 | Policy Statement for purchases by Town Departments | 11 |
| 9 | Request for preparation of preliminary engineering feasibility study for transfer station | 11 |
| 10 | Decision on Petition to Reform Trust in Will of Dr. Victor Reinstein | 11-12 |
| 11 | AUTHORIZATION FOR SUPERVISOR TO SIGN AGREEMENT:<br>a. Conduct camp at St. John Gualbert Parish<br>b. Loan agreement regarding Community Development Block Grant Funds | 12<br>13 |
| 12 | AFFIRMATION OF RECOMMENDATION BY SEQR Committee - Meeting of:<br>a. April 29, 1987<br>b. May 26, 1987 | 13-14<br>15 |
| 13 | Recognition of Golden Jubilee of Msgr. Maurice Woulfe | 16 |

| NO. | ITEM | PAGE |
|---|---|---|
| | **Meeting No. 12 June 15, 1987 cont'd** | |
| 14 | APPOINTMENTS: | |
| | a. Motor Equipment Operators (Class B) - Sanitaiton | 16 |
| | b. General Mechanic in Facilities Department | 16-17 |
| | c. Ex-Officio Members and member to EMS Board | 17 |
| | d. Temporary Recreation Instructor - Recreation Department | 17-18 |
| 15 | TERMINATIONS: | |
| | a. Facilities | 18 |
| | b. Youth Bureau - various programs | 18 |
| | c. Various departments | 18-19 |
| 16 | HIRING OF SEASONAL/PART-TIME EMPLOYEES: | |
| | a. Buffalo Cheektowaga-Tonawanda Consortium, Summer Youth Prog. | 19-23 |
| | b. Buffalo Cheektowaga-Tonawanda Consortium, staff | 23 |
| | c. Facilities Department | 24 |
| | d. Youth Bureau - various programs | 24-25 |
| | e. Various Departments | 25-26 |
| | f. REcreation Department | 26 |
| 17 | MILITARY LEAVE OF ABSENCE FOR EMPLOYEES IN: | |
| | a. Central Garage | 26-27 |
| | b. Facilities Department | 27 |
| | c. Main Pump Station | 27 |
| 18 | Authorization for E.C. Water Authority to install fire hydrant | 27-28 |
| 19 | Change Order - Town Park Road Reconstruction project | 28 |
| 20 | Transfer of Funds | 29 |
| 21 | Warrant List | 29 |
| | **Meeting No. 14 July 6, 1987** | |
| 2 | Call for public hearing: Rezoning from R-Residential to RS-Senior Citizen Housing District at 520 Maryvale Drive | 1 |
| 3 | DECISIONS ON: | |
| | a. Special Use Permit - 485 Ludwig Avenue | 2 |
| | b. Amendment to Traffic Ordinance - Art. VIII "Stop & Yield Int." - MAPLEVIEW ROAD; Art. X "Parking, Standing, Stopping" - NAGEL DRIVE | 3 |
| 4 | NOTICES TO BIDDERS: | |
| | a. Disposal fo Solid Wastes at an existing resource recovery facility and/or at an existing sanitary landfill facility | 5-6 |
| | b. One (1) new 1988 Model Medium-Duty Truck fitted with a 12' Utility Body for Highway Department | 7 |
| | c. Peinkofer Drive Draiange Improvements Project | 8-9 |
| | d. Vale Drainage Improvement Project | 10-11 |
| 5 | AWARDS OF BID: | |
| | a. Bus transportation to and from Camp Crabapple and Camp JI-IK-DO-WAH-GAH | 12 |
| | b. Furnishing of fuel, oil, lubricants, etc. for Highway | 12 |
| 6 | Promotion to position of Sergeant in Police Dept. | 13 |
| 7 | APPOINTMENTS TO: | |
| | a. Permanent position of Detective in Police Departmetn | 13 |
| | b. Police Officers | 13-14 |
| | c. Welder in Central gArage | 14 |
| | d. Laborer in Sanitation Department | 14 |
| | e. Cleaner in Facilities Department | 14-15 |
| 8 | TERMINATION OF SEASONAL/PART-TIME EMPLOYEES IN: | |
| | a. Facilities Department | 15 |
| | b. Various Departments | 15-16 |
| 9 | HIRING OF: | |
| | a. Seasonal/part-time employees in Facilities Dept., Summer Prog. | 16 |
| | b. Seasonal/part-time employees in Rec. Dept., Summer Prog. | 16 |
| | c. Seasonal/part-time employees in various departments | 17 |
| | d. Substitute Nutrition Site Manager | 17 |
| 10 | Various hirings and termination in Youth Bureau Programs | 17-18 |

| NO. | ITEM | PAGE |
|---|---|---|
| 11 | MILITARY LEAVE OF ABSENCE FOR: | |
| | a. Executive Director of Youth Bureau | 18 |
| | b. Police Officer | 18-19 |
| 12 | AUTHORIZATION TO ATTEND SEMINARS/TRAINING COURSES: | |
| | a. Lieutenant in Police Department | 19 |
| | b. Justice Court Personnel | 19-20 |
| | c. Housing Inspector | 20 |
| 13 | Hire Grant Appraisal and Research Corp. to do appraisals at 79 & 85 Mafalda Drive | 20 |
| 14 | MEMORIALIZE: | |
| | a. State Assembly, Senate and Governor Cuomo to enact bill regarding calculating State Revenue Sharing Aid | 20-21 |
| | b. State Assembly and Governor Cuomo to vote against bill which would permit bow-hunting in Town | 21 |
| 15 | Purchase of parcel of vacant land at 1019 Walden Avenue from County of Erie | 21-22 |
| 16 | APPROVAL OF: | |
| | a. Plans for Gardenville Industrial Park | 22 |
| | b. Ambulance (Vehicle) License | 22-23 |
| | c. Ambulance Driver/Attendant Licenses (New) | 24 |
| | d. Ambulance Driver/Attendant Licenses (Renewal) | 25 |
| | e. Community Development loan funds | 26 |
| 17 | AUTHORIZATION FOR: | |
| | a. Supervisor to sign agreement with NYSDOT for maintenance, repair etc. of highway lighting system on Kensington Exp. | 26 |
| | b. Supervisor to sign Housing Rehabilitation Loan documents | 27 |
| | c. Supervisor to sign proposals with Nussbaumer & Clarke, Inc. for professional services, survey and design work for additional parking at Senior Citizens Center | 28 |
| | d. Conducting Library feasibility study | 28 |
| | e. Special enforcement Project between Town and Department of Motor Vehicles | 28 |
| | f. Retired Town employees to receive Health Insurance benefits after age 65 | 28-29 |
| | g. N.Y.S. Electric & Gas to install one lamp on Clover Place | 29 |
| | h. Niagara Moahwk to remove & Install lighting on Straley AVe. | 30 |
| 18 | Appropriate funds for restoration work on storm water detention basin south of Madeira | 31 |
| 19 | Affirmation of recommendations of SEQR Committee - 6/19/87 meeting | 31 |
| 20 | Reimburse Lieutenant for costs of computer programming courses | 32 |
| 21 | Permission for International Brotherhood of Electrical Workers Local Union 41 to reserve softball diamonds and shelters for Softball Tournament in July, 1988 | 32 |
| 22 | CLEAN-UP OF PROPERTY AT: | |
| | a. 81 Evergreen Place | 33 |
| | b. 211 Santin Drive | 33 |
| | c. William Street between Starlite & Tamarck | 33-34 |
| | d. The Avenue (vacant lots) | 34 |
| | e. South of 134 Alaska Street | 34 |
| 23 | Change ORder #1 for Highway Garage addition | 34-35 |
| 24 | Emergency sewer repairs | 35 |
| 25 | Transfer of Funds | 36 |
| 26 | Warrant List | 36 |

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| 27 | Call for public hearing - Rezoning from RA-Apartment Dist. to M1-Light Manufacturing District on property at 760 Dick Road | 37 |

No. 11
No. 12
No. 13
No. 14

# DEPARTMENTAL COMMUNICATIONS


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| | **Meeting No. 11 June 1, 1987** | |
| 24 | Building Permits | 40 |
| 25 | MINUTES OF: | |
| | a. Cheektowaga Planning Board Meeting of April, 1987 | 40 |
| | b. Cheektowaga Library Board Meeting of May, 1987 (Special) | 40 |
| | c. Cheektowaga Traffic Safety Commission meeting of May 1987 | 40 |
| | **Meeting No. 12 June 15, 1987** | |
| 22 | Library Board minutes | 29 |
| | **Meeting No. 14 July ,6 1987** | |
| 28 | Building Permits | 38 |
| 29 | Supervisor's Statement of Funds: April nad May 1987 | 38 |
| 30 | MINUTES OF MEETING OF: | |
| | a. Cheektowaga Library Board for June, 1987 | 38 |
| | b. Cheektowaga Traffic Safety Commission for June 1987 | 38 |

# GENERAL COMMUNICATIONS


| NO. | ITEM | PAGE |
|---|---|---|
| | **Meeting No. 11 June 1, 1987** | |
| 26 | State of N.Y., Dept. of Law - Order regarding validity of income executions served by Marshals, Constables, etc. | 40 |
| 27 | NOTICES OF CLAIM: | |
| | a. John Blake (General Accident Insured) vs Town of Chktg. | 41 |
| | b. D & J Paving, Inc. (Duane Cady) vs Town of Chktg. | 41 |
| | c. Laurie, Daniel & Vincent Mele vs Town of Cheektowaga | 41 |
| | d. NYSEG vs Town of Cheektowaga | 41 |
| 28 | Clinton Street Elementary School: Parent-Teacher Organization - petition in favor of expansion of Kelly Park Library | 41 |
| | **Meeting No. 12 June 15, 1987** | |
| 23 | N.Y.S. Dept. of Trans. - Notice of Order - Genesee Street at Holtz Road | 29 |
| 24 | Notice of Claim - Kristof Czartoryski vs Town of Cheektowaga | 29 |
| 25 | Letter from Town resident regarding survey problems on Raymond Avenue | 29 |
| | **Meeting No. 14 July 6, 1987** | |
| 31 | N.Y.S. DEPT. OF TRANS.: | |
| | a. Designation of Restricted Highway - Portion of Union Road at intersection with French Road along Union Road to Como Park Boulevard | 38 |
| | b. Notice of Order - addition of Stop signs on Rein Road and Case Way | 38 |
| | c. Notice of Order - Placing Stop signs on Hatch Court and Harmond Lane | 38 |
| 32 | PETITION FROM RESIDENTS OF: | |
| | a. North Meadowbrook Parkway regarding raising of pavement on street | 38 |
| | b. Dick Road/George Urban Blvd. area regarding request for traffic signal at Bells Superstore on Dick Road | 38 |
| | c. Laura Court requesting to address Town Board relating to flooding in entire area | 38 |

# SUSPENSION OF RULES


| NO. | ITEM | PAGE |
|---|---|---|
| | **Meeting No. 12 June 15, 1987** | |
| 26 | Create position of Cleaner in Police Department | 30 |
| | **Meeting No. 14 July 6, 1987** | |
| 33 | Appointment to Assessment Board of Review | 39 |
| 34 | Appointment of Foreman in Sanitation Department | 39 |

# ADJOURNED MEETING


| NO. | ITEM | PAGE |
|---|---|---|
| | Meeting No. 13 June 22, 1987 | |
| 2 | Resolution - Call for public hearing for SEQRA Public Hearing regarding "Walden Galleria" | 1-3 |
| 3 | Resolution - Decision on petition to reform trust in will of Dr. Victor Reinstein | 4 |
| 4 | Sus. of Rules - Warrant List | 5 |
| 5 | Sus. of Rules - Award of bid for remodeling of Roycroft Pump Station (Contract A and D) | 5 |


No. 11
No. 12
No. 13
No. 14

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 1st day of June, 1987 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: Councilman Patricia A. Jaworowicz

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; James Kirisits, Town Attorney; Emil Lennert, Member of Cheektowaga Planning Board; Robert Lis, Chief of Police; Julia Reinstein, Town Historian; Donald Wegner, Chairman of Zoning Board of Appeals, and Alfred Wnek, Highway Superintendent.

## I. PUBLIC HEARINGS

Item No. 2A 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 Town of Cheektowaga, Traffic Ordinance, 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 X

### Parking, Standing and Stopping

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

| | | |
|---|---|---|
| OLCOTT PLACE | East side | from the south curbline of Herbert Avenue southerly to terminus. |

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

Item No. 2B This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to Chapter 82 of the Code of the Town of Cheektowaga Zoning Ordinance, 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:

1. RESOLVED that Article I - GENERAL PROVISIONS, Section 82-20.1.C(1) which relates to landscaping general provisions shall be amended by deleting therefrom the words "otherwise subject to development plan review".

Item No. 2B Cont'd.

2. RESOLVED that Article I - GENERAL PROVISIONS, Section 82-20.1.D(1) shall be amended by substituting the word "section" for the word "chapter" therein.

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

It was further proposed to amend Section 82-20.C(1) by deleting therefrom the words "and recommended for approval to the Town Board." The Town Clerk was directed by the Town Attorney to announce the above amendment at the Public Hearing and the Town Clerk read such additional amendment as directed.

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

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

## II. RESOLUTIONS

Item No. 3A Motion by Councilman Santa Maria Seconded by Councilman Johnson

WHEREAS, Consolidated Fibres, Inc. has made application and requested a Special Use Permit at 485 Ludwig Avenue for warehouse storage and baling of waste-paper for recycling, said applicant having the written permission of the property owner, namely Richard D. Horowitz, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 15, 1987 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication JUN 4 - 1987; last publication JUN 4 - 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 4th

day of June, 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 NOV. 30, 1989

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 15th day of June 1987 at 6:30 o'clock, p.m., Eastern Daylight Savings Time of said day for the purpose of considering the application of Consolidated Fibres, Inc./R.D. Horowitz for a Special Permit to use property for wastepaper storage and baling for recycling on property located at 486 Ludwig Avenue. Pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.**

**This Special Use Permit Application is for 486 Ludwig Avenue, beginning at a point 267 feet in a northerly direction from the south side of the building (shown on attached Land Surveyor's drawing) and continuing 101.6 feet north. This area includes the total 150 feet from west to east.**

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

**BY ORDER OF THE TOWN BOARD**
**Supervisor 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: June 4, 1987**

Item No. 3B Motion by Councilman Johnson Seconded by Councilman Santa Maria

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 June 15, 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 4th day of June, 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 June 15, 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 VIII

Stop and Yield Intersections

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

| Street | Direction | Entrance Street | Traffic Stops | Sign Location |
|---|---|---|---|---|
| MAPLEVIEW ROAD | East-west | OEHMAN BLVD. | Southbound | N.E. Corner |
| MAPLEVIEW ROAD | East-west | OEHMAN BLVD. | Northbound | S.E. Corner |

ARTICLE X

Parking, Standing and Stopping

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

A. No parking this side or one-side parking

| | | |
|---|---|---|
| NAGEL DRIVE | East side | from the south curbline of Joseph Drive southerly to the north edge of the driveway at house No. 64 Nagel Drive |

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

Dated: June 1, 1987

RICHARD M. MOLESKI
Town Clerk

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication JUN 4 - 1987; last publication JUN 4 - 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 4th day of June, 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 NOV. 30, 19 89

**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 June 15, 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 VIII**

**Stop and Yield Intersections**

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

Street - MAPLEVIEW ROAD; Direction -East-west; Entrance Street - OEHMAN BLVD.; Traffic Stops - Southbound; Sign Location - N.E. Corner.

Street - MAPLEVIEW ROAD; Direction -East-west; Entrance Street - OEHAMAN BLVD.; Traffic Stops - Northbound; Sign Location - S.E. Corner.

**ARTICLE X**

**Parking, Standing and Stopping**

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

A. No parking this side or one-side parking

Nagel Drive; East side; from the south curbline of Joseph Drive southerly to the north edge of the driveway at house No. 64 Nagel Drive.

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

**RICHARD M. MOLESKI**
**Town Clerk**

**DATED: June 1, 1987**
**PUBLISH: June 4, 1987**

Item No. 4A Motion by Councilman Santa Maria Seconded by Councilman Johnson

WHEREAS, Bernard L. Rusiniak, Jr. has petitioned for the rezoning from C-Retail Business District and R-Residential District to C-Retail Business District and RA-Apartment District of property owned by him and located at 2878 and 2882 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 18th day of May 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 opportuity 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: None.

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, subject to approval of drainage plans by the Town Engineer and Highway Department;

NOW, THEREFORE, BE IT RESOLVED, that the application of Bernard L. Rusiniak, Jr. for the rezoning from C-Retail Business District and R-Residential District to C-Retail Business District and RA-Apartment District of the property specified in the attached legal description be and the same is hereby granted subject to the conditions recommended by the Town 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.

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot Number fifteen (15), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the west line of Union Road as a 100 foot wide road, 1327.59 feet northerly of the intersection of the westerly line of Union Road and the south line of Lot 15; thence westerly along a line at an interior angle of 88°,58",10', and parallel with the south line of Lot 15, 799.90 feet to the east line of Map Cover No. 2198; thence northerly along the east line of Subdivision Lots 187 through 193 of Cover 2198 and at an internal angle of 91°,11",50', 221.43 feet to a point; thence easterly at an internal angle of 88°,48",10', and parallel with the south line of Lot 15, 80.54 feet to the west line of Union Road; thence southerly along the west line of Union Road 221.43 feet to the point or place of beginning.

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks:
first publication JUN 4 - 1987;
last publication JUN 4 - 1987;
and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 4th
day of June, 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 NOV. 30, 1989

**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 1st day of June, 1987 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

Supervisor Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.
William P. Rogowski
Christopher J. Kowal
Dennis H. Gabryszak
Rudy A. Santa Maria

ABSENT: Councilman Patricia A. Jaworowicz

Motion by Councilman Santa Maria

Seconded by Councilman Johnson

WHEREAS, Bernard L. Rusiniak, Jr. has petitioned for the rezoning from C-Retail Business District and R-Residential District to C-Retail Business District and RA-Apartment District of property owned by him and located at 2878 and 2882 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 18th day of May 1987 at 6:30 o'clock pm., 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 opportunity to be heard at such hearing, and

WHEREAS, the Cheektowagaa Planning Board has reviewed such application and has recommended approval therof subject to the following conditions: None.
and

WHEREAS, the Enviromental Advisory Committee of the Town of Cheektowaga, pursuant to the "Enviromental 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 enviroment, subject to approval of drainage plans by the Town Engineer and Highway Department,

NOW, THEREFORE, BE IT RESOLVED, that the application of Bernard L. Rusiniak, Jr. for the rezoning from C-Retail Business District and R-Residential District to C-Retail Business District and

RA-Apartment District of the property specified in the attached legal description be and the same is hereby granted subject to the conditions recommended by the Town Enviromental 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.

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 fifteen (15), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the west line of Union Road as a 100 foot wide road, 1327.59 feet northerly of the intersection of the westerly line of Union Road and the south line of Lot 15; thence westerly along a line at an interior angle of 88°, 58'', 10', and parallel with the south side of Lot 15, 799.90 feet to the east line of Map Cover No. 2198; thence northerly along the east line of Subdivision Lots 187 through 193 of Cover2198 and at an internal angle of 91°, 11'', 50', 221.43 feet to a point; thence easterly at an internal angle of 88°, 48'', 10', and parallel with the south line of Lot 15, 800.54 feet to the west line of Union Road; thence southerly along the west line of Union Road 221.43 feet to the point or place of beginning.

Upon roll call...

Supervisor Weber Voting AYE

Councilman:

| | |
|---|---|
| Johnson | Voting AYE |
| W.P. Rogowski | Voting AYE |
| Jaworowicz | Voting ABSENT |
| Kowal | Voting AYE |
| Gabryszak | Voting AYE |
| Santa Maria | Voting AYE |

AYES: 6
NAYES: 0
ABSENT: 1

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 1, 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 4A, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 1st day of June 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 4, 1987

Item No. 4B Motion by Councilman Johnson Seconded by Councilman Santa Maria

WHEREAS, Richard M. Stiegler has petitioned for the rezoning from R-Residential District to RC-Restricted Business District of property owned by him and located on Armond Lane adjacent to 849 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 18th day of May, 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, any rezoning of the subject property would be deleterious to the fully developed neighboring residential properties, and

WHEREAS, the denial of the rezoning request made by Mr. Stiegler would not work a hardship on him or his existing dentistry practice, NOW, THEREFORE, BE IT

RESOLVED that the application of Richard M. Stiegler for the rezoning from R-Residential District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby denied.

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

LEGAL DESCRIPTION

Vacant Parcel - Armond Lane

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 Forty-five (45), Township ten(10), Range seven (7) of the Buffalo Creek Reservation and more particularly bounded and described as follows:

BEGINNING at a point in the west line of said lot, said line also being the center line of Borden Road, distant seven hundred forty-six and twenty-three hundredths (746.23) feet north of its intersection with the south line of said lot; thence easterly along the north line of Armond Lane as shown on Map Cover Number 2252 and said line extended easterly, one hundred ninety-five (195) feet to the point of beginning; thence northerly at right angles to the last described line one hundred eighteen and twenty-seven hundredths (118.27) feet to a point in the south line of lands conveyed to Jozefa Kucio by deed recorded in Liber 2773 of Deeds at Page 33; thence easterly and along the south line of lands of said Kucio sixty-four and sixty-three hundredths (64.63) feet; thence southerly at right angles to the last described line, a measured distance of one hundred eighteen and twenty-four hundredths (118.24) feet to a point; on the north line of Armond Lane; thence westerly along the north line of Armond Lane a distance of sixty-four and ninety-one hundredths (64.91) feet to the point of beginning.

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 4C Motion by Councilman Santa Maria Seconded by Councilman Kowal

WHEREAS, South Union Chrysler Plymouth has applied for a Special Permit for Automobile Storage on property located at 2567 Union 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 July, 1986 at 6:30 o'clock P.M. of said day for the purpose of

Item No. 4C Cont'd.

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 a 25 foot wide driveway being installed at the easterly part of the extension and the 30 foot green area being extended along the entire site on Losson and Union Roads, 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 2567 Union Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment provided the 30 foot green area is extended around the entire perimeter of the property; and drainage plans be submitted to and be approved by the Town Engineer.

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee.

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 63, Township 10, Range 7 of the Holland Land Company's Survey, bounded and described as follows: BEGINNING at a point in the center line of Union Road at its intersection with the center line of Losson Road; running thence easterly along the center line of Losson Road 680.29 feet to a point therein distant 305.05 feet west from the east line of lot No. 63; running thence northerly and parallel with the east line of Lot No. 63, 453.04 feet to an iron; running thence northwesterly at an interior angle of 164° 32'51", 114.95 feet to a point; running thence southwesterly on a line at right angles to the center line of Union Road a distance of 734.81 feet to a point in the center line of Union Road; running thence southeasterly along the center line of Union Road 402.65 feet to the point or place of beginning. EXCEPTING therefrom that part of premises appropriated by the People of the State of New York by a Notice of Appropriation recorded in Erie County Clerk's Office in Liber 7180 of Deeds at page 472 and also in Liber 7220 of Deeds at page 56, being Map 71, Parcels 80 and 81 filed February 8, 1966.

Subject to the rights of the public and others in and to any part of the above premises lying within the boundaries of Union Road and Losson Road; also being subject to utility easements of record in the Erie County Clerk's Office which may affect premises.

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication JUN 4 - 1987; last publication JUN 4 - 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 4th

day of June, 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 NOV. 30, 1989

**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 1st day of June, 1987 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
Christopher J. Kowal
Dennis H. Gabryszak
Rudy A. Santa Maria

ABSENT: Councilman Patricia A. Jaworowicz

Motion by Councilman Santa Maria
Seconded by Councilman Kowal

WHEREAS, South Union Chrysler Plymouth has applied for a Special Permit for Automobile Storage on property located at 2567 Union 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 July 1986 at 6:30 o'clock pm.,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 opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to a 25 foot wide driveway being installed at the easterly part of the extension and the 30 foot green area being extended along the entire site on Losson and Union Roads,
and

WHEREAS, the Enviromental Advisory Committee of the Town of Cheektowaga, pursuant to the "Enviromental 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 2567 Union Road, and has rendered a determination that the Special Permit will not have a significant effect on the enviroment provided the 30 foot green area is extended around the entire perimeter of the property; and drainage plans be submitted to and be approved by the Town Engineer.

NOW, THEREFORE, BE IT RESOLVED, that said Special Permit be and hereby granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and the Town Envtromental Advisory Committee.

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 63, Township 10, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Union Road at its intersection with the center line of Losson Road; running thence easterly along the center line of Losson Road 889.29 feet to a point therein distant 305.08 feet west from the east line of Lot No. 63; running thence northerly and parallel with the east line of Lot No.63, 453.04 feet to an iron; running thence northwesterly at an interior angle of 164°, 32', 51", 114.95 feet to a point; running thence southwesterly on a line at right angles to the center line of Union Road a distance of 734.81 feet to a point in the center line of Union Road; running thence southeasterly along the center line of Union Road; 402.65 feet to the point or place of beginning.

EXCEPTING therefrom that part of premises appropriated by the People of the State of New York by a Notice of Appropriation recorded in Erie County Clerk's Office in Liber 7180 of Deeds at page 472 and also in Liber 7231 of Deeds at page 56, being Map 71, Parcels 80 and 81 filed February 8, 1966

Subject to the rights of the public and others in and to any part of the above premises lying within the boundries of Union Road and Losson Road; also being subject to utility easements of record in the Erie County Clerk's Office which may affect premises.

This conveyance is made by the grantor in the normal course of its business, pursuant to Section 909 of the Business Corporation Law of the State of New York and said transfer does not constitute all of the assets or a substantial part of the assests of the grantor, nor is the grantor insolvent at the time of this transfer, and nor does this conveyance make the grantor insolvent at this time.

Upon roll call...
Supervisor Weber
Voting AYE
Councilman:

| | |
|---|---|
| Johnson | Voting AYE |
| W.P. Rogowski | Voting AYE |
| Jaworowicz | Voting ABSENT |
| Kowal | Voting AYE |
| Gabryszak | Voting AYE |
| Santa Maria | Voting AYE |

AYES: 6
NAYES: 0
ABSENT: 1

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 1, 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 #C, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 1st day of June 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 4, 1987

Item No. 4D Motion by Councilman Santa Maria Seconded by Councilman Gabryszak

WHEREAS, Delco Enterprise has applied for a Special Permit for offices and equipment storage on property located at 580 Cayuga 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 6th day of April, 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 with the stipulations that no outside storage be allowed on the premises (except for a flat bed used in the hauling of such equipment) and a solid fence approved by the Building Inspector be erected along the permiter of such lot, 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 580 Cayuga Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment provided all construction equipment (other than one flat bed trailer and employees' personal vehicles) be stored inside the building; and a detailed drainage plan be submitted to and be approved by the Town Engineer,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee and the condition that the applicant be allowed to perform repairs only on its own vehicles.

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

LEGAL DESCRIPTION

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.

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

Upon Roll Call....

| | |
|---|---|
| AYES: | Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria |
| NAYES: | 0 |
| ABSENT: | Councilman Jaworowicz |

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication JUN 4 - 1987; last publication JUN 4 - 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 4th day of June, 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 NOV. 30, 1989

**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 1st day of June, 1987 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:
Supervisor Daniel E. Weber
Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
Christopher J. Kowal
Dennis H. Gabryszak
Rudy A. Santa Maria

ABSENT: Councilman Patricia A. Jaworowicz

Motion by Councilman Santa Maria
Seconded by Councilman Gabryszak

WHEREAS, Delco Enterprise has applied for a Special Permit for offices and equipment storage on property located at 580 Cayuga 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 6th day of April,1987 at 6:30 o'clock pm.,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 opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit with the stipulation that no outside storage be allowed on the premises (except for a flat bed used in the hauling of such equipment) and a solid fence approved by the Building Inspector be erected along the perimeter of such lot, and

WHEREAS, the Enviromental Advisory Committee of the Town of Cheektowaga, pursuant to the "Enviromental 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 580 Cayuga Road, and has rendered a determination that the Special Permit will not have a significant effect on the enviroment provided all construction equipment (other than one flat bed trailer and employees personal vehicles) be stored inside the building; and a detailed drainage plan be submitted to and be approved by the Town Engineer

NOW, THEREFORE, BE IT RESOLVED, that said Special Permit be and hereby granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and the Town Enviromental Advisory Committee and that the applicant be allowed to perform repairs only on its own vehicles.

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 No. 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.

Upon roll call...
Supervisor Weber
Voting AYE
Councilman:

| | |
|---|---|
| Johnson | Voting AYE |
| W.P. Rogowski | Voting AYE |
| Jaworowicz | Voting ABSENT |
| Kowal | Voting AYE |
| Gabryszak | Voting AYE |
| Santa Maria | Voting AYE |

AYES: 5
NAYES: 0
ABSENT: 1

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 1, 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 4D, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 1st day of June 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 4, 1987

Item No. 4E Motion by Councilman Santa Maria Seconded by Councilman Gabryszak

WHEREAS, the Town Attorney's Office and the Planning Board of the Town of Cheektowaga have recommended that certain provisions of Chapter 82 of the Town of Cheektowaga, New York (Zoning Ordinance) 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 1st day of June, 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 as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Ordinance be and the same hereby is amended and changed as follows:

1. RESOLVED that Article I - GENERAL PROVISIONS, Section 82.20.1.C.(1) which relates to landscaping general provisions shall be amended by deleting therefrom the words "otherwise subject to development plan review" and "and recommended for approval to the Town Board."

2. RESOLVED that Article I - GENERAL PROVISIONS, Section 82-20.1.D.(1) shall be amended by substituting the word "section" for the word "chapter" therein.

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 June 1, 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 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, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication JUN 4 - 1987; last publication JUN 4 - 1987; and that no more than six days intervened between publications.

Mary L. Lewandowski

Sworn to before me this 4th day of June, 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 NOV. 30, 1989

**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 1st day of June, 1987 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

Supervisor Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.
William P. Rogowski
Christopher J. Kowal
Dennis H. Gabryszak
Rudy A. Santa Maria

ABSENT: Councilman Patricia A. Jaworowicz

Motion by Councilman Santa Maria

Seconded by Councilman Gabryszak

WHEREAS, the Town's Attorney's Office and the Planning Board of the Town of Cheektowaga have recommended that certain provisions of Chapter 82 of the Town of Cheektowaga, New York (Zoning Ordinance) 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 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 1st day of June, 1987 at 7:00 pm.; 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 as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Ordinance be and the same hereby is amended and changed as follows:

1. RESOLVED that Article I - GENERAL PROVISIONS, Section 82-20.1.C.(1) which relates to landscaping general provisions shall be amended by deleting therefrom the words "otherwise subject to development plan review" and "and recommended for approval to the Town Board."

2. RESOLVED that Article I - GENERAL PROVISIONS, section 82-20.1.D.(1) shall be amended by substituting the word "section" for the word "chapter" therein.

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 June 1, 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 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 ABSENT |
| Kowal | Voting AYE |
| Gabryszak | Voting AYE |
| Santa Maria | Voting AYE |

AYES: 5
NAYES: 0
ABSENT: 1

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 1, 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 4E, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 1st day of June 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 4, 1987

No. 12

No. 13

No. 14

Item No. 5A Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is a member of, and lead agent for, the Northeast Communities Solid Waste Management Board (the Board), and

WHEREAS, one of the primary objectives of the Board is to develop long-term, environmentally sound and cost effective methods for the management and disposal of solid wastes, and

WHEREAS, the firm of Barton and Loguidice, P.E., consulting engineers and land surveyors, under agreement with the Board, has prepared documents for bidding for the disposal of solid wastes at an existing resource recovery facility; and, in the alternative, for bidding for the disposal of solid wastes at an existing sanitary landfill facility,

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk of the Town of Cheektowaga be and he hereby is directed to publish the attached Notice to Bidders in the CHEEKTOWAGA TIMES, the official newspaper of the town, and the BUFFALO CHALLENGER.

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

ADVERTISEMENT FOR BIDS

NOTICE TO BIDDERS

Notice is hereby given that sealed bids are sought and requested for:

CONTRACT NO. 1 -- DISPOSAL AT EXISTING RESOURCE RECOVERY FACILITY, consisting of furnishing of long term disposal services at an existing permitted resource recovery facility for mixed municipal solid wastes.

CONTRACT NO. 2 -- DISPOSAL AT EXISTING SANITARY LANDFILL FACILITY, consisting of the furnishing of long term disposal services at an existing permitted sanitary landfill for mixed municipal solid wastes, and/or bulky wastes, and/or incinerator ash residue and bypass wastes.

The waste to be disposed of will originate in the Town of Cheektowaga and other cooperating communities.

The Town of Cheektowaga, New York will receive sealed bids before its Town Clerk in the Council Chambers of the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York 14227, at 11:00 A.M., Eastern Daylight Savings Time, on the 30th day of June, 1987, and said bids will be opened at said time and place for the disposal of solid wastes which have been transported to the disposal facility by others, on the terms and conditions as stated in the Instructions to Bidders, the Bid proposal and the Solid Waste Disposal Agreement for the two contracts referenced above.

Copies of Contract No. 1 and Contract No. 2, each of which includes the Instructions to Bidders/Specifications/Bid Proposal/Solid Waste Disposal Agreement, may be obtained from the Cheektowaga Town Clerk upon deposit of fifty dollars ($50.00) for each contract. Any bidder upon returning such contract in good condition within thirty (30) days of the date of receiving bids will be refunded his payment, and any non-bidder upon returning such contract in good condition will be refunded twenty-five dollars ($25.00). Checks to obtain such contracts shall be made payable to the Town of Cheektowaga.

The bid must be accompanied by a Bid guaranty which shall be for the amount of $25,000, and subject to the conditions provided in the Instructions to Bidders. No bidder may withdraw his bid within forty-five (45) days after the actual date of opening thereof.

No interpretation of the meaning of the Instructions to Bidders, Bid Proposal or Solid Waste Disposal Agreement will be made to a bidder orally. Every request for such interpretation should be made in writing, addressed to Barton &

Item No. 5A Cont'd.

Loquidice, P.C., Consulting Engineers and Land Surveyors, Box 3107, 290 Elwood Davis Road, Syracuse, New york 13220 and, to be given consideration, must be received at least ten days prior to the date fixed for the opening of the bids.

These bids are for disposal service only. Waste transportation and hauling services are not a part of these contracts.

The Town of Cheektowaga reserves the right to reject any and all bids or bid alternates and is not bound to accept the lowest bid(s), but reserves the right to accept the bid(s) which, in its own opinion, is most advantageous to the Town, taking into account tonnage price, the Town's estimate of roundtrip travel costs from the Town to the Bidder's site, delays in dumping and/or transferring solid waste and site access.

TOWN BOARD
TOWN OF CHEEKTOWAGA

BY: _____
RICHARD M. MOLESKI, Town Clerk

Date: June 1, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

SEE NEXT TWO PAGES FOR AFFIDAVITS OF PUBLICATION

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication JUN 4 - 1987; last publication JUN 4 - 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 4th day of June, 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 NOV. 30, 1989

**LEGAL NOTICE**
**ADVERTISEMENT FOR BIDS**
**NOTICE TO BIDDERS**

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The waste to be disposed of will originate in the Town of Cheektowaga and other cooperating communities.

The Town of Cheektowaga, New York will receive sealed bids before its Town Clerk in the Council Chambers of the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York 14227, at 11:00 am., Eastern Daylight Savings Time, on the 30th day of June, 1987, and said bids will be opened at said time and place for the disposal of solid wastes which have been transported to the disposal facility by others, on the terms and conditions as stated in the Instructions to Bidders, the Bid Proposal and the Solid Waste Disposal Agreement for the two contracts referenced above.

Copies of Contract No.1 and Contract No.2 each of which includes the Instructions to Bidders/specifications/Bid Proposal/Solid Waste Disposal Agreement, may be obtained from the Cheektowaga Town Clerk upon deposit of fifty dollars ($50.00) for each contract. Any bidder upon returning contract in good condition within thirty (30) days of the date of receiving bids will be refunded his payment, and any non-bidder upon returning such contract in good condition will be refunded twenty-five dollars ($25.00). Checks to obtain such contracts shall be made payable to the Town of Cheektowaga.

The bid must be accompanied by a Bid guaranty which shall be for the amount of $25,000, and subject to the conditions provided in the Instructions to Bidders. No bidder may withdraw his bid within forty-five (45) days after the actual opening thereof.

No interpretation of the meaning of Instructions to Bidders, Bid proposal or Solid Waste Disposal Agreement will be made to a bidder orally. Every request for such interpretation should be made in writing, adressed to Barton & Loguidice, P.C., Consulting Engineers and Land Surveyors, Box 3107, 290 Elwood Davis Road, Syracuse, New York 13220 and, to be given consideration, must be received at least ten days prior to the date fixed for the opening of the bids.

These bids are for disposal service only. Waste transportation and hauling services are not part of these contracts.

The Town of Cheektowaga reserves the right to reject any and all bids or bid alternates and is not bound to accept the lowest bid(s), but reserves the right to accept the bid(s) which, in its own opinion, is most advantageous to the Town, taking into account tonnage price, the Town's estimate of roundtrip travel costs from the Town to the Bidder's site, delays in dumping and/or transferring solid waste and site access.

**TOWN BOARD**
**TOWN OF CHEEKTOWAGA**
**RICHARD M. MOLESKI**
**Town Clerk**

**DATED: June 1, 1987**
**PUBLISHED: June 4, 1987**

897-0442

# BUFFALO CHALLENGER NEWSWEEKLY

1303 FILLMORE AVE BUFFALO, NEW YORK 14211

PROOF OF PUBLICATION AFFIDAVIT

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

Barbara Banks BEING DULY SWORN, DEPOSES AND SAYS THAT HE/SHE IS Publisher/Editor OF THE BUFFALO CHALLENGER NEWSWEEKLY, A NEWSPAPER PUBLISHED WEEKLY IN THE CITY OF BUFFALO, ERIE COUNTY, NEW YORK, AND THAT THE NOTICE, OF WHICH THE ANNEXED PRINTED SLIP, TAKEN FROM SAID NEWSPAPER, IS A COPY: WAS INSERTED AND PUBLISHED IN SAME ONCE A WEEK FOR 1 WEEK(S), BEGINNING ON THE 10th DAY OF June AND ENDING ON THE 10th DAY OF June 1987.

Barbara Banks

SWORN BEFORE ME THIS 29th DAY OF June 1987.

Catherine M. Johnson

CATHERINE M. JOHNSON
Notary Public State of New York
Qualified in Erie County
My Commission Expires April 28, 1988

Item No. 5B 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 quantities of diesel fuel, unleaded gasoline, motor oils and misc. oils, lubricants and anti-freeze for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, NY 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 items at 11:00 A.M. on June 15th, 1987 at the Cheektowaga Town Hall Council Chambers.

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

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

The Town of Cheektowaga hereby requires sealed bids for the purchase of diesel fuel, unleaded gasoline, motor oil, antifreeze etc. for the use of the Cheektowaga Highway Department.

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

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening, June 15th, 1987 at 11:00 A.M. in the Town Hall Council Chambers.

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 1, 1987

PUBLISHED: June 4, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication JUN 4 - 1987 ; last publication JUN 4 - 1987 ; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 4th day of June, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**
**TOWN OF CHEEKTOWAGA**
**HIGHWAY DEPARTMENT**

The Town of Cheektowaga hereby requires sealed bids for the purchase of diesel fuel, unleaded gasoline, motor oil, anti-freeze etc. for the use of the Cheektowaga Highway Department.

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

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening, June 15th 1987 at 11:00a.m. in the Town Hall Council Chambers.

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

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

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

**RICHARD M. MOLESKI**
**Town Clerk**

**PUBLISHED: June 4, 1987**

Item No. 5C 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 rental of three (3) paving rollers to be used by the Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, NY 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 items at 11:00 A.M. on June 15th, 1987 at the Cheektowaga Town Hall Council Chambers.

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

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

NOTICE IS HEREBY GIVEN THAT sealed bids 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 June 15, 1987 at 11:00 A.M. for

Rental of Three (3) - 8 to 10 Ton and 10 to 14 Ton Static Paving Rollers

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 BIDS FOR RENTAL OF PAVING ROLLERS."

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

RICHARD M. MOLESKI, Town Clerk

DATED: June 1, 1987

PUBLISHED: June 4, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication JUN 4 - 1987; last publication JUN 4 - 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 4th day of June, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**
**TOWN OF CHEEKTOWAGA**
**HIGHWAY DEPARTMENT**

NOTICE IS HEREBY GIVEN THAT sealed bids 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 June 15, 1987 at 11:00a.m. for Rental of Three (3) - 8 to 10 Ton and 10 to 14 Ton Static Paving Rollers

In order to be considered, all bids must be filled 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 BIDS FOR RENTAL OF PAVING ROLLERS".

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

**RICHARD M. MOLESKI**
**Town Clerk**

**DATED: June 1, 1987**
**PUBLISHED: June 4, 1987**

Item No. 5D Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga is sponsoring two (2) summer day camps for developmentally disabled children ("Camp Crabapple" and "Camp JI-IK-DO-WAH-GAH") from July 6, 1987 to August 14, 1987, AND

WHEREAS, it is necessary that bus transportation be provided to transport these developmentally disabled children to and from Camp Crabapple and Camp JI-IK-DO-WAH-GAH, AND

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of the aforesaid bus transportation to be provided from July 6, 1987 to August 14, 1987; said Notice shall be published in the June 4, 1987 issue of the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bid proposals will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 A.M. on Monday, June 15, 1987, AND BE IT FURTHER

RESOLVED that the Cheektowaga Town Clerk is hereby designated to publicly open and read said sealed bid proposals at 11:00 a.m. on Monday, June 15, 1987.

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

NOTICE TO BIDDERS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York, until 11:00 A.M. Eastern Daylight Time, on Monday, June 15, 1987, for the furnishing of daily transportation to and from two day camp programs for developmentally disabled children and learning disabled children to be located at the St. John Gualbert School, 120 Alexander Avenue, Cheektowaga, New York. Included in the bid should be the use of three full size school buses and one wheel chair van. Please bid separately on the buses and on the wheel chair van, which will be utilized only if warranted by enrollment. Clients will be transported from the Cheektowaga, Sloan and Depew area to the camp site and vice versa, Monday through Friday, beginning July 6, 1987 through August 14, 1987. Arrival time at camp is scheduled for 9:30 A.M. Dismissal and take home is scheduled for 2:30 P.M. Also included in the bid should be transportation for five weekly field trips to and from various points of interest in the Western New York area.

Information for bidders may be obtained from the camp's Program Coordinator at the Cheektowaga Youth Bureau in said Town.

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 1, 1987

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication JUN 4 - 1987; last publication JUN 4 - 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 4th day of June, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE TO BIDDERS**
**PROPOSALS**

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York, until 11:00 a.m. Eastern Daylight Time, on Monday, June 15, 1987, for the furnishing of daily transportation to and from two day camp programs for developmentally disabled children and learning disabled children to be located at the St. John Gualbert School, 120 Alexander Avenue, Cheektowaga, New York. Included in the bid should be the use of three full size school buses and one wheelchair van. Please bid seperately on the buses and on the wheelchair van, which will be utilized only if warranted by enrollment. Clients will be transported from the Cheektowaga, Sloan and Depew area to the camp site and vice versa, Monday through Friday, beginning July 6, 1987 through August 14, 1987. Arrival time at camp is scheduled for 9:30 a.m. Dismissal and take home is scheduled for 2:30 p.m. Also included in the bid should be transportation for five weekly field trips to and from various points of interest in the Western New York area.

Information for bidders may be obtained from the camp's Program Coordinator at the Cheektowaga Youth Bureau in said Town.

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

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

RICHARD MOLESKI
Town Clerk

DATED: June 1, 1987
PUBLISHED: June 4, 1987

*Item No. 6A* *Motion by Councilman Kowal Seconded by Councilman Gabryszak*

*WHEREAS, bids were duly received by this Town Board at a bid opening on May 4th, 1987 for One (1) New and Unused 1987-88 Aerial Bucket Truck 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 R. B. U'Ren Equipment, Inc., 1120 Connecting Road, Niagara Falls NY at the price indicated after trade-in of $59,500.00 being the lowest responsible bidder meeting specifications.*

*Upon Roll Call....*
*AYES:* *Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Councilman Jaworowicz*

*Item No. 6B* *Motion by Councilman Gabryszak Seconded by Councilman Kowal*

*WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the application of a chemical root control agent to sanitary sewer lines in various locations in the Town of Cheektowaga, which bids were duly opened at a public bid opening on May 18, 1987, 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 application of a chemical root control agent to sanitary sewer lines at the unit price of $1.19 per lineal foot of 8" sewer, $1.34 per lineal foot of 10" sewer, $1.46 per lineal foot of 12" sewer, $2.15 per lineal foot of 15" sewer, $3.21 per lineal foot of 18" sewer and $4.40 per lineal foot of 21" sewer be awarded to Duke's Sales & Service Inc., 1020 Hiawatha Boulevard West, Syracuse, New York 13204, said bid meeting the requirements of the specifications.*

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

*Upon Roll Call....*
*AYES:* *Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Councilman Jaworowicz*

**Town of Cheektowaga**

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3447
716—686-3448

May 28, 1987

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Application of Chemical
Root Control Agent to
Sanitary Sewer Lines

Gentlemen:

At a public bid opening on May 18, 1987, bids were received and publicly opened for the application of a chemical root control agent to sanitary sewer lines. One (1) bid was received as follows:

| BIDDER | BID UNIT PRICE |
|---|---|
| Duke's Sales & Service Inc. | 8" sewer - $1.19 per lineal foot |
| | 10" sewer - $1.34 per lineal foot |
| | 12" sewer - $1.46 per lineal foot |
| | 15" sewer - $2.15 per lineal foot |
| | 18" sewer - $3.21 per lineal foot |
| | 21" sewer - $4.04 per lineal foot |

The bid was reviewed by the Town Engineer and upon his recommendation, the bid should be awarded to Duke's Sales & Service Inc., 1020 Hiawatha Boulevard West, Syracuse, New York 13204, said bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Henry Borkowski

Henry Borkowski
Engineering Aide

EB:dms

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

Motion by Councilman Rogowski Seconded by Councilman Santa Maria to dispense with the reading of the names on the following two items and the voting was as follows:

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

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

Item No. 7A 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:

| Parks Division - #01-007110-1-0-1491-001 | Effective |
|---|---|
| Anthony Belcer | 6/19/87 |
| John Bratek | 7/05/87 |
| Raymond Felder | 7/05/87 |
| Gordon Hagmier | 7/05/87 |
| Stan Siejak | 7/05/87 |
| Joseph Dolecki | 7/05/87 |
| Harry Rogalski | 7/05/87 |
| Cam Viverto | 7/05/87 |
| Michael Gress | immediately |
| David Serra | immediately |
| Edward Zielinski | immediately |
| Earl Scherer | immediately |
| **Bldg. Mtce. Division - #010991625-1-0-1391-001** | |
| Barbara Schnurstein | 7/05/87 |
| **Street Lighting Division - #02-905182-1-0-1492-001** | |
| Joseph Stallone | 7/05/87 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 7B Motion by Councilman Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the following seasonal employees be terminated from the Recreation Department effective June 1, 1987.

Michael Arber
Richard Binner
Michael Bogdan
Dennis Braniecki
Gary D. Braun
Richard Brecker II
Diane Catalfu
Anthony Christiano
Susan Ciezak
Mark Cleary
Barbara Coia
Ronald Cyrankowski, Jr.
Mary Lou Czajka

Item No. 7B Cont'd.

Jyl Dalfonso
Dawn Delano
Paul Dennis
Laila Desjardins
Charles DiAngelo
Jill Dudish
Paul Eggert
Gregory Florczak
Colleen Gallivan
Jamark Garbatowicz
Barbara Gemerek
Larry Giambelluca
Christopher Glab
Ronald Godzich
Patrick Griffin
Richard Guizzotti
Matthew Haberl
Kathryn Hartrick
Joseph Herb
Brian Hickson
Mary Beth Hopkins
Thomas Kazmierczak
Lisa Kostelny
Michelle Kunkel
Dean Lach
Joanna Lukowski
Brian McGill
Thomas Minorczyk
Elaine Myszka
Beverly Nowicki
Joseph Nowak
Peter Odrobina
Michael Ostempowski
Cynthia Gehl
Anthony Orzel
Jerome Pazderski
Kevin Przepiora
Melissa Prorok
Pamela Pytel
Bernard Ruda
Barbara Rusin
Norbert Rzeski
Michael Sacilowski
William Sarver
Jeffrey Schneider
Karen Spaulding
Nancy Szymkowiak
Rodney Todaro
Paul Tripi
Philip Tripi
Colleen Tonsoline
Steven Wass
David Weber
Al Wingerter
Colleen Witucki
Brian Wojnar
Lise Woolrich
Joseph Wrzosek
Darrin Ziemba
Melissa Ann Heath
Robert Kowalewski

Upon Roll Call....

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

NAYES: 0

ABSENT: Councilman Jaworowicz

Item No. 8A 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 1987 summer program:

| Parks Division - #01-007110-1-0-1491-001 - $3.35 per hour | Effective |
|---|---|
| Marie Brutcher | retroactive to 5/19/87 |
| Timothy Majerowski | 6/01/87 |
| Mark Wipperman | 6/01/87 |
| Mark Zawodzinski | 6/01/87 |
| James Doyle | 6/01/87 |
| Jeff Edwards | 6/01/87 |
| Glen Bolognese | 6/01/87 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 8B Motion by Councilman Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that the below individuals be hired at the designated titles and salaries (7310.1801):

| RECREATION ATTENDANTS (COUNSELOR II) - $3.35 | |
|---|---|
| Ann Marie Priester | 14225 |
| Joleen Dombrowski | 14227 |
| Laura Ziemer | 14227 |
| Kim Giczkowski | 14043 |
| Doreen Skowron | 14212 |
| Kathryn Pundt | 14043 |

| RECREATION ATTENDANT (COUNSELOR I) - $3.00 | |
|---|---|
| Kristen Hallnan | 14227 |
| Dawn Marie Heerdt | 14227 |

| RECREATION ATTENDANT (COUNSELOR I ALTERNATE) - 3.00 | |
|---|---|
| Cynthia Principato | 14225 |

| RECREATION SUPERVISOR (COUNSELOR III ALTERNATE) - $3.50 | |
|---|---|
| Gabrielle Coyne | 14043 |

| RECREATION SUPERVISOR (ACTIVITY DIRECTOR) - $5.00 | |
|---|---|
| Rosemarie Harrer | 14227 |

| RECREATION SUPERVISOR (SENIOR COUNSELOR) - $4.00 | |
|---|---|
| Jeffrey Kaczorowski | 14227 |
| Linda Wopperer | 14227 |

| RECREATION SUPERVISOR (COUNSELOR III) - $3.50 | |
|---|---|
| Pauline Stanford | 14225 |
| Nancy Giorgini | 14225 |
| William Spatzer | 14225 |
| Cynthia Ratajczak | 14043 |
| Allayne Yeostros | 14225 |
| Tracy Greco | 14225 |

BE IT FURTHER RESOLVED that the following individuals be hired at the designated titles and salaries for the Cheektowaga Conservation Corps:

| TRAINEE SUPERVISORS $6.00 (7310.1811) | |
|---|---|
| Theodore Dluhy | 14215 |
| James Hornung | 14225 |
| Alan Miano | 14043 |
| Larry Osswald | 14225 |

Item No. 8B Cont'd.

PROGRAM ASSISTANT $5.00 (7310.1812)

| | |
|---|---|
| Brian Mikler | 14227 |

YOUTH LEADERS $4.25 (7310.1812)

| | |
|---|---|
| Shawn Dibble | 14043 |
| Timothy Dusza | 14227 |
| Kelly Ejnik | 14043 |
| Peggy Hellenbach | 14225 |
| Christopher Kowalewski | 14043 |
| Richard Musielak, Jr. | 14043 |

BE IT FURTHER RESOLVED that the following individuals be elevated with the following changes in title and salary (7310.1802):

Barbara Zielinski from Counselor III ($3.50 to Senior Counselor ($4.00)

Jason Backes from Junior Counselor ($3.35) to Counselor III ($3.50)

BE IT FURTHER RESOLVED that the following individual be elevated to the position of Program Coordinator for the Conservation Corps (7310.1811) at the rate of $7.25 per hour effective immediately:

| | |
|---|---|
| Robert Off | 14225 |

BE IT FURTHER RESOLVED that the following individuals who have been previously hired for the Cheektowaga Conservation Corps (7310.1811) be elevated to the rate of $7.25 per hour effective immediately:

PROGRAM COORDINATOR

| | |
|---|---|
| Jack Hornung | 14225 |

EDUCATION COORDINATOR

| | |
|---|---|
| Roger Newhouse | 14227 |

BE IT FURTHER RESOLVED that Deborah Ryan, , Depew, New York 14043 be hired as an Administrative Intern at $3.35 per hour.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 8C Motion by Councilman Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1987 summer programs.

POOL DIRECTOR - $295.00 per week - 10 weeks - A7180.1902

Brian Hansen

SPECIAL EVENTS SUPERVISOR - $220.00 per week - 10 weeks - A7180.1902

John Hartman

POOL SUPERVISORS - $190.00 per week - 10 weeks - A7180.1902
Town Park Pool

Catherine Giles
Michael Schlager

POOL SUPERVISORS - $180.00 per week - 10 weeks - A7180.1902
Maryvale & Dingens Pool

Sharon Gandy
David Gennocro
Pamela Kolbe

Item No. 8C Cont'd.

Michelle Kunkel
Brian Russ

LIFEGUARDS - $3.60 w/WSI - $3.35 without WSI - A7180.1903

Charles Ashton
Elizabeth Barnas
Melissa Bialkowski
Stephan Blachowski
Kathleen Bobeck
Debra Boniszewski
Christopher Cegielski
Jodi Colognino
Shannon Connors
Lisa Cook
Gregory Czarnecki
Elise Enders
Elizabeth Gagola
Lisa Glasser
Thomas Greulich
Sandra Groszkowski
Deborah Hartman
Wendy Hartman
Melinda Heath
Melissa Heath
Pamela Heath
Traci Howlett
Douglas Kenjockety
Carl Kolasny
Kimberly Kromer
Kevin Kuehmeier
Sharon Lennert
Mark Lipowski
Heather Malcolm
Lori Malkiewicz
Mia Marsh
Jennifer Martin
Joelle Miranda
Paul Owens, Jr.
Frederick Piwko
Todd Roland
Carrie Scheib
Kristin Selmensberger
Charles Sinicki
Eric Solberg
Denise Szalasny
Julie Szalasny
Dale Taglienti
Denise Tasca
Annette Wheeler
Douglas Wittig
Candice Zoeller
Greg Zyla
Tracie Eusanio
Lisa Grace

BASKET CHECKERS $2.50 per hour - A7180.1901

Heide Arendt
Wendy Bernhardt
Richard J. Brecker II
Janeen Cameron
Tracy Dean
Kelly Eich
Shannon Fitzpatrick
Julie Gasiorowski
William Goldsmith
Heather Hauser

Item No. 8C Cont'd.

Kelly Havernick
James Jeitler
Deborah Kolbert
Jill Kotowski
John Kozlowski
Michelle Mariano
Michelle McFarland
Kristen Mulcahy
Lana Notaro
Kim Philipps
Pamela Piatek
Karen Rott
Bonnie Roycroft
Daniel Schroeder
Jeff Sikorski
Wendy Skrabski
Susan Szymkowiak
Jill Tokasz
Jennifer Wainwright
Belinda Wrotny
Karl Mackowiak
Bob McDougall
Lana Dubell
Joann Ratajczak
Michael Cook
John Scheidweiler, Jr.
Tammi Paradowski

RECREATION ATTENDANTS - I. D. CARDS - $3.35 per hour - A7140.1614

Jill Dalfonso
Andrea Rzeski
Tammy Sypniewski

RECREATION ATTENDANTS - $3.35 per hour - A7140.1614

James Avino
Nina Baldyga
Norbert Beiter
Barbara Bohlen
Amy Bollman
Deborah Braniecki
Bradley Brownell
Nadine Bucolo
Gregory Burke
Gina Cammaleri
Kathleen Campbell
Michele Ciancio
Nancy Colucci
Lisa Ciepiela
Ronald Cyrankowski
John Cywinski
Maurice Desjardins
Philip Detellis
Dave Dietl
Donna Marie Dietl
Jennifer Donnelly
Jomark Garbatowicz
Charles Geary
Rachel Gorski
Patrick Griffin
Mark Hangen
Paul Heary
Matthew Hunneshagen
Dale Idzik
Ann Marie Jakubowski
Julie Kaczorowski

Item No. 8C Cont'd.

Tina Kaczorowski
Sharon Kasprzak
James Kosinski
Lisa Kostelny
Melissa Lesniowski
Linda Lipowski
Joanna Lukowski
Kevin Mackowiak
Christian Marks
James Mazurek
Thomas Minorczyk
Ronald Morcio
Kathie McGowan
Michele Norris
Thomas Nowak
Edward Olejniczak
Susan Orr
Michele Patterson
Linda Peckenpaugh
Donald Peterson
Sandra Pietrzak
Pauline Przybylak
Sarah Randolph
Norah Riniolo
Linda Ritter
Susan Schuhmacher
Jocelyn Skobjak
Jeffrey Strusienski
Kelley Szwajkos
Mary White
Corinne Wirth
Samuel Zarcone
Tracy Ryan
Jeffrey Szyklinski
Kathleen Majchrzak
Heather Brandon

RECREATION ATTENDANTS - ALTERNATES

David Bonczar
Ann Brydalski
Peter Brydalski
Kimberly Casey
Lisa Fitch
Faye Hertel
Jennie Hoddick
Jeff Kabel
Mark Kwandrans
Mark MacBain
Lance Mahalic
Richard Marasciulo
Jennifer Miller
Christian Ozolins
Suzanne Purcell
Paul Raszeja
Frederick Simmeth

ASSISTANT SOFTBALL COORDINATOR - $5.00 per hour - A7140.1622

Richard Andrzejewski

EXERCISE INSTRUCTOR - $5.00 per hour - A7140.1613

Laila Desjardins

SOCCER SUPERVISORS - $5.00 per hour - A7140.1611

Paul Dennis

Item No. 8C Cont'd.

Robert Kowalewski

SOCCER INSTRUCTOR - $4.25 per hour - A7140.4611

Matthew J. Haberl

ASSISTANT SOCCER INSTRUCTORS - $3.50 per hour - A7140-1611

Gianfranco Gallo
Martin Gawel
John Hanf
Gary Wurst
Timothy Kronewetier

SOCCER ATTENDANTS - $3.35 per hour - A7140-1611

Barbara Gemerek
Colleen Witucki

TENNIS COURT SUPERVISOR - $180.00 per week - A7140.1613

Mark Krysczak

TENNIS COURT INSTRUCTORS - $150.00 per week - A7140.1613

James Gerlock
Michael Sacilowski
Amy Skretny
Lynn Staszak

SPECIAL EVENTS SUPERVISORS - $180.00 per week - A7140.1613

Cynthia Gehl
Mary Beth Hopkins

RECREATION SUPERVISORS - TINY TOTS - $5.00 per hour - A7140.1613

Sharon Kensy
Barbara Rusin

RECREATION SUPERVISORS - CULTURAL CENTER - $5.00 per hour - A7140.1613

Mark Cleary
Thomas Dazmierczak, III

RECREATION LEADERS - $4.25 per hour - A7140.1614

Barbara Coia
Jeanine Hanner
Michele Kaczmarek
Norine Reichert
Bernard Ruda
Marjorie Schultz
Timothy Wrotny
Jacqueline Malcolm

PLAYGROUND SUPERVISORS - $180.00 per week - A7140.1613

Susan Ciezak
Brian Cleary
Gregory Florczak
Nancy Kubiak
Dean Lach
Lisa Miranda
Peter Odrobina

(unlisted)

Item No. 8C Cont'd.

ARTS & CRAFTS SUPERVISORS - $180.00 per week - A7140.1613

Sam Burgio
Mary Lou Czajka
Lawrence Giambelluca
Sharon Jester
Robert Kozell
Barbara Majchrzak
Elaine Myszka

GYMNASTICS SUPERVISOR - $6.00 per hour - A7140.1613

Colleen Tonsoline

ASSISTANT GYMNASTICS SUPERVISOR - $4.50 per hour - A7140.1615

Brian Wojnar

SENIOR GYMNASTICS INSTRUCTORS - $4.10 per hour - A7140.1615

Ron Farkash
Jeffrey Schneider

GYMNASTICS INSTRUCTORS - $3.50 per hour - A7140.1615

Jenny Krier
Michael Perry
Tina Wanat
Kristen Zimmerman
Jenny Harzewski

FURTHER RESOLVED that the above personnel be terminated effective September 8, 1987.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 8D 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 and at the rates listed:

| | Effective |
|---|---|
| SEWER MAINTENANCE DEPARTMENT - Seasonal - $3.35 per hour | |
| Kevin Bartosz | 6/02/87 |
| Kevin Schmitt | immediately |
| David Dietl | immediately |
| Martin Nowak | immediately |
| David Uhl | immediately |
| MAIN PUMP STATION - Seasonal - $3.35 per hour | |
| Mark Burkhard | immediately |
| Dean Sarago | immediately |
| Norman Anderson | immediately |
| SANITATION - Part-time - $5.00 per hour | |
| Jeffrey Bobeck | 5/19/87 |
| Thomas Harmon | 5/25/87 |
| POLICE DEPARTMENT - Seasonal - $3.35 per hour | |
| Jennifer Tokasz | immediately |
| Marie Oddi | immediately |

Item No. 8D Cont'd.

Susan Fredricks immediately

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 8E Motion by Councilman Gabryszak Seconded by Councilman Santa Maria

WHEREAS, funds are presently available under the Buffalo-Cheektowaga Tonawanda Consortium, Summer Youth Program, and

WHEREAS, the Summer Youth Progam starts on June 8th, 1987, for the applicants that are out of school, participants work a maximum of 35 hours per week at $3.35 per hour, and a termination date not to exceed September 25, 1987, NOW, THEREFORE, BE IT

RESOLVED that the following persons will be hired based on fund availability from the Department of Labor and that the alternate portion may be utilized to meet the demographic requirements as stated in our plan submitted to the Department of Labor:

Aloisio, Gino 14225
Amanti, Frank 14225
Batch, Deborah 14225
Buck, Danny 14225
Coleman, Carolyn 14227
Deck, Jeffrey 14225
DelMonte, Paul 14225
Dibble, Lynn 14227
Eagle, Lisa 14227
Eagle, Timothy 14227
Gibbons, Mary Sloan 14206
Glasser, Stephen Depew 14043
Goodheart, Todd 14225
Greenwalt, Rob 14227
Guarino, James 14225
Haskins, Teri 14225
Kazmierczak, James 14211
Kazmierczak, Pam 14211
Kopcinski, Eric 14211
Kotlowski, Denene Depew 14043
Kush, Robert 14206
Lewis, Stephen 14225
Luman, Kim Depew 14043
Mages, Kim 14225
McCloskey, James 14225
McCloskey, Patrick 14225
Militello, Lynn 14227
Militello, Michael 14227
Militello, Thomas 14227
Mohr, Kimberlee 14227
Morgan, William 14227
Perkins, Kimberly 14227
Petersdorf, Belinda 14225
Punturiero, Jeffrey 14227
Radecki, Scott 14206
Radwanski, Jacqueline 14227
Rejnal, Paulette 14225
Schultz, John 14225
Sieroslawski, Lynn Depew 14043
Stevens, Mark 14225
Tripi, Paul 14225
Werts, Edward 14043
Wright, Lisa 14227

Item 8E Cont'd.

| | |
|---|---|
| Wright, William | 14227 |
| Yea, Kelly Lynn | 14227 |
| Zipp, Jodi | Depew 14043 |
| Zipp, Judy | Depew 14043 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

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

WHEREAS, Katherine Schultz, substitute School Crossing Guard, has resigned her position as of May 7, 1987, and

WHEREAS, the Chief of Police has recommended that Eleanor Bienko, , be hired to replace Katherine Schultz, NOW, THEREFORE, BE IT

RESOLVED that Eleanor Bienko be and hereby is hired as a substitute School Crossing Guard, at a rate of $4.75 per hour, effective immediately.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

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

WHEREAS, manpower in the Police Department has decreased from 128 to 124 officers, and

WHEREAS, the Chief of Police has requested this Town Board to hire additional police officers, and

WHEREAS, the Chief of Police has interviewed applicants for the position and has recommended that the Town appoint Laurie Ucasz to the position of Police Officer, and

WHEREAS, Laurie Ucasz is presently employed at the Erie County Sheriff's Department and has already graduated from the Police Academy, NOW, THEREFORE, BE IT

RESOLVED that Laurie Ucasz, 18 Celina Street, Sloan, New York 14206 be and hereby is appointed to the position of Police Officer, effective June 17, 1987 at a salary in accordance with the collective bargaining agreement between the Town and the Town Police Club, Inc.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

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

WHEREAS, the Town of Cheektowaga Department of Sanitation has a vacancy in the Motor Equipment Operator (Class B) classification, and

WHEREAS, said vacancy has been duly bid in the Sanitation Department as per Collective Bargaining Agreement, NOW, THEREFORE, BE IT

RESOLVED that the following be appointed to the position of Motor Equipment Operator (Class B) in the Sanitation Department at a salary in accordance

Item No. 10B Cont'd.
with the Bargaining Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

| | | Effective |
|---|---|---|
| Ronald Fenske | Chktg., NY 14206 | 4/21/87 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 10C Motion by Councilman Kowal Seconded by Councilman Johnson

WHEREAS, the position of Laborer in the Sanitation Department was duly posted in accordance with the agreement between the Town and the Town Employees' Association, and

WHEREAS, Anthony Broniszewski applied for such position and has the seniority to entitle himself to such position, NOW, THEREFORE, BE IT

RESOLVED that Anthony Broniszewski be and hereby is appointed to the position of Laborer in the Sanitation Department, effective May 18, 1987, at a salary in accordance with the agreement between the Town and the Town Employees' Association.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 11 Motion by Councilman Kowal Seconded by Councilman Santa Maria

WHEREAS, Thomas G. Dryja has requested permission to take a one-year leave of absence from his position as Police Officer, and

WHEREAS, the Chief of Police has recommended that such leave be granted, NOW, THEREFORE, BE IT

RESOLVED that Thomas G. Dryja be and hereby is granted an unpaid leave of absence from his position as police officer for a one year period beginning on June 15, 1987.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No.12 Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the New York State Association of Traffic Safety Boards is holding its quarterly meeting in Syracuse, New York, on June 16 and 17, 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, and

WHEREAS, Carl Perlino is also the Vice President of the Region 8 New York State Association of Traffic Safety Board, 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

Item No. 12 Cont'd.
on June 16 and 17, 1987, and shall be reimbursed for all necessary and reasonable expenses not to exceed $250.00

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

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

WHEREAS, the Town is in the process of acquiring a 50-foot wide private roadway from Sorrento, Inc. to be used as a public roadway, and

WHEREAS, Sorrento, Inc. utilizes tandem trucks on the New York State Thruway and Walden Avenue to enter its property at 2001 Walden Avenue, and

WHEREAS, the operation of such tandem trucks on the New York State Thruway and Walden Avenue is specifically permitted by §385 of the Vehicle and Traffic Law of the State of New York, and

WHEREAS, once the private roadway owned by Sorrento, Inc. is conveyed to the Town, tandem trucks will be prohibited thereon unless §385 of the State Vehicle and Traffic Law is amended, and

WHEREAS, Sorrento, Inc. has no other way for tandem trucks to enter its property, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Legislature to amend §385 of the State Vehicle and Traffic Law to permit tandem trucks to be operated on the aforementioned proposed future public roadway, 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 and Assemblyman Vincent J. Graber.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

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

WHEREAS, the Real Property Tax Law of the State of New York provides for various individuals and corporations to receive exemptions from County, Town and School taxes, AND

WHEREAS, volunteer firemen in towns receive no such property tax exemptions, AND

WHEREAS, volunteer firemen perform a valuable service by spending countless hours training in school and responding to emergency medical and fire needs and receive no remuneration for same, AND

WHEREAS, volunteer firemen in villages derive a tax benefit in the manner of tax exemptions, AND

WHEREAS, recruitment problems have arisen in many town fire districts not only within Erie County, but across the State and Nation, AND

WHEREAS, Bill No.A.1616 is presently being considered by the New York State Legislature and is currently in the Ways and Means Committee providing a tax exemption for all volunteer firemen in towns and villages, AND

Item No. 13B Cont'd.

WHEREAS, this Town Board feels that the enactment of Bill No.A.1616 would be beneficial to the fire districts and the residents of this Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board memorializes the State Senate and Assembly and Governor Cuomo to enact Bill No.A.1616 to provide for property tax exemptions for all volunteer firemen, AND, BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Assemblyman Gorski, Senator Volker, Governor Cuomo, the Speakers of the State Senate and Assembly and the Chairman of the Ways and Means Committee.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 13C Motion by Councilman Rogowski Seconded by Councilman Johnson

WHEREAS, Section 930 of the Real Property Tax Law of the State of New York ("RPTL") presently permits utility corporations to pay their real property taxes to the county treasurer, and

WHEREAS, all other corporations and private individuals are required by law to pay their real property taxes directly to local receivers of taxes and assessments, and

WHEREAS, the Town Receiver of Taxes and Assessments feels that it would simplify matters and be more equitable for utility corporations to be treated the same as everyone else and pay their real property taxes directly to the local receivers of taxes and not to the county treasurer, and

WHEREAS, the Erie County Tax Act was enacted by the State Legislature to make certain variations to the RPTL for Erie County, and

WHEREAS, this Town Board thus feels that the State Legislature should amend the Erie County Tax Act to require utility corporations to be treated the same as everyone else and pay their property taxes to the local receiver of taxes, NOW, THEREFORE BE IT

RESOLVED that the New York State Legislature be and hereby is memorialized to amend the Erie County Tax Act to require utility corporations to pay their property taxes to the local receivers of taxes in Erie County, 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 M. Cuomo and the Speakers of the State Assembly and Senate.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 14A Motion by Councilman Rogowski Seconded by Councilman Johnson

WHEREAS, by resolution dated June 1, 1987, this Town Board memorialized the New York State Legislature to amend the Erie County Tax Act to require utility corporations to pay their real property taxes directly to the local receivers of taxes in Erie County, and

WHEREAS, such amendment to the Erie County Tax Act seems to be in the best interests of taxpayers and local governments, NOW, THEREFORE, BE IT

Item No. 14A Cont'd.

RESOLVED that this Town Board hereby requests the Erie County Legislature and all cities and towns in Erie County to join the Town of Cheektowaga in its request to the New York State Legislature to amend the Erie County Tax Act, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward copies of this resolution and the aforementioned resolution to the clerks of the Erie County Legislature and of all cities and towns in Erie County.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 14B Motion by Councilman Johnson Seconded by Councilman Rogowski

WHEREAS, the residents of the Town are served by Volunteer Fire Companies and Rescue Squads who put in countless hours in training and learning such emergency services; and

WHEREAS, the taxpayers of this Town support the equipping of the Volunteer Fire Companies without contribution by the County of Erie; and

WHEREAS, the County of Erie has recommended the establishment of fees for the use of the County Training Facilities; and

WHEREAS, the County has also recommended that the Volunteer Fire Companies, Fire Districts and Municipalities be required to release the County from responsibility for its actions in the operation of Training Facilities; and

WHEREAS, the reimbursement fee of Fifty Dollars ($50.00) to Volunteer Fire Companies established in 1976 by the County Legislature is unrealistic in view of the increased costs incurred in responding to emergency calls at County Facilities; NOW, THEREFORE, BE IT

RESOLVED that this Board goes on record as strongly opposed to the proposal of the County Requiring fees for the use of the Training Facilities; and BE IT FURTHER

RESOLVED that this Board strongly opposes proposals by the County to shift the legal responsibility of the County in operating its Training Facilities to Fire Districts, Fire Companies and Municipalities; and BE IT FURTHER

RESOLVED that this Board is in support of increasing the reimbursement fee to Volunteer Fire Companies to One Hundred Dollars ($100.00) per call as a more realistic reimbursement for expenses incurred in responding to emergency calls at County Facilities.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 15A Motion by Councilman Rogowski Seconded by Councilman Johnson

WHEREAS, by resolution dated October 6, 1986, this Town Board entered into an agreement and contract of sale with Sorrento, Inc. and Buffalo Forge Company, Inc. for the purpose of opening a public highway between Walden Avenue and Duke Road, and

WHEREAS, such agreement and contract of sale were thereafter signed by the officers of Sorrento, Inc. and Buffalo Forge Company, Inc., and

Item No. 15A Cont'd.

WHEREAS, the Town desires to have the proposed public highway opened for public use prior to the consummation of the agreement and contract of sale, for reasons of public safety, and

WHEREAS, Sorrento, Inc. is agreeable to allowing such property to be opened for public use provided the Town executes the attached agreement, and

WHEREAS, the Town is willing to execute the attached agreement, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute the attached agreement with Sorrento, Inc.

*SEE NEXT THREE (3) PAGES FOR COPY OF AGREEMENT

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

AGREEMENT

THIS AGREEMENT is made and entered into this 1st day of June, 1987 by and between the TOWN OF CHEEKTOWAGA ("TOWN"), a municipal corporation organized under the laws of the State of New York and having its principal place of business at Broadway and Union Road, Cheektowaga, New York 14227; and SORRENTO, INC. ("SORRENTO"), a domestic corporation having its office and principal place of business at 2375 South Park Avenue, Buffalo, New York 14220.

W I T N E S S E T H:

WHEREAS, the TOWN and SORRENTO have entered into an Agreement dated October 16, 1986 and a Contract of Sale dated October 16, 1986 which Agreement and Contract of Sale provide for the sale of a fifty (50) foot wide strip of land along SORRENTO's east property line on Walden Avenue to the TOWN for use as a public roadway, and

WHEREAS, Subdivision 16(g) of Section 385 of the Vehicle and Traffic Law of the State of New York provides that the operation of vehicles exceeding the weight limitations prescribed in the Vehicle and Traffic Law may be operated along Walden Avenue for a distance being .5 miles east of the New York State Thruway and not on any side roads, and

WHEREAS, SORRENTO presently is thereby authorized to operate (and does operate) its tandem tractor trailers along said portion of Walden Avenue to the rear of its property where its loading docks are, and

WHEREAS, after the aforementioned fifty (50) foot wide strip of land is conveyed to the TOWN, the Vehicle and Traffic Law will prohibit the operation of SORRENTO's tandem tractor trailers on the new public roadway, and

WHEREAS, the TOWN is desirous of having SORRENTO give it permission to open

up and use said fifty (50) foot wide parcel of land as a public roadway prior to the actual conveyance, and

WHEREAS, the TOWN has no objection to the operation of SORRENTO's tandem tractor trailers on the proposed new public roadway and desires to help SORRENTO procure any amending legislation necessary for such vehicles to operate on said roadway.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows.

FIRST: The TOWN will assist SORRENTO in procuring any amendment necessary to the New York State Vehicle and Traffic Law to allow SORRENTO to be able to operate its tandem tractor trailers along the aforementioned fifty (50) foot wide strip of land to be used as a public highway by the TOWN.

SECOND: SORRENTO will authorize the TOWN to open up and use the fifty (50) foot wide strip of land hereinbefore mentioned as a public roadway, effective upon the execution of this agreement and until the transfer of such land to the TOWN.

THIRD: The TOWN will allow SORRENTO to operate its tandem tractor trailers along the fifty (50) feet wide parcel of land during the term of this Agreement.

FOURTH: The parties agree that the conveyance of the property described in the Contract of Sale dated October 16, 1986 between the parties shall be held in abeyance until SORRENTO is successful in having §385 of the Vehicle and Traffic Law amended to include use by Sorrento of the fifty (50) foot strip of land along its east property line of tandem trucks owned or operated by SORRENTO at the time said fifty (50) foot strip of land is a public highway.

Nothing contained herein shall prevent the transfer of land from Buffalo Forge Company to SORRENTO pursuant to a contract dated October 16, 1986 or the conveyance or abandonment by the TOWN to Buffalo Forge Company of the existing Duke Road right of way, generally described as the portion of Duke Road beginning (50) feet west of the east bound property line of Buffalo Forge Company and extending to the New York State Thruway.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first above written.

TOWN OF CHEEKTOWAGA

By_____
Daniel E. Weber, Supervisor

SORRENTO, INC.

By_____

Item No. 15B Motion by Councilman Rogowski Seconded by Councilman Kowal

WHEREAS, the Cheektowaga Youth Bureau is desirous of renting campground facilities known as Camp Aloha for a summer camp for handicapped Cheektowaga youths from August 16-22, 1987, and

WHEREAS, such facilities are owned by the Camp Fire Council of Buffalo and Erie County, Inc. and are located in Wales Center, New York, and

WHEREAS, the Camp Fire Council of Buffalo and Erie County, Inc. is willing to rent such facilities to the Town provided that the Town executes an appropriate agreement for such rental, and

WHEREAS, such agreement has been prepared and is acceptable between said parties, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an agreement with the Camp Fire Council of Buffalo and Erie County, Inc. for the rental of the aforementioned campground facilities.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 15C Motion by Councilman Kowal Seconded by Councilman Johnson

WHEREAS, the Town, by resolution dated May 4, 1987, awarded the bid for and authorized the reconstruction of Pfohl Road, and

WHEREAS, as part of such Town road reconstruction, it is proposed to widen such road at the point where it crosses at grade the railroad tracks owned by the Consolidated Rail Corporation, and

WHEREAS, prior to any such work over the railroad tracks, Section 90 of the Railroad Law of the State of New York requires that the Town submit a petition to perform such grade crossing work to the Commissioner of Transportation of the State of New York, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute the attached Petition to the Commissioner of Transportation for grade crossing work on Pfohl Road.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 15D Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, County Road 207 (William Street) suffers repeated significant flooding in the Town of Cheektowaga between Harlem Road and the Buffalo City Line, AND

WHEREAS, the Town of Cheektowaga has purchased property south of William Street between Wagner and Medina Streets dedicated to drainage purposes, and

WHEREAS, the New York State Department of Transportation is proposing a reconstruction project on William Street in 1989 to which the County of Erie is contributing local matching funds, and

WHEREAS, the drainage work proposed by the State for the above referenced flooded area of William Street appears to be compatible with the long range needs of the Town of Cheektowaga and the Village of Sloan, NOW, THEREFORE, BE IT

Item No. 15D Cont'd.

RESOLVED that the Town of Cheektowaga make available some of the property dedicated to drainage between Wagner and Medina Streets so that the New York State Department of Transportation could build a fenced drainage ditch and retention basin on it, not to exceed 2 acres in size and to be outletted through a pipe of a reduced diameter so as not to adversely affect the downstream area, AND, BE IT FURTHER

RESOLVED that the Town of Cheektowaga accepts full responsibility for maintenance of the retention basin and for carrying away the water that is discharged via the outlet pipe to be installed by the State, and agrees to have the method for removal of said water in place by the end of 1990, before the State begins to reconstruct William Street, AND, BE IT FURTHER

RESOLVED that the Town of Cheektowaga reserves the right to make alterations to the retention basin or to discontinue its use in the future as the Town may elect as long as such changes do not decrease the capacity of the William Street drainage system, AND, BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga is hereby empowered to sign any agreements with the County of Erie or the State of New York as may be necessary to implement the construction of the above described drainage facility by the New York State Department of Transportation.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 15E Motion by Councilman Santa Maria Seconded by Councilman Gabryszak

WHEREAS, pursuant to Section 109 of the Agriculture and Markets Law of the State of New York Section 21-6 of the Code of the Town of Cheektowaga, owners of dogs are required to obtain a license for same from the Town Clerk's Office, and

WHEREAS, every year, numerous residents fail to procure the necessary licenses for their dogs, and

WHEREAS, when an owner of a dog does not obtain the necessary license therefore, such owner is served with an appearance ticket, and

WHEREAS, after being forced to obtain a license for their dogs by the Justice Court, dog owners eventually do comply, and

WHEREAS, the procedure of serving an appearance ticket and making the dog owner appear in court is a very cumbersome and expensive procedure for the Town, and

WHEREAS, the Town Clerk has requested permission to mail violators of the dog licensing statutes a form entitled "DOG CONTROL VIOLATION NOTICE", a draft copy of which is attached hereto, and

WHEREAS, such notice informs the suspected violator that he will be subject to fines of $10, $20, or $25 above the cost of the license if he does not obtain the necessary license in a timely manner, and

WHEREAS, this Board agrees with the substance and contents of the attached draft "DOG CONTROL VIOLATION NOTICE" form and supports its use, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is authorized to implement the use of the form drafted by him, as attached hereto, and BE IT FURTHER

RESOLVED that this Town Board hereby also approves of the aforementioned fines recommended by the Town Clerk.

*SEE NEXT PAGE FOR COPY OF "DOG CONTROL VIOLATION NOTICE".

INSTRUCTIONS FOR USE - WRITE THE SUMMONS NUMBER AND LICENSE PLATE NUMBER ON THE FRONT OF CHECK OR MONEY ORDER PAYABLE TO ~~PARKING VIOLATIONS BUREAU~~ FOR THE EXACT AMOUNT OF THE FINE. INSERT INTO ENVELOPE, PEEL OFF TAPE ABOVE, FOLD FLAP AND PRESS FIRMLY TO SEAL. STAMP AND RETURN NAME & ADDRESS REQUIRED. DO NOT SEND CASH BY MAIL.

Town Clerk

FROM _____

IF NO POSTAGE MAIL WILL BE RETURNED

PLACE POSTAGE STAMP HERE

~~CITY OF BUFFALO~~

~~PARKING~~ VIOLATIONS BUREAU

Town Clerk's off

~~ROOM 8A, CITY HALL~~

Broadway + Union Rds.

~~BUFFALO, NEW YORK 14202~~

Cheektowaga, NY 14227

# DOG CONTROL VIOLATION

SUMMONS NUMBER

~~Y0221675~~

C

~~CITY OF BUFFALO~~ 3 copies

~~PARKING~~ VIOLATIONS BUREAU

~~ROOM 8A, CITY HALL~~

~~BUFFALO, NEW YORK 14202~~

1000

| DATE OF NOTICE | | |
|---|---|---|
| MONTH | DAY | YEAR |
| | | |

NAME
ADDRESS
CITY/STATE

YOU ARE HEREBY, AS THE OWNER OF RECORD OF THE DOG WHOSE LICENSE NUMBER IS LISTED BELOW, CHARGED WITH NON-RENEWAL OF THIS DOG LICENSE. THIS IS A CLASS A FINE VIOLATION AND IS SUBJECT TO A ~~$50.00 Fine~~ $20.00 ($25.00 IF NOT PAID WITHIN 10 CALENDAR DAYS FROM DATE OF THIS NOTICE.) IN ADDITION TO PAYMENT OF THIS SUMMONS, YOU MUST RENEW YOUR DOG LICENSE.

| LICENSE NUMBER | EXPIRATION DATE OF LICENSE |
|---|---|
| | 1 |

**DOG CONTROL VIOLATION**

This summons, based on the records of the ~~Comptroller's~~ Town Clerk's Office, has been prepared and issued according to the regular procedure of said office.

AFFIRMED UNDER PENALTY OF PERJURY

CITY CLERK'S OFFICE

SUMMONS NUMBER

**POSTMARK DATE ON ENVELOPE SHALL BE PAYMENT DATE.**

PAYMENT OF THE FINE CONSTITUTES A PLEA OF GUILTY TO THE SPECIFIED VIOLATION. 9/W

PAYMENT MAY BE MADE IN PERSON AT ROOM [illegible], BUFFALO, N.Y. ~~14202~~ BETWEEN ~~8:30~~ A.M. AND 4:30 P.M. WEEKDAYS. C/Ct. 14227

A PLEA OF NOT GUILTY MAY BE ENTERED WITHIN 10 CLAENDAR DAYS BY APPEARING AT ~~THE PARKING VIOLATIONS BUREAU~~ FOR THE SCHEDULING OF A TIME AND DATE FOR A HEARING BEFORE A HEARING OFFICER, FAILURE TO ENTER A PLEA OR PAY WITHIN 10 CALENDAR DAYS (EXCLUDING DAY ISSUED) WILL RESULT IN FURTHER PENALTIES UP TO $25.00. Send appearance

~~PARKING VIOLATIONS BUREAU COPY~~

Item No. 15E Cont'd.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

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

WHEREAS, the Town of Cheektowaga wishes to adopt the Deferred Compensation Plan for Employees of the New York State and Other Participating Public Jurisdictions (the "Plan") for the voluntary participation of all eligible non-union, full-time Town employees; and

WHEREAS, the Town of Cheektowaga is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law; and

WHEREAS, the Town of Cheektowaga has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the New York State; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Cheektowaga by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement; NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby adopts the Plan for the voluntary participation of all eligible non-union, full-time employees; and BE IT FURTHER

RESOLVED that the appropriate officials of the Town of Cheektowaga are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and BE IT FURTHER

RESOLVED that the Town Attorney's Office forward a copy of this resolution to The Copeland Companies and Deloitte, Haskins and Sells, and BE IT FURTHER

RESOLVED that The Copeland Companies is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 17 Motion by Councilman Johnson Seconded by Councilman Kowal

WHEREAS, the New York State Department of Environmental Conservation has issued an Order on Consent for the Town's violation of the water pollution statutes of the Environmental Conservation Law, which Order resulted from the Town's discharge of sanitary sewage into the Buffalo River at the Town's Plant #3 location on Harlem Road and Clinton Street, and

WHEREAS, the Town Engineer and the Town Attorney met in the New York State Department of Environmental Conservation Assistant Regional Attorney's Office to seek changes in the Order on Consent as was sent to the Supervisor in their letter of February 9, 1987, and

WHEREAS, as a result of said meeting and in addition to compliance with requests made at said meeting in the Offices of the Assistant Regional Attorney, the Order on Consent was modified, and

WHEREAS, the Assistant Regional Attorney, in his letter of May 19,

Item No. 17 Cont'd.

1987 to the Town, had submitted a substitute Schedule A to be substituted for the original Schedule A, and

WHEREAS, it is required that the Town execute the Order on Consent together with the penalty by June 5, 1987, NOW, THEREFORE, BE IT

RESOLVED that this Town Board consents to the issuing and entering of the Order on Consent, waives the right to hearing as provided by law and agrees to be bound by provisions, terms and conditions of said Order on Consent, and, BE IT FURTHER

RESOLVED that payment shall be made to the New York State Department of Environmental Conservation in the amount of $5,000.00 as a penalty imposed for the stream violation, and, BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby sign said Order on Consent and return the signed Order on Consent and the $5,000.00 penalty to the New York State Department of Environmental Conservation Assistant Regional Attorney's Office.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 18 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the New York State Department of Transportation has awarded a construction contract for the improvement of the Harlem Road/Walden Avenue intersection, and

WHEREAS, said project necessitates the removal of eight (8) Town-owned street lighting standards which currently illuminate this intersection in conjunction with Niagara Mohawk Power Company equipment, and

WHEREAS, street lighting facilities are to be retained on Harlem Road both north and south of the subject intersection upon completion of said project, and continuity of lighting is desired through the intersection, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby petitions the New York State Department of Transportation to provide a complete street lighting system at the intersection of Harlem Road and Walden Avenue to replace the Niagara Mohawk/Town owned system being removed, with the future responsibility of operation and maintenance being assumed by the Town of Cheektowaga, and, BE IT FURTHER

RESOLVED that certified copies of the subject resolution be forwarded to: Franklin E. White, Commissioner, New York State Department of Transportation; Robert J. Russell, Regional Director, New York State Department of Transportation; State Senator Dale M. Volker and Assemblyman Dennis T. Gorski.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 19A Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the New York State Department of Transportation has awarded a construction contract for highway improvements to the intersection of Harlem Road and Walden Avenue, and

WHEREAS, said project has initiated the need to modify the existing

Item No. 19A Cont'd.
street lighting system in the New York State Electric and Gas service district, requiring the removal of three (3) existing 7000 lumen M.V. luminaires and installation of one (1) 8500 lumen H.P.S. luminaire with a one time removal charge of $163.28 resulting in an annual decrease to the General Lighting District of $233.60, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric & Gas Corporation is hereby authorized to perform the street lighting modifications as outlined in the attached proposal dated May 5, 1987.

*SEE NEXT PAGE FOR COPY OF PROPOSAL.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

NYSEG

May 5, 1987

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Walden Terrace

Install 1-8500 lumen HPS lamp @ $106.00 ea. -----$106.00
(P-87-1, L-457)

Remove 1-7000 lumen MV lamp @ $113.20 ea. -------$113.20
(P-87-6, L-457)

Annual Decrease ----------$ 7.20

Harlem Road (south of Walden Avenue)

Remove 2-7000 lumen MV lamps @ $113.20 ea. ------$226.40
(P-79-6,81-1, L-457)

Annual Decrease ----------$226.40

TOTAL ANNUAL DECREASE ---------- $233.60

Associated with the remvoval of 3-7000 lumen MV fixtures is a one-time charge of $163.28 (original cost depreciated to 7/1/87 less salvage), which will be billed to the Town of Cheektowaga when above work is field completed.

The twenty (20) existing 14400 lumen HPS will be relocated from pole to pole as listed below:

86 to 86, 87 to 87, 88 to 88-1, 89 to 89, 90 to 90,
91 to 91-1, 92 to 92, 93 to 93, 94 to 94, 95 to 94-6,
96 to 95, 97 to 96-1, 97-1/2 to 98-2, 98 to 98,
99 to 100, 100 to 100-1, 101 to 101, 102 to 102,
103 to 103, 104 to 103-1

This will provide approximately the same lighting conditions that presently exist

*Item No. 19B* *Motion by Councilman Johnson Seconded by Councilman Gabryszak*

*WHEREAS, the New York State Department of Transporation has awarded a contract for highway improvements to Walden Avenue from Dale Road to Union Road, and*

*WHEREAS, the current street lighting system on Walden Avenue in the New York State Electric & Gas service district, whose operation and maintenance is annually funded by the Town General Lighting District, is mandated by the New York State Department of Transportation to be removed from its existing location in the right-of-way as a result of said project, and*

*WHEREAS, retaining a street lighting system on Walden Avenue which meets New York State Department of Transportation highway criteria is considered cost prohibitive, and*

*WHEREAS, costs associated with the removal of this street lighting system, consisting of an undepreciated value of $30,310.55 with salvage value offsetting labor for removal, is an expense forced upon the Town General Lighting District by this New York State Department of Transportation project, NOW, THEREFORE, BE IT*

*RESOLVED that the New York State Electric & Gas Corporation is hereby authorized to remove sixty one (61) 45000 lumen H.P.S. luminaires, wood poles and related equipment on Walden Avenue for an annual decrease to the lighting district of $15,198.15 in accordance with the attached proposal dated May 6, 1987, and, BE IT FURTHER*

*RESOLVED that this Town Board hereby petitions the New York State Department of Transportation and our elected State representatives to provide compensation to the Town of Cheektowaga in the amount of $30,310.55, for the removal cost of the subject street lighting equipment, which is mandated by this State Highway Construction Project, and, BE IT FURTHER*

*RESOLVED that a certified copy of this resolution be forwarded to the following: Franklin E. White, Commissioner, New York State Department of Transportation; Robert J. Russell, Regional Director, New York State Department of Transportation; State Senator Dale M. Volker and Assemblyman Dennis T. Gorski.*

**SEE NEXT PAGE FOR COPY OF PROPOSAL*

*Upon Roll Call....*
*AYES:* *Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria*
*NAYES:* *0*
*ABSENT:* *Councilman Jaworowicz*

NYSEG

May 6, 1987

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Walden Avenue

Remove 61-45000 lumen HPS lamps @ $249.15 ea. ---- $15,198.15

Total Annual Decrease ---------- $15,198.15

Pole Nos. 1*,1A*,2*,3,4,5,6,7,8*,10,12*,16-1*,20-6*,23-101*,
26-1*,29-1*,30-1*,32-101*,34-106*, Line 2160;
P-1*,2*,3*,3A*,4,5,6,7,8,9,9A*,10,11*,13-1*,16-1*,18-1*,22-1*,
24-1*,27-1*, L-2160A; P-2*, L-551;
P-1-1*,1-B-1*,3-6*,3A-1*,4-1*,4A-1*,5-1*,5A-1*,6-1,7A-1,
L-2509; P-52-1*,54A-1*,55-1*,56*,57-1*,58*,60*, L-414;
P-270-1,270B-6, L-423; P-10-1, L-1976; P-1-1-1*,1-2-1*, L-3345

* locations mandated by the NYSDOT to be removed or relocated to meet current New York State safety standards

The following equipment associated with the sixty-one street lights will also be removed:

53 wood poles, 61 brackets & 5564 ft. of conductors

There is a one-time charge for unrecovered cost of the fixtures, poles, brackets, and conductors, plus labor to remove them. The unrecovered cost amounts to $30,310.55 (original cost of installed equipment depreciated to 7/1/87). Labor to remove the above equipment (approximately $11,000.00) will be off-set by the salvage or present day value of the equipment. If the Town of Cheektowaga has a need for the equipment being removed, NYSEG will remove said equipment and deliver it to the Town complex at Broadway & Union Roads and bill the town the removal cost of approximately $11,000.00. The one-time charge will be billed to the town when work is complete in the field.

NYSEG will turn off the 61 street lights and discontinue billing when the NYSDOT's contractor begins work on the contract, or any other date agreeable to the Town of Cheektowaga.

NYSEG will actually remove the street lights and associated equipment as soon as possible thereafter.

Item No. 19C Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, a Town sponsored project for the reconstruction of Vern Lane pavement, including improvements to the Union Road intersection, necessitates modification to the existing street lighting system, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric & Gas Corporation is hereby authorized to perform the required improvements as indicated on the attached proposal dated April 1, 1987 resulting in an annual decrease to the General Lighting District of $197.59, and, BE IT FURTHER

RESOLVED that the one time charge of $615.93 associated with the removal of New York State Electric & Gas equipment be chargeable against monies budgeted for said reconstruction project.

*SEE NEXT TWO (2) PAGES FOR COPY OF PROPOSAL

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

STREET LIGHTING PROPOSAL

Town of Cheektowaga

VERN LANE:

Install 1 - 14400 lumen HPS lamps @ $ 126.32 each = $ 126.32

Pole - 228-2A

Install 1 - 22' Bracket @ $ 21.88 each = $ 21.88

Pole - 228-2A

ANNUAL INCREASE - $ 148.20

Remove 2- 3200 PT lumen MV lamps @ $91.50 each = $ 183.00

Standards - 47, 48

Remove - 243 ft. Cable In Conduit @ $.7276 per foot = $176.81

HH 45 to Std 47, Pole 3 to Std 48

Remove 2 - Bracket Credits @ 7.02 each = $ 14.02

ANNUAL DECREASE - $ 345.79

TOTAL ANNUAL DECREASE - $ 197.59

This proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with the Town of CHEEKTOWAGA.

NEW YORK STATE ELECTRIC & GAS CORP
April 1, 1987

This work is necessary as the first 150 feet of Vern Lane is being widened by the Town. Street light Standard #48 is in the way of construction and Standard #47 will not be needed when the 150 HPS is installed on Pole #228-2A.

There is a one time charge of $615.93 associated with the removal of NYSEG equipment. The charge is made up of unrecovered cost plus labor to remove two 100 W MV Post Top Fixtures and underground conductors less present day value of two 100 W MV Post Top Fixtures.

Steel Standards and concrete bases are owned by the Town of Cheektowaga and their removal will be the responsibility of the Town.

Item No. 19D Motion by Councilman Johnson Seconded by Councilman Gabryszak

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to install 1 - 5200 lumen high pressure sodium street light on Standard Parkway, Pole 6, Line 450, in the Town of Cheektowaga, at an annual cost to the Town of $108.52, in accordance with the attached proposal which is hereby made a part of this resolution.

*SEE NEXT PAGE FOR COPY OF PROPOSAL.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

NYSEG

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

STANDARD PKY

Install 1 - 5200 lumen HPS lamps @ $93.02 ea. ---------- $ 93.02
(P-6, L-450)

Install 1 - 8-ft. brackets @ $15.50 ea. ---------- $ 15.50
(P-6, L-450)

TOTAL ANNUAL INCREASE ---------- $ 108.52

This proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with the Town of Cheektowaga

NEW YORK STATE ELECTRIC & GAS CORP
May 27, 1987

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

WHEREAS, representatives of the Western New York Jr. Tennis Tournament have approached the Town of Cheektowaga for the purpose of hosting their 1987 tournament at Cheektowaga Town Park from June 20 through June 27, 1987, from 9:00 A.M. until dusk, and

WHEREAS, plans for the tournament were reviewed and approved at a regular Parks & Recreation Committee meeting, and

WHEREAS, the highest caliber amateur tennis players from Western New York compete in this tournament and afford Town residents an excellent opportunity to compete and observe this event, and

WHEREAS, winners of this tournament will qualify to compete in the 1987 National Public Parks Tennis Championships, NOW, THEREFORE, BE IT

RESOLVED that organizers of the Western New York Jr. Tennis Tournament be granted permission to conduct its 1987 Western New York Tennis Tournament in Cheektowaga Town Park from June 20 - June 27, 1987, and BE IT FURTHER

RESOLVED that the Recreation and Facilities Department be directed to fully cooperate with organizers of this event to assure its success.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 21 Motion by Councilman Santa Maria Seconded by Councilman Kowal

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 1255-1331 French Road (Southwest property line), Cheektowaga, New York, SBL # 125.12-10-4 and according to the Assessor's Office is owned by Samuel Pezzino, Etal, 5320 Willow Lake Drive, Clarence, New York 14031, and

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

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

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 22 Motion by Supervisor Weber Seconded by Councilman Rogowski

BE IT RESOLVED that the following budget transfers are hereby approved for the 1987 budget year.

HIGHWAY FUND

| | | | |
|---|---|---|---|
| FROM: | 01-5110.4331 | Machine Rental | $1,000.00 |
| TO: | 04-5130.4082 | Travel | $1,000.00 |

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.

Item No. 22 Cont'd.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 23 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 June 1, 1987 are hereby approved and made a part hereof.

| FUND | AMOUNT |
|---|---|
| GENERAL FUND | $1,985,302.46 |
| SPECIAL DISTRICTS FUND | 1,037,967.18 |
| HIGHWAY FUND | 407,881.64 |
| FEDERAL REVENUE SHARING FUND | 10,257.50 |
| CAPITAL FUND | 14,925.33 |
| TRUST & AGENCY FUND | 391,234.49 |
| HUD-CDBG FUND | 6,448.01 |
| PART TOWN FUND | 26,205.12 |
| | $3,880,221.73 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: Councilman Jaworowicz

## III. DEPARTMENTAL COMMUNICATIONS

Item No. 24 Building Permits.
Received and filed.

Item No. 25A Cheektowaga Planning Board: Minutes of Meeting of April 1987.
Received and filed.

Item No. 25B Cheektowaga Public Library Board: Minutes of meeting of May 1987 (Special Meeting)
Received and filed.

Item No. 25C Cheektowaga Traffic Safety Commission: Minutes of May 1987
Received and filed.

## IV. GENERAL COMMUNICATIONS

Item No. 26 State of New York: Department of Law: Order regarding validity of income executions served by marshals, constables, etc. Copies of this Order were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; and Justice Court.
Received and filed.

Item No. 27A — Notice of Claim: John Blake (General Accident) 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.
Received and filed.

Item No. 27B — Notice of Claim: D & J Paving, Inc. (Duane Cady) 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, Town's Insurance Carrier, and Robert Lis, Chief of Police.
Received and filed.

Item No. 27C — Notice of Claim: Laurie, Daniel & Vincent Mele 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 Robert Lis, Chief of Police.
Received and filed.

Item No. 27D — Notice of Claim: New York State Electric & Gas 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, Town's Insurance Carrier and Ronald Zoeller, Sanitation Foreman.
Received and filed.

Item No. 28 — Clinton Street Elementary School - Parent-Teacher Organization: Petition in favor of expansion of Kelly Park Library.
Copies were sent to: Karen McAuley, Council Secretary, Daniel E. Weber, Supervisor; and James Matecki, Facilities Department Foreman.
Received and filed.

Item No. 29 — Motion by Councilman Santa Maria Seconded by Councilman Kowal 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 15th day of June, 1987 at 7:00 o'clock P.M., Eastern Daylight Saving 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; Julia Reinstein, Town Historian; Don Wegner, Chairman of Zoning Board of Appeals; Ron Marten, Building and Plumbing Inspector; Sal LaGreca, Employment and Training Director II; Alfred Wnek, Superintendent of Highways; Tom Adamczak, Assistant Building and Plumbing Inspector; Chester Bryan, Town Engineer; Robert Lis, Chief of Police; Ray Pugh, Planning Board Member; Casey Kozminski, Town Assessor.

## I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendment(s) 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(s) being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

| Street | Direction | Entrance Street | Traffic Stops | Sign Location |
|---|---|---|---|---|
| MAPLEVIEW ROAD | East-west | OEHMAN BLVD. | Southbound | N.E. Corner |
| MAPLEVIEW ROAD | East-west | OEHMAN BLVD. | Northbound | S.E. Corner |

ARTICLE X

Parking, Standing and Stopping

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

| | | |
|---|---|---|
| NAGEL DRIVE | East side | from the south curbline of Joseph Drive southerly to the north edge of the driveway at house No. 64 Nagel Drive |

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

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

## II. RESOLUTIONS

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

WHEREAS, this Town Board held a public hearing on June 1, 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:

B. No parking anytime

| | | |
|---|---|---|
| OLCOTT PLACE | east side | from the south curbline of Herbert Avenue southerly to terminus |

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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication JUN 18 1987; last publication JUN 18 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 18th

day of June, 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 NOV. 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 15th day of June, 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 June 1, 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 76of 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:

B. No parking anytime
OLCOTT PLACE; East side; from the south curbline of Herbert Avenue southerly to terminus

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 subjet 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 the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in The Cheektowaga TIMES a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of 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 hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 15, 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 15th day of June 1987.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 18, 1987

No. 13

No. 14

Item No. 4a Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz

WHEREAS, Robert D. Alonzo, as agent for Benderson Development Company, Inc. has made application and requested a rezoning from RA-Apartment District to M1-Light Manufacturing for property located at 760 Dick Road, 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 July 6, 1987 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, Broadway and Union Road.

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

Motion by Councilman Johnson, Seconded by Councilman Santa Maria 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

Item No. 4b Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz

WHEREAS, Deborah A. Van DerPuy has applied for a Special Use Permit to operate a nursery school and family day care facility at 32 Joanne Lane, Cheektowaga, New York, and

WHEREAS, the Town Environmental Advisory Review Committee has reviewed such application and has requested this Town Board to schedule a public hearing in order to help such committee make its recommendation, NOW, THEREFORE, BE IT

RESOLVED that a public hearing for environmental review purposes shall be held before this Town Board on the 6th day of July, 1987 at 6:30 P.M. at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached NOTICE OF HEARING in the CHEEKTOWAGA TIMES on June 18, 1987 and forward copies of such notice, by regular mail, to property owners within 300 feet of the subject property.

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

NOTICE OF HEARING

TAKE NOTICE that a public hearing for environmental review purposes will be held on July 6, 1987 at 6:30 P.M. in the Council Chambers of the Cheektowaga Town Hall corner of Broadway and Union Road to discuss the application of Deborah A. Van DerPuy for a Special Use Permit to use 32 Joanne Lane, Cheektowaga, New York for a nursery school and family day care facility.

Public comment will be invited and appreciated.

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

DATED: Cheektowaga, N.Y.
June 15, 1987

RICHARD M. MOLESKI
Town Clerk

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

Item No. 4b 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.

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication JUN 18 1987; last publication JUN 18 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 18th day of June, 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 NOV. 30, 1989

**LEGAL NOTICE**
**NOTICE OF HEARING**

TAKE NOTICE that a public hearing for enviromental review purposes will be held on July 6, 1987 at 6:30 pm. in the Council Chambers of the Cheektowaga Town Hall, corner of Broadway and Union Road to discuss the application of Deborah A. Van DerPuy for a Special Use Permit to use 32 Joanne Lane, Cheektowaga, New York for a nursery school and family day care facility.

Public comment will be invited and appreciated.

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK.**
**RICHARD M. MOLESKI**
**Town Clerk**

DATED: June 15, 1987
PUBLISH: June 18, 1987

Item No. 4c Motion by Councilman Jaworowicz, Seconded by Councilman Gabryszak

WHEREAS, Lancer Development and Construction Co., Inc. a special purpose corporate affiliate of the Pyramid Company of Buffalo, (the "Applicant") has applied to the Town of Cheektowaga for an environmental review of a proposed shopping mall, to be known as "Walden Galleria" to be located east of the New York State Thruway, north of Walden Avenue, south of the abandoned Conrail tracks and generally west of Union Road and the Cheektowaga Consolidated Central High School, pursuant to the New York State Environmental Quality Review Act, and

WHEREAS, the Town Board of the Town of Cheektowaga has been designated lead agency concerning the proposed Walden Galleria, and

WHEREAS, the Town Board determined that a Draft Environmental Impact Statement must be prepared and submitted to the Town ,and

WHEREAS, the applicant submitted a Draft Environmental Impact Statement to the Town Environmental Advisory Committee on June 9, 1987 for their review and recommendation which includes information requested by involved agencies, and

WHEREAS, the Town Environmental Advisory Committee, at its meeting held on June 15, 1987 recommended that the submitted Draft Environmental Impact Statement be accepted as complete, in accordance with the requirements of the State Environmental Quality Review Act, and

WHEREAS, members of the Town Board have had an opportunity to review the Draft Environmental Impact Statement and the recommendations of the Town Environmental Advisory Committee, and this Town Board is in agreement with such recommendations, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby accepts as complete, pursuant to the State Environmental Quality Review Act, the Draft Environmental Impact Statement submitted by the Pyramid Company of Buffalo on June 9, 1987, and BE IT FURTHER

RESOLVED that the Town Board hereby determines to schedule a SEQRA Public Hearing for July 8, 1987 at 7:00 P.M. in the Town Hall of the Town of Cheektowaga, Broadway and Union Roads, in the Town to receive public comment on the Draft Environmental Impact Statement, and BE IT FURTHER

RESOLVED that the Town Board hereby provides a public comment period for written comments on the Draft Environmental Impact Statement to be submitted by the public and involved and interested agencies which will close at 5:00 P.M. on July 20, 1987, and BE IT FURTHER

RESOLVED that the Town Building Inspector, SEQRA Intake Officer for the Town, cause the attached Notice of Completion of Draft Environmental Impact Statement and Notice of SEQRA Public Hearing to be published in the newspaper of record for the Town and circulated and filed, along with the Draft Environmental Impact Statement, with all involved agencies as required by the State Environmental Quality Review Act.

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

Motion by Supervisor Weber, Seconded by Councilman Rogowski TO ADJOURN THIS ITEM until Monday, June 22, 1987 at 7:30 P.M.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of one (1) basketball court at the Rehm Road Park and three (3) tennis courts and paved parking areas at the Stiglmeier Park, and

Item No. 5a cont'd

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 construction of one (1) basketball court at the Rehm Road Park and three (3) tennis courts and paved parking areas at the Stiglmeier Park, as per bid prices and as recommended by the Town Engineer, be and the same is hereby awarded to D.B.H. Paving, Inc., 356 Sunrise Boulevard, Williamsville, New York 14221 for the following bid items:

| | | |
|---|---|---|
| ITEM I | (1) Basketball Court | $18,511.00 |
| ITEM III | (3) Tennis Courts | $50,140.00 |
| ITEM IV | Undercutting Subbase | $12.00/cu yd. |
| ITEM V | Parking Lot | $1.75 sq. ft. |

* See next page for 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—686-3447
716—686-3448

June 11, 1987

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid, Basketball Courts, Tennis Courts & Paving Parking Areas

Gentlemen:

At a public bid opening on June 1, 1987, bids were received and publicly opened for the construction of basketball courts, tennis courts and paving parking areas. Two (2) bids were received and are as follows:

| ITEM | | GBH PAVING | LOUIS DEL PRINCE & SON |
|---|---|---|---|
| I | Basketball Court | $18,511.00 | $25,920.00 |
| II | Tennis Courts Fenced on 4 Sides | $36,810.00 | $42,660.00 |
| IIA | Tennis Courts Fenced on 3 Sides | $34,810.00 | $40,820.00 |
| III | 3 Tennis Courts Fenced on 4 Sides | $50,140.00 | $56,880.00 |
| IIIA | 3 Tennis Courts Fenced on 3 Sides | $48,140.00 | $54,800.00 |
| IV | Undercutting Subbase/cu. yd. | $12.00/cu.yd. | $15.00/cu.yd. |
| V | Parking Lot/Sq. Ft. | $1.75/sq.ft. | $1.44/sq.ft. |

After reviewing the bids with Jim Matecki, Facilities Director, it was decided to construct one (1) basketball court-Item I, three (3) tennis courts fenced on four (4) sides-Item III, undercutting subbase-Item IV and parking lot-Item V. It is, therefore, recommended that the bid be awarded to G.B.H. Paving Inc., 356 Sunrise Boulevard, Williamsville, New York 14221 for submitting the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Sr. Engineer Assistant

ABB:dms

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of trucks with rear loading refuse packer bodies for the Sanitation Department, which bids were duly opened at a public bid opening on June 1, 1987, and

WHEREAS, Ronald C. Zoeller, Working Foreman/Sanitation has submitted his report and recommendations to this Board, which report has been considered with due deliberation, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of two (2) 1987 trucks with rear loading refuse packer bodies at the bid price of $93,569.00 each, totaling $187,138.00, be awarded to Buffalo Truck Sales Service, Inc., 85 Michigan Avenue, Buffalo, New York 14204, said bid being the lowest bid of the packer trucks with high compaction, rear loading refuse packer body, said bid meeting the general requirements of the specifications, with due consideration given to any and all deviations from the specifications as being inconsequential and in the best interest of the Town.

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, the sole bid received by the Cheektowaga Town Clerk and publicly opened and read on June 1, 1987 for Pressure Treated Lumber for the Town of Cheektowaga, and

WHEREAS, such bid was referred to the Cheektowaga Youth Bureau for analysis, tabulation and report, on the said bid proposal, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to the sole bidder:

Quality Lumber
1700 Union Road
West Seneca, New York 14224

for Pressure Treated Lumber for the Town of Cheektowaga for the year 1987.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids to replace the roofing on the Maryvale Community Center, Dartwood Park Community Center, Town Hall Building, the Incinerator Building and the roof of the Sewer Maintenance Department Office Building at the Plant 35 site, which bids were duly received and opened on June 5, 1987, and

WHEREAS, bids were referred to the Town Engineer and the consulting firm of Trautman Associates for analysis, tabulation and report, and

WHEREAS, bidders were selected by lowest bid items instead of total bid prices to insure the lowest prices to the Town, NOW, THEREFORE, BE IT

RESOLVED that the contract for the reroofing of several Town buildings be and hereby is awarded as follows:

Item No. 5d cont'd

| | | | |
|---|---|---|---|
| Item #1 | Town Hall | Joseph Sanders & Son<br>99-117 Lathrop Street<br>P.O. Box 814<br>Buffalo, New York 14240 | $26,069 |
| Item #2 | Maryvale Comm. Center | McGonigle & Hilger Roofing<br>519 Mill Street<br>P.O. Drawer G<br>Lockport, N.Y. 14094 | $19,505 |
| Item #3 | Sewer Dept. Office Bldg. | | $ 4,616 |
| Item #4 | Incinerator Building | | $20,072 |
| Item #5 | Dartwood Comm. Center | All Weather Roofing<br>510 Ellicott Road<br>Cheektowaga, N.Y. 14227 | $ 1,000 |

and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to sign said agreements with the above listed contractors for the items listed, and BE IT FURTHER

RESOLVED that the total cost of $71,262 for the reroofing work be charged to the Capital Fund, Town Building Maintenance Account.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 6 Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, the Sanitation Department is in need of a loader and trailer, and

WHEREAS, funds are available in the Sanitation Department Budget, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one (1) loader and trailer for the Sanitation Department. Information for bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received by the Town of Cheektowaga on June 29, 1987 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, at which time they will be publicly opened and read.

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

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 29, 1987 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of a 1/2 yard loader and trailer for the Sanitation Department.

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

Item No. 6 cont'd

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 15, 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.

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is .....Clerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ..... 1 ..... weeks; first publication ..... JUN 18 1987 ; last publication ..... JUN 18 1987 ; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this ..... 18th .....

day of ..... June ....., 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 NOV. 30, 19 89

**LEGAL NOTICE**
**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga June 23, 1987, at 11:00 a.m, Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of a ½ yard loader and trailer for the Sanitation 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: June 15, 1987**
**PUBLISH: June 18, 1987**

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

WHEREAS, Los-Green, Inc., as part of the acceptance of the Losson Green Estates Subdivision and as a prerequisite to the construction of any buildings in a portion of such subdivision, has submitted to the Town for its acceptance a warranty deed for the following highways:

1. a portion of Rushford Lane;
2. a portion of Hillpine Road

and,

WHEREAS, the Town Superintendent of Highways in the attached letter dated June 10, 1987 has recommended that such deed be accepted by the Town, and

WHEREAS, Los-Green, Inc. has submitted a drainage easement to the Town, as requested by the Town Engineer, and

WHEREAS, Los-Green, Inc., has also submitted a maintenance bond for the aforementioned deeded areas and a certified check to guarantee street lighting for this area to the Town, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned deed, easement, maintenance bond and certified check be and hereby are accepted by this Town Board contingent upon the approval of the form thereof by the Town Attorney, and BE IT FURTHER

RESOLVED that after approval of these documents by the Town Attorney, the Town Attorney be and hereby is directed to fil the deed and easement in the Erie County Clerk's Office.

* See next three (3) pages for letter

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

June 10, 1987

Honorable Daniel E. Weber, Supervisor
Honorable Town Board Members
Town of Cheektowaga, NY 14227

Dear Members of the Board:

RE: ACCEPTANCE OF STREETS IN LOSSON GREEN SUBDIVISION

Please be advised that timely and effective inspections, during all phases of construction, have been performed by my Engineer, Ted Skowron, and myself; and we find that a part of Hillpine Rd. and the final portion of Rushford Lane, as herein described, do conform to the current specifications of the Town of Cheektowaga and are recommended for acceptance into our system of highways.

All that parcel of land, situate in the Town of Cheektowaga, County of Erie, State of New York, being parts of lot no. 58 & 59, as shown on the map of Losson Green Estates, prepared by Elwood Humm L.S., as filed in the Erie County Clerk's Office under map cover 2464, more particularly being:

RUSHFORD LANE - A 60' w. R.O.W.-From a point being on the easterly ext. of the south line of S.L. 162- to a point on the easterly ext. of S.L. 154 on M.C. 2464-Total of 494.79'±.

HILLPINE RD. A 60' w. R.O.W.-From a point on N.W. est. of the s.westerly line of S.L. 101 to a point being on the n.westerly ext. of the southline of S.L. 113 of M.C. 2464-Total of 774.24'±.

Above R.O.W.'s serve S.L. 102-113, incl.,
S.L. 154-161, incl.,
S.L. 72-85 , incl.

The deeds are in the office of the Town Attorney for approval and filing. The Maintenance Bond is in an amount commensurate with the provisions of the Town's P.I.P. Ordinance. This Bond is in the Town Attorney's Office for approval. A street lighting agreement is being provided. Drainage easements, as per attached schedules must be recorded and filed.

I request that no C.O. be issued by the Building Inspector until the builder of a house in this subdivision quarantees the planting of a tree in front of each house built by him. Such tree to be located within the street R.O.W. fronting the house. Information on tree specs. can be obtained at the Highway Department office.

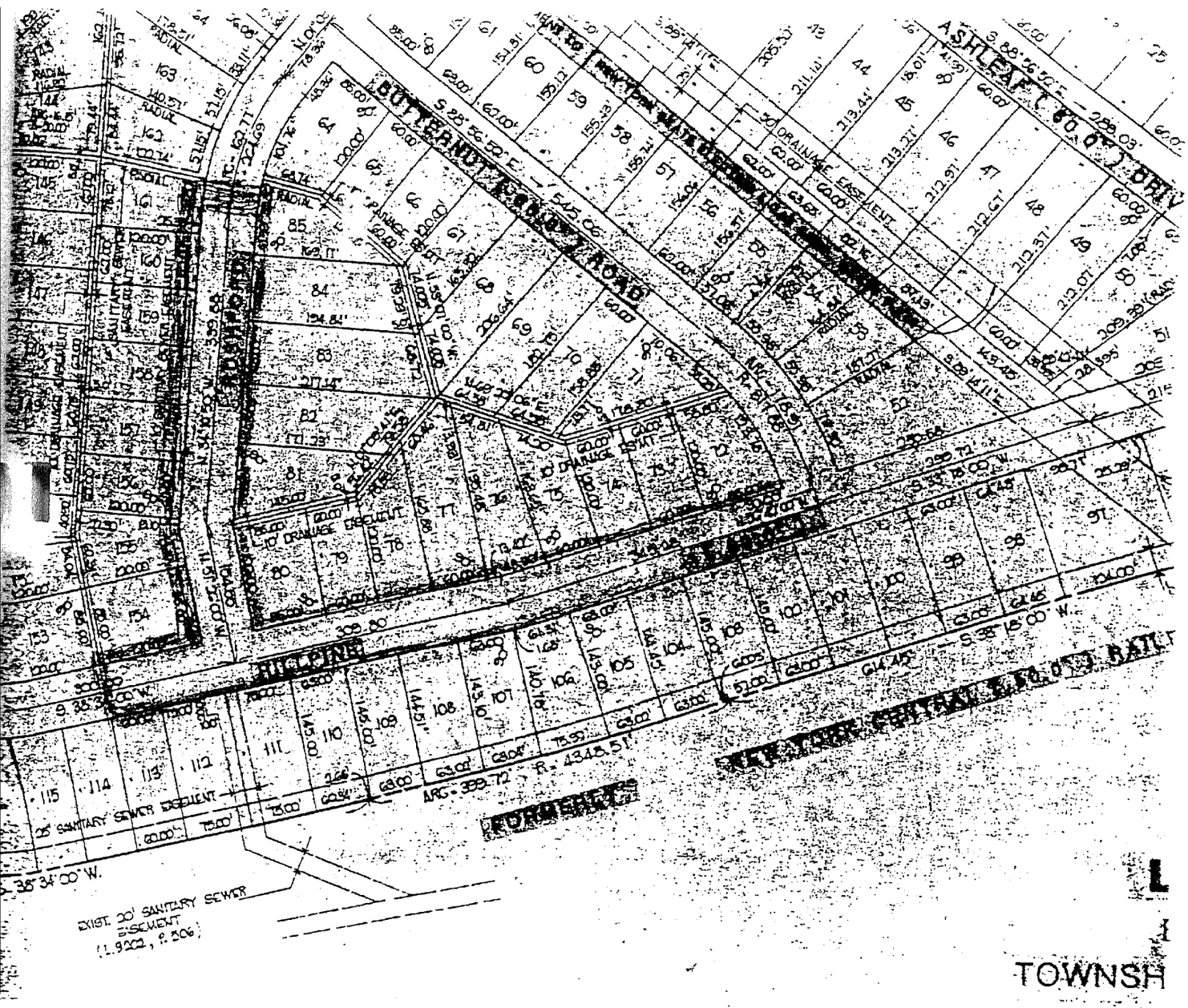
Trusting that this meets with your approval, I remain,

Very truly yours,

Alfred F. Wnek

Alfred F. Wnek
Superintendent of Highways

cc: Town Clerk
Town Attorney
Building Inspector
Town Engineer


BUTTERNUT GROVE ROAD
ASHLEAF (60.0') DRIVE
HIGHLINE
FOREST LINE
EXIST. 20' SANITARY SEWER EASEMENT (L.9202, P.506)
TOWNSH

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

WHEREAS, each year, the Town Highway Department and other Town departments award bids for the purchase of various materials and supplies, including topsoil, oil and gas, and

WHEREAS, periodically, other Town departments are in need of the identical materials, supplies, etc. bid out previously, and

WHEREAS, this Town Board feels that it should be the policy of this Town for all Town departments which are in need of materials, supplies, etc. which were previously bid out and awarded, to purchase such materials, supplies, etc. from the successful bidder, and

WHEREAS, the implementation of such a policy is expected to save the Town money, NOW, THEREFORE, BE IT

RESOLVED that it shall hereafter be the policy of this Town that all departments in need of purchasing materials, supplies, etc. which were the subject of a bid award by another Town department shall purchase such materials, supplies, etc. from the successful bidder on such bid award, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward copies of this resolution to all Town departments, and BE IT FURTHER

RESOLVED that copies of all Town Board resolutions exhibiting the current successful bidders for materials and supplies be filed with each Department Head.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 9 Request for preparation of preliminary engineering feasibility study for transfer station.
This item was withdrawn.

Item No. 10 Motion by Supervisor Weber, Seconded by Councilman Jaworowicz

WHEREAS, the Last Will and Testament of Dr. Victor Reinstein created a certain family trust, the remainder of which, upon the death of all of the named life beneficiaries, would be distributed to the "County of Erie" or the "Town of Cheektowaga" for "capital construction by expanding the physical library buildings in the Town of Cheektowaga or the erection of new library or libraries"; and

WHEREAS, the legal representatives of the named life beneficiaries have petitioned the Surrogate of Erie County for a reformation of the said family trust, for the purpose of qualifying same as a charitable remainder annuity trust; and

WHEREAS, in urging the assent of the Town of Cheektowaga to the aforesaid petition, the legal representatives of the named life beneficiaries have stated that a charitable remainder annuity trust would be beneficial to the Town in several respects, including:

1. qualifying the trust for a charitable deduction under the Internal Revenue Code, which would result in an estate tax saving of approximately $500,000.00,

2. exempting the trust itself from the payment of income taxes,

3. removing certain restrictions on the alienation (sale) of certain real properties on Dick Road, Union Road and Walden Avenue, which would allow the present development of such lands with obvious attendant primary, secondary and tertiary benefits, and

Item No. 10 cont'd

4. allowing for an increase in the investment powers of trust trustees; and

WHEREAS, because of the complexity of the matter, the Town retained specialized professional tax, actuarial, and real estate services, and

WHEREAS, the consultants to this Town Board have reported that, based on all of the information submitted to and reviewed by them, the Town would not be adversely affected by the reformation petitioned for, and

WHEREAS, it is preferable and generally more beneficial to the Town to encourage the development of commercial lands within the Town, as opposed to freezing their current status as unused and undeveloped properties for possibly the next 20 or more years,

NOW, THEREFORE, BE IT RESOLVED that based on current data and the projections based thereon by town consultants, this Town Board hereby consents to the petition for the reformation of the family trust provisions in the Last Will and Testament of Dr. Victor Reinstein.

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

Motion by Councilman Johnson, Seconded by Supervisor Weber to adjourn this item until June 22, 1987 at 7:30 P.M.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, the Cheektowaga Youth Bureau will be sponsoring Camp Crabapple and Camp JI-IK-DO-WAH-GAH for disabled youths from July 6, 1987 through August 14, 1987, and

WHEREAS, the Cheektowaga Youth Bureau is desirous of utilizing the St. John Gualbert School for the purpose of sponsoring these camps, and

WHEREAS, St. John Gualbert Parish owns and has authorized the use of the St. John Gualbert School by the Cheektowaga Youth Bureau for this purpose, and

WHEREAS, an Agreement for the use of the St. John Gualbert School for the aforementioned purposes has been prepared, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Youth Bureau is hereby authorized to conduct and sponsor Camp Crabapple and Camp JI-IK-DO-WAH-GAH at the St. John Gualbert School for the period from June 29, 1987 through August 19, 1987, and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga is hereby authorized, and directed and empowered to execute the Agreement with the Pastor of St. John Gualbert Parish relating to the use and occupancy of the St. John Gualbert School for the purposes set forth above.

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 Jaworowicz, Seconded by Councilman Gabryszak

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

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:

124 Colden Court $3340.00

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, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 12a Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz

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 April 24, 1987, rendered the determinations shown on the attached memo dated April 29, 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 April 29, 1987 memo attached hereto:

Item II 2260 Clinton Street

Item No. 12a cont'd

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

See next three (3) pages for memo

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: April 29, 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 April 24, 1987, in the Town Hall Council Chambers.

ITEM I 3996 Union Road - Proposed Rezoning For Retail Sales

Applicant: Mark Croce

Determination: Tabled - The applicant proposes to convert a two family house into a 2 family house with a jewelry store located in the front of the building. The property is located on the West side of Union Road between Clover Place and George Urban Boulevard. The applicant has indicated he will have off-street parking available at Otto's Restaurant and was advised to obtain a written agreement to that effect to be reviewed by the Town Attorney. The surrounding area is zoned "R" - Residential and any businesses, other than Otto's, along that side of Union Road are non-conforming uses. The applicant was advised that the Planning Board determined that this rezoning would be considered spot zoning. The applicant indicated that the hours of operation would be from 10 in the morning to 9 in the evening Monday thru Friday with possible hours of operation on Saturday. In discussing the proposal the Committee had determined that there was a likelihood of customers attempting to park in the driveway which would then necessitate their backing into Union Road traffic. They have decided that the applicant must address the item of traffic and traffic directional signs as well as the Planning Board's determination of spot zoning. Until such time as this Committee is in receipt of a letter addressing these items the proposal will stay tabled.

ITEM II 2260 Clinton Street - Proposed Construction Of A 54 x 110 Storage Building

Applicant: Walter Janiak

Determination: Non-Significant - The applicant, President of Forks Lumber, proposes to construct a storage building to the rear of his business. The building will be located more than 400 feet from Clinton Street and therefore will not be visible by traffic. On the West the building is hidden by the Clinton-Rossler Plaza. The applicant had reduced the size of the building to comply with the Zoning Ordinance regulation which prohibits expansion in non-conforming uses more than 25% of what presently exists. Mr. LaGreca, Chairman of the Planning Board, has indicated that a landscaping plan was filed with the Planning Board and will be reviewed at their May 14th meeting. This proposal would be compatible with the uses in the present area and would not detract from the visual characteristics that presently exist. Drainage will be directed to an existing culvert located on railroad right-of-way which the Town intends to acquire for a future drainage system at which time existing drainage would be connected to the new system. The building will not increase the amount of traffic frequenting this business as the building will be used to shelter materials that are now stored exposed to the elements.

ITEM III 32 Joanne Lane - Proposed Special Permit For A Family Day Care Center

Applicant: Mrs. Deborah Van Der Puy

Determination: Tabled - The applicant indicated on her Special Use Permit Application that she would have a maximum of 6 children including her own, whereas on her Short Environmental Assessment Form she indicated that she would be taking in no more than 6 children. The Committee would like to know the number of children that presently live in the house. The survey submitted with the

application showed a backyard pool. The Committee was concerned with the possibility of the children in her charge attempting to climb the pool with the possiblity of injury or drowning resulting. The applicant indicated that the yard is totally fenced in although the survey does not indicate that condition existing. She indicated that there would be a total of no more than 5 cars or motor vehicles picking up and dropping off the children and the Committee was concerned with the possibility of infringing upon the repose of the neighbors with this additional traffic. At this point in time there has not been any comments received from residents of the area and the Committee therefore would request that the Town Board hold the public hearing to solicit concerns and comments by the neighbors. The Committee after reviewing the minutes of the public hearing will then make a determination.

ITEM IV 849 Borden Road (Corner Borden/Armond) - Proposed Rezoning For Additional Parking For a Dentist's Office

Applicant: R. Stiegler

Determination: Non-Significant - This item was before the Committee previously and the applicant was requested to submit a new site plan, to scale, showing all proposed improvements to the property. The drainage will be handled by means of storm receivers and piping and the Engineering Department believes the plan can be workable. At present the dentist has been operating there for a number of years and his business has grown. His patients have parked on the street which has generated a number of parking complaints. In an attempt to rectify the situation, he is proposing to expand his parking lot into this property along Armond. The Committee finds that there will be no adverse impacts generated by this rezoning and it will only improve the situation as far as parking. They would request that stipulations be made for: additional shrubbery hedges an average of 3 feet in height be placed along Armond; that a 5 foot stockade fence be placed on the East property line, this fence is to be located 5 feet West of the property line with an additional 10 foot further West of this fence to provide an area for storage of snow during the winter months. It is also suggested that there be no additional expansion of the office or additional dentists located in the building.

TA:jd

Item No. 12b Motion by Councilman Santa Maria, Seconded by Councilman Jaworowicz

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 May 15, 1987 rendered the determinations shown on the attached memo dated May 26, 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 May 26, 1987 memo attached hereto:

Item I 2260 Clinton Street

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

* See next four (4) pages for memo

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Building and Plumbing Inspector

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
Town Hall, Broadway and Union Road
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686-3470

M E M O

RECEIVED
MAY 29 1987
TOWN ATTORNEY

TO: Supervisor Daniel Weber
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

FROM: Thomas Adamczak
Assistant Building Inspector

DATE: May 26, 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 May 15, 1987, in the Town Hall Council Chambers.

ITEM 1 French and Transit Road - Proposed Retail/Office Building in the K-Mart Plaza

Applicant: James Welch

Determination: Non-Significant with stipulations - The proposed building is to be occupied by the Western Regional Off-Track Betting and will be used as a betting parlor. The building will be located at the front of the property approximately 50 feet from French Road. The construction of this building would eliminate a number of parking spaces that presently exist. The applicant proposes to establish additional parking spaces at the rear of the plaza, these spaces would be used by the employees of the various stores on the premises. The original site plan show the building aproximately 41 feet from the French Road right-of-way which would necessitate application for a variance from the Zoning Board of Appeals. Was the opinion of this committee that the building should be set back to the 50 foot requirement.

The building will be one story high with a hip roof and split face block for aesthetics.

The stipulations are as follows:
a) A landscaping plan is to be presented to the Planning Board for approval and
b) The building set back will be the required 50 foot.

ITEM II Gardenville Industrial Park - Proposed 55 Acre Industrial Park.

Applicant: Di Donato Associates

Determination: Tabled - The proposal is for a 55 acre Industrial Park to be composed of a variety of office warehouse facilities. This item had come before the Enviormental Quality Review Advisory Committee a number of years ago and at that time the committee determined that there was no significant impact. Since that time, two developments dictated that this project come back for environmental review. The first item was the disclosure of the existence of a inactive hazardous waste site approximately sixteen hundred feet Northeast of the project. The second was the announcement by the New York State Department of Transporation that they would be installing a traffic signal at the intersection of Union and Old Union Roads. Therefore the committee has forwarded the application for comment to the New York State Department of Environmental Conservation, New York State DOT, and the Town Traffic Safety Commission.

ITEM III 620 Dick Road - Proposed Construction of a 60' by 160' Strip Plaza.

Applicant: Benderson Development

Determination: Tabled - The applicant is proposing to construct a Strip Plaza on the site of the old Bell's Supermarket, Dick Road and George Urban Boulevard. The applicant does not at present have tenants for the plaza. No significant impact is expected from this project since the anticipated traffic generated will be considerably less then previously generated by the Bell's Market. A five foot solid fence will be erected along the West Lot line to provide privacy and security for the residence living along Satin Drive. A landscaping plan will be submitted to the Planning Board for their approval. As part of the over all project, several parking spaces will be eliminated near the Dick Road driveway. This will improve traffic movement at that point. The George Urban entrance will be better defined with curbing and landscaping this will eliminate a potentially hazardous situation. The new lighting to be installed on the back side of the plaza addition will be designed in a manner that will not affect the neighbors. The concept of a plaza conforms to existing uses in the area as well as the intended use as indicated on the Town's Master Plan. The applicant was instructed to submit a revised site plan showing all revision at which time the committee will make a final determination.

ITEM IV 817 Borden Road - Proposed Conversion Of a Former Day Care Center into an Insurance Office

Applicant: Peter Tasca

Determination: Non-Significant with stipulation - The applicant indicated that there will only be two (2) people working in the office at any one time. Entire property is fenced and paved. It was recommended to him that a site plan be submitted to the Planning Board for approval of landscaping improvements. The Town Engineer indicated that there were some problems with drainage and the applicant was instructed to correct these problems to the satisfaction of Engineering.

ITEM V 760 Dick Road - Proposed Rezoning of a 3.3 Acre Parcel of Property to allow construction of a 32,000 square foot Office Warehouse

Applicant: Benderson Developement Corporation

Determination: Non-Significant - The proposal before the committee is a scaled down project from one that had been previously submitted. The 3.3 acres is on Dick Road South of the former West Shore Railroad. The primary tenant will be the Carrier Air Conditioner Corporation. This item has already been presented to the Town Planning Board and they have recommended approval. The applicant will construct a six foot solid fence around the perimeter of the property to provide privacy for the residence of the area. A new drainage plan will be submitted to the Town Engineer for his approval at a later date. The new proposal will be forwarded to the Cheektowaga Traffic Safety Commission for their comment. The Determination of Non-Significance is contingent upon submission to the Town of legal documents for easements on an existing sewer line; cleaning and re-working of the U-Crest ditch per Engineering Department specifications; and the Traffic Safety Commission recommendations.

ITEM VI 2300 Clinton Street - Proposed Construction of a OTB Betting Parlor

Applicant: Western Regional Off-Track Betting

Determination: Tabled - The concept of OTB Parlor did not meet with any objections but the Engineering Department did indicate that there were discrepanies and potential problems with the plans submitted. The problems were concerning drainage in the sanitary sewers.

TA:ckl

Item No. 13 Motion by Supervisor Weber, Seconded by Councilman Rogowski

WHEREAS, the Reverend Monsignor Maurice Woulfe is celebrating 50 years in the Priesthood, and

WHEREAS, Reverend Monsignor Maurice Woulfe has a history of service to the Community of Cheektowaga since 1941, and

WHEREAS, Reverend Monsignor Maurice Woulfe has received recognition on a national, state and local level for his efforts on behalf of youth and senior citizens, and

WHEREAS, Reverend Maurice Woulfe has been an inspiration to us with his example of human kindness and assistance to all in need, with no regard to age, religion or racial background, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga does proclaim the week of June 14 through June 20, 1987 to be known as REVEREND MONSIGNOR MAURICE WOULFE WEEK in the Town of Cheektowaga, and all our citizens are asked to pay honor and respect to Reverend Monsignor Maurice Woulfe for his untiring efforts in making Cheektowaga a better place for people to live, work and raise a family.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town of Cheektowaga Sanitation Department has vacancies in the Motor Equipment Operator (Class B) classification, and

WHEREAS, said vacancies have been duly bid in the Sanitation Department as per the Collective Bargaining Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are appointed to the position of Motor Equipment Operator (Class B) in the Sanitation Department at a salary in accordance with the Bargaining Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 15, 1987:

MEO B - 2nd Shift

Daniel Skotarczak

MEO B (Utility) - 2nd Shift

Frank Trzaska
Frank Orlikowski
Leonard Dux
David Kulik
Kevin Glascott
Darryl Glowacki
John Nickel

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, a vacancy currently exists in the position of General Mechanic in the Facilities Department, and

Item No. 14b cont'd

WHEREAS, in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association, the position of General Mechanic was duly posted, and

WHEREAS, Ronald Kennuth, , Cheekowaga, New York 14225, has applied for such position, NOW, THEREFORE, BE IT

RESOLVED that Ronald Kennuth, , Cheektowaga, New York 14225 be and hereby is appointed to the position of General Mechanic in the Facilities Department.

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, in order to provide for emergency medical services on a uniform basis, this Town Board, on May 7, 1984, adopted an Ambulance Services Ordinance ("Ordinance"), and

WHEREAS, said Ordinance provides for the establishment and authorization of an Emergency Medical Services Board ("EMS Board") which acts as agent for the Town of Cheektowaga in the implementation of the Ordinance, and

WHEREAS, members of the EMS Board representing the fire districts were appointed by resoluiton dated May 18, 1987, and

WHEREAS, the EMS Board has also requested that this Town Board designate Ms. Phillis Reinstein as a member of such Board, NOW, THEREFORE, BE IT

RESOLVED that Ms. Phyllis Reinstein be and hereby is designated to serve as a member of the EMS Board for a term ending May 18, 1988, and BE IT FURTHER

RESOLVED that the following individuals be and hereby are appointed as ex-officio members of the EMS Board for a term ending May 18, 1988:

Natalie Ryan, RN
Kenneth Paa
Paul J. LiBassi, M.D.
Ernest A. Holfoth

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 14d Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, a temporary job vacancy for Recreation Instructor has been created because of maternity leave in the Recreation Department, and

WHEREAS, said position has been posted for 10 days in compliance with Section 19.02 of the Town of Cheektowaga Employees' Association contract, and

WHEREAS, no full time employee bid on said position, and

WHEREAS, the Recreation Director has interviewed and recommended Mrs. Maureen Schneider, current part time Recreation Instructor in the Recreation Department, for the position, and

Item No. 14d cont'd

WHEREAS, Mrs. Schneider would provide the most appropriate appointment of this temporary position, NOW, THEREFORE, BE IT

RESOLVED that Mrs. Maureen Schneider of , Cheektowaga, New York be hereby appointed as Temporary Recreation Instructor in the Recreation Department retroactive to June 4, 1987, when such maternity leave commenced.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 15a 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 |
|---|---|
| Mark Wipperman | Immediately |
| Kevin Kopacz | Immediately |
| Mark Zawodzinski | Immediately |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 15b Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the below listed individuals be terminated, due to their resignation, from the Youth Bureau's Day Camp for Developmentally Disabled (7310.1802) effective immediately:

RECREATION SUPERVISOR - (SENIOR COUNSELOR) - $4.00 per hour

| | |
|---|---|
| Jeffrey Kaczorowski | 14227 |

RECREATION SUPERVISOR - (COUNSELOR III) - $3.50 per hour

| | |
|---|---|
| William Spatzer | 14225 |
| Pauline Stanford | 14225 |

and BE IT FURTHER

RESOLVED that Theodore Dluhy, , Cheektowaga, New York 14215 be terminated, due to his resignation, from the Youth Bureau's Conservation Program (7310.1811) 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. 15c Motion by Councilman Kowal, 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 Departments listed:

Item No. 15c cont'd

| | EFFECTIVE |
|---|---|
| SANITATION DEPARTMENT | |
| Michael Thompson | 5/19/87 |
| James Daminski | 5/25/87 |
| MAIN PUMP STATION | |
| Thomas Brudz | Immediately |
| Sean McGee | Immediately |
| Donald Charvat | Immediately |
| Martin Lawler | Immediately |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

Motion by Councilman Jaworowicz, Seconded by Councilman Kowal to dispense with the reading of the names on Items 16A, 16B, 16C, 16D, 16E, & 16F.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

Item No. 16a Motion by Councilman Gabryszak, Seconded by Councilman Santa Maria

WHEREAS, funds are presently available under the Buffalo-Cheektowaga Tonawanda Consortium, Summer Youth Program, and

WHEREAS, the Summer Youth Program starts on June 29th, 1987, participants work a maximum of 35 hours per week at $3.35 per hour, and a termination date not to exceed September 4th, 1987, NOW, THEREFORE, BE IT

RESOLVED that the following persons will be hired based on fund availability from the Department of Labor and that the alternate portion may be utilized to meet the demographic requirements as stated in our plan submitted to the Department of Labor:

| | |
|---|---|
| Ackerman, Clifford | 14227 |
| Ast, Karen | Depew 14043 |
| Avino, Michelle | Sloan 14212 |
| Barwell, Christopher | Kenmore 14217 |
| Batch, Joanne | 14225 |
| Bauman, Jason | 14225 |
| Bensman, Donald | 14227 |
| Bernhardt, Wendy | 14225 |
| Berst, Michael | 14225 |
| Blair, Patty | 14225 |
| Bogdan, Michael | 14225 |
| Bolden, Curtiss | 14225 |
| Bona, Luca | 14227 |
| Bona, Marcella | 14227 |
| Bona, Marco | 14227 |
| Boody, Mark | 14227 |
| Bova, Cathy | 14225 |
| Buck, Lora | 14225 |
| Buck, Nathan | 14225 |

Item No. 16a cont'd

Bulgrin, Darren 14227
Bunche, Richard 14227
Burgrasser, Laurie 14225
Burzynski, Keith 14225
Busalachi, John 14227
Caprio, David 14225
Carrick, Kris 14227
Ceranski, Matthew 14225
Chojnacki, Adam 14225
Chojnacki, Brad 14225
Clement, Cynthia 14225
Clerici, Jeanne 14227
Coleman, Donna 14227
Collins, Denise 14227
Cooley Dawn 14206
Creighton, Jeffrey 14225
Dablewski, David 14225
Danner, Patricia 14227
DeFries, Carrie 14225
DeFries, Tricia 14225
DePronio, Troy 14225
Dibble, Edward 14227
Dibble, Jennifer 14227
Dombrowski, Scott 14227
Dungan, Sheryl 14225
Dusza, Robin 14225
Edmonson, Daniel 14206
Edmonson, Daniel 14206
Eisenhauer, Larry 14206
Fishcer, Jennifer 14206
Fischer, Joseph 14206
Fischer, Michael 14206
Fronczak, Robin 14225
Frontera, Frank 14227
Gaghich, Tracy 14225
Gawron, Edward 14206
Geiger, Clarence III 14225
Gillman, Claude Sloan 14212
Glasser, Patrick Depew 14043
Gott, Tracy 14206
Gould, Lorin 14225
Grace, John 14225
Grassl, Sheila 14225
Grimm, Wayne 14225
Guarino, Rachelle 14225
Gugino, Kevin 14225
Hartman, Lisa Sloan 14212
Haskins, David 14225
Heary, Michael 14227
Heckler, Christine 14225
Hennessey, James 14227
Hidy, Jasen 14225
Hinca, Bonnie 14225
Hnielewski, Steven 14225
Huenniger, Daryl 14227
Hutson, Martin 14225
Ineson, Jason Sloan 14212
Jankowski, Sherry 14227
Jankowski, Timothy 14227
Jarembek, Jeffrey Sloan 14212
Jones, James 14225
Juszczak, Cherise 14227
Kallio, Bridget #5 14227
Kane, Shelly 14225
Karam, Bryon 14225
Karam, Christopher 14225
Kielma, Dale 14227

Item No. 16a cont'd

| | |
|---|---|
| Kilger, Amy | 14215 |
| Klemenz, Eugene | 14225 |
| Konczal, Douglas | Sloan 14212 |
| Konczal, Paula | Sloan 14212 |
| Kozak, Darlene | 14225 |
| Kraebel, James | 14225 |
| Kremblas, Christopher | Sloan 14212 |
| Kresin, Edward | 14225 |
| Krieger, Susan | 14206 |
| Krolczyk, Ray | 14225 |
| Kropp, Denise | Depew 14043 |
| Krzyzykowski, Daniel | 14225 |
| Kush, Kevin | 14206 |
| Kuznicki, Dawn | 14227 |
| Lane, Paul | 14206 |
| Lange, Kevin | Depew 14043 |
| Larkman, David | 14227 |
| Laschinger, Thomas | 14211 |
| Lattuca, Gregory | 14225 |
| Leonarczyk, Joseph | Sloan 14212 |
| LeRoy, Jeffrey | 14225 |
| Lewczyk, James | 14225 |
| Liddick, David | 14225 |
| Limardi, James | 14225 |
| Lorenz, Shirley | 14225 |
| Lorenz, William | 14225 |
| Luciow, Jeffrey | 14227 |
| Ludwig, James | Depew 14043 |
| Luman, James | Depew 14043 |
| Mager, Robert | 14211 |
| Mages, Tina | 14225 |
| Maguda, Christopher | 14225 |
| Malcolm, Jason | 14225 |
| Malczewski, James | 14227 |
| Male, Marc | 14225 |
| Marranco, Joseph | Depew 14043 |
| Martin, Robert | 14225 |
| Maslowski, Steven | 14212 |
| Masters, Kenneth | 14206 |
| Matela, Kenneth | 14227 |
| McCarthy, Michelle | 14225 |
| McGlynn, Michelle | 14227 |
| McKibbin, Michael | Depew 14043 |
| Mendrykowksi, Denise | 14227 |
| Mercurio, Melissa | 14225 |
| Miller, Mark | 14225 |
| Mook, Judith | 14225 |
| Mook, Susan | 14225 |
| Morgan, Danielle | 14225 |
| Mueller, Jennifer | 14206 |
| Nastaga, Eddie | 14211 |
| Nati, Andrea | 14225 |
| Nati, Danielle | 14206 |
| Nati, Glory | 14206 |
| Nawrocki, James | Depew 14043 |
| Nelson, Brenda | 14225 |
| Olejniczak, Robert | 14211 |
| Olgiati, Denise | 14225 |
| Olivieri, Craig | 14227 |
| Oryszak, Steven | 14225 |
| Paradowski, Dennis | 14227 |
| Pawlak, Michelle | 14225 |
| Petersdorf, Melissa | 14225 |
| Petersdorf, Norman | 14225 |
| Plauman, Charles | 14225 |
| Pomerhn, Timothy | 14225 |
| Punturiero, Valerie | 14227 |

Item No. 16a cont'd

| | |
|---|---|
| Rapp, Brian | 14206 |
| Rowland, Lisa | 14206 |
| Rowland, Marvin | 14206 |
| Rozell, Dawn | 14227 |
| Ruchalski, John | 14227 |
| Rudolph, Glenn | Depew 14043 |
| Russo, Jeffrey | Depew 14043 |
| Russo, John | Depew 14043 |
| Ruth, Cyril | . 14225 |
| Ruth, Neil | . 14225 |
| Ruth, Suann | . 14225 |
| Ryan, Stacy | 14225 |
| Sarama, Marcy | 14227 |
| Schrader, Patrick | Depew 14043 |
| Schreiner, Donald | 14225 |
| Schultz, Paul | 14043 |
| Schultz, Todd | 14043 |
| Serra, Daniel | Sloan 14212 |
| Serra, Joseph | Sloan 14212 |
| Serra, Karla | Depew 14043 |
| Shampoe, Kimberle | 14225 |
| Shivens, Kathleen | 14225 |
| Shotwell, Ann | 14227 |
| Shotwell, Mark | 14227 |
| Sieroslawski, James | Depew 14043 |
| Sieroslawski, John | Depew 14043 |
| Sigman, Leonard | 14225 |
| Siwa, Nelson | 14206 |
| Skotarczak, Beckyann | 14215 |
| Skotarczak, Theresa | 14215 |
| Skowron, Linda | Sloan 14212 |
| Skrabski, Dawn | 14206 |
| Skrabski, Wendy | 14206 |
| Smith, Arlo | 14225 |
| Sosnowski, Michael | 14211 |
| Spoly, Thomas | 14225 |
| Sigman, Samuel | 14225 |
| Spoly, Timothy | 14225 |
| Stanko, Bobbi Jo | 14225 |
| Stanko, Michelle | 14225 |
| Stein, Joseph | 14225 |
| Steinwandel, Rich | 14225 |
| Strasser Scott | 14225 |
| Strozewski, Sandra | 14225 |
| Sundquist, Renee | 14225 |
| Suozzi, Francis | 14227 |
| Suozzi, Theresa | 14227 |
| Surdej, David | Sloan 14212 |
| Sutton, Mark | Depew 14043 |
| Syrell, Kevin | 14225 |
| Thomas, Nicholas | 14225 |
| Thompson, Brian | 14212 |
| Thompson, Danny | 14212 |
| Thompson, Eric | 14212 |
| Thomsen, Eric, Jr. | 14225 |
| Totaro, Joseph | 14225 |
| Trimm, John | 14225 |
| Trimm, Tammy | 14225 |
| Trombley, AnnMarie | 14225 |
| Trzaska, Stanley | 14206 |
| Urbaniak, Michael | Depew 14043 |
| Vantine, Marc | 14227 |
| Voigt, Lisa | 14227 |
| Wachowski, Thomas | Sloan 14212 |
| Wardak, Brian | 14206 |
| Weber, Edward | 14227 |
| Weber, Michael | 14227 |

Item No. 16a cont'd

Weber, Penny 14225
Widzinski, Michael 14227
Wild, Theresa 14043
Williams, Dennis 14206
Witkowski, Danielle 14225
Yea, Andrew 14225
Zagst, Michael 14206
Zbytek, Kenneth 14227
Ziemann, Robin Depew 14043
Zimmerman, Daniel 14206

Dussias, Andrew 14225
Malecki, Carl 14206
Riley, Rhonda 14225
Riley, Shane 14225
Sodus, David 14225

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 16b Motion by Councilman Gabryszak, Seconded by Councilman Santa Maria

WHEREAS, funds are presently available under the Buffalo-Cheektowaga Tonawanda Consortium, Summer Youth Program, and

WHEREAS, the Summer Youth Program, staff, will be starting on June 15th, 1987, at salaries listed below, and with a termination date not to exceed September 25th, 1987, NOW, THEREFORE, BE IT

RESOLVED that the following persons will be hired as our Summer Youth Staff at salaries specified:

PRINCIPAL COUNSELOR at $9.70 per hour

Peter Tonsoline

SENIOR COUNSELOR at $8.70 per hour

Vincent Frisicaro

MONITOR AT $6.45 per hour (FOR CHEEKTOWAGA & TONAWANDA)

Master, Michael

SENIOR ADVISORS at $5.00 per hour

Joseph Balthaser
Timothy Terranova

ADVISOR at $4.75 per hour

Kathleen Makolinski

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 16c 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 1987 summer program:

| | EFFECTIVE |
|---|---|
| **Parks Division - #01-007110-1-0-1491-001 - $3.35 per hour** | |
| Anthony Belcer | 6/20/87 |
| John Bratek | 7/6/87 |
| Raymond Felder | 7/6/87 |
| Gordon Hagmier | 7/6/87 |
| Stan Siejak | 7/6/87 |
| Joseph Dolecki | 7/6/87 |
| Harry Rogalski | 7/6/87 |
| Cam Viverto | 7/6/87 |
| Timothy Filonczuk | Immediately |
| Jeff Koscielny | Immediately |
| Paul Bolis | Immediately |
| **Bldg. Mtce. Division - #01-001623-1-0-1391-001 - $4.00 per hour** | |
| Barbara Schnurstein | 7/6/87 |
| **Street Lighting Division - #02-905182-1-0-1492-001 - $3.35 per hour** | |
| Joseph Stallone | 7/6/87 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 16d Motion by Councilman Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the below listed individuals be hired for the Youth Bureau's Day Camp for Developmentally Disabled with the designated titles and salaries effective immediately (7310.1802)

| | |
|---|---|
| **RECREATION ATTENDANT - (COUNSELOR II) - $3.35 per hour** | |
| Thaddeus Szarzanowicz | 14043 |
| **RECREATION SUPERVISOR - (COUNSELOR III) - $3.50 per hour** | |
| Mark Mac Bain | 14206 |

and BE IT FURTHER

RESOLVED that the below listed individuals be hired for the Youth Bureau's Conservation Program with the designated titles and salaries effective immediately (7310.1812):

| | |
|---|---|
| **SUMMER TAINEES - $3.35 per hour** | |
| David Marchitte | 14227 |
| Mike Wojtkowiak | 14227 |
| Kevin Fox | 14043 |
| Darren Juszkiewicz | 14227 |
| Kim Fronckowiak | 14227 |
| Mike Ostempowski | 14206 |
| Jeff Denecke | 14227 |
| Thomas Barczykowski | 14225 |
| Daniel Sisti | 14227 |
| William Levy | 14206 |
| Steven Wass | 14206 |

Item No. 16d cont'd

| | |
|---|---|
| Michael Mastrangelo | 14043 |
| Robert Bernal | 14212 |
| Jeff Mazurek | 14227 |
| Scott Rucki | 14043 |
| Kimberly Obringer | 14227 |
| Kevin Glewa | 14043 |
| Keith Gawronski | 14227 |
| Joe Leonarczyk | 14212 |
| Paul Czaja | 14227 |
| Scott Klein | 14227 |
| Jeff Kowalewski | 14043 |
| Kim Okonczak | 14227 |
| Charles Off | 14225 |
| Scott Homac | 14227 |
| Jeff Stefoniak | 14227 |
| Glenn Osswald | 14225 |
| Brian Golas | 14227 |
| Graig Piotrowski | 14043 |
| John Budzynski | 14227 |
| David Kandefer | 14227 |
| James Kowalski | 14043 |
| Terrance Buchwald | 14043 |
| Marc Stolinski | 14206 |
| Tammy Bochinski | 14225 |
| David Kurezdoerfer | 14227 |
| Mark Leonard Syzdek | 14206 |
| William Yetman | 14227 |
| Bruce Bradford | 14043 |
| Mack Mariani | 14043 |
| Thomas Sansone | 14227 |
| Lorraine Jones | 14043 |
| April Amadore | 14043 |
| Peter Zglinicki | 14212 |
| Steven Luksch | 14212 |
| Mark Jezioro | 14206 |
| Martin Sypniewski | 14212 |
| John Betker | 14227 |
| Michael Lucarelli | 14043 |
| Christian Ozolins | 14043 |
| Steven Huneshagen | 14227 |
| Andy Tokasz | 14227 |
| Michael Judkiewicz | 14225 |
| Jeff Sikorski | 14227 |

and BE IT FURTHER

RESOLVED that Tim Dusza, , Cheektowaga, New York 14227, previously hired as a Youth Leader for the Youth Bureau's Conservation Corps Program (7310.1811), be elevated to the position of Trainee Supervisor at the salary rate of $6.00 per hour, 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. 16e Motion by Councilman Johnson, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be nad hereby are hired as Seasonal and/or Part-time employees in the various Departments listed:

| | EFFECTIVE |
|---|---|
| POLICE DEPARTMENT - Seasonal - $3.35 per hour | |
| Bonnielyn Dietl | 6/4/87 (retro.) |
| Jacqueline Lukowski | Immediately |

Item No. 16e cont'd

Town Clerk's Office - $5.00 per hour - Part-time Dog Control Officer

Julie M. Miller , Sloan 6/29/87

ASSESSORS OFFICE - $3.75 per hour - Seasonal

Michael Domagala 6/8/87 (retro.)

SEWER MAINTENANCE DEPARTMENT - $3.35 - Seasonal

John Bobeck Immediately
Robert Fissler Immediately

SANITATION DEPARTMENT - Part-time - $5.00 per hour

Eric Ozolins As Needed

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 16f Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1987 summer programs.

BASKETBALL SUPERVISOR - A7180.1615 - $5.00 per hour

Mark Rzemek

BASKET CHECKERS - A7180.1901 - $2.50 per hour

Michael Gualt
Jacqueline Stroud
Dwight Vogel

RECREATION ATTENDANT - ALTERNATE

Amy Prindiville

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, Richard R. Basher, an employee in the Central Garage Department has applied for a Military Leave of Absence from June 12, 1987 through June 27, 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 Richard R. Basher, an employee in the Central Garage is granted a military leave of absence from June 12, 1987 through June 27, 1987, and BE IT FURTHER

Item No. 17a cont'd

RESOLVED that Richard R. Basher, be paid his salary or other compensation while on such military duty.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, Mr. Robert Sosnowski, employed in the Cheektowaga Facilities Department is a member of the United States Air Force Reserve, HQ 914 Combat Support Squadron (AFRES), and

WHEREAS, Mr. Sosnowski has received orders to report for Active Duty Training effective June 26, 1987 through July 12, 1987, and

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

RESOLVED that the Cheektowaga Town Board approves said miltiary Leave for Mr. Robert Sosnowski, 124 Hoerner, Cheektowaga, New York, 14211 for the period of June 26, 1987 through July 12, 1987.

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 Santa Maria

WHEREAS, Walter L. Mika, an employee in the Main Pump Station, has requested a Military Leave of Absence from June 17 through July 4, 1987, and

WHEREAS, Section 242 of the Military Law of the State of New York provides for Military Leaves 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 mandates the payment of the salary of such public employee for a period of up to thirty (30) days while on said Military duty, NOW, THEREFORE, BE IT

RESOLVED that Walter L. Mika be and hereby is granted a Military Leave of Absence from June 17 through July 4, 1987 and shall 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. 18 Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, the Board of Fire Commissioners of Doyle Fire District No. 1 is in need of one (1) fire hydrant opposite Iroquois Street, on the north side of Stradtman Street and in the vicinity of the old Anchor Concrete facility, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Water Authority be directed to install a fire hydrant at the location specified, and BE IT FURTHER

Item No. 18 cont'd

RESOLVED that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority with such funding recovered by Town billings to the responsible fire company.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

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

WHEREAS, on November 3, 1986 this Town Board awarded the contract for the Town Park Road Reconstruction Project for the total sum of $269,000.00 to M. Falgiano Construction Company, Inc., and

WHEREAS, the Town Engineer, the consulting firm of Nussbaumer & Clarke, Inc., and the Project Engineer, Mr. Rudolph Bogacki, approved Change Order #1 for a sum of $12,154.00 to correct the poor soil conditions of the new road bed, and

WHEREAS, the excavation and placement of new geotextile at a total cost of $2,794.00 and the installation of clean stone for subbase at a total cost of $9,360.00 was also required, NOW, THEREFORE, BE IT

RESOLVED that Change Order #1 for a total increase to the original contract price of $12,154.00 to M. Falgiano Construction Company, Inc., 95 Leslie Street, Buffalo, New York 14211, be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby directed to sign said Change Order #1 on behalf of this Town Board.

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.

SPECIAL DISTRICTS FUND

| | | | |
|---|---|---|---|
| From: | 02-59900 | Fund Balance | $3,500.00 |
| To: | 02-308123.4432 | General Maintenance | $3,500.00 |

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

Upon Roll Call....
AYES: Supervisor 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 June 15, 1987 are hereby approved and made a part hereof.

| FUND | AMOUNT |
|---|---|
| GENERAL FUND | $2,476,971.42 |
| SPECIAL DISTRICTS FUND | 945,914.06 |
| HIGHWAY FUND | 440,496.18 |
| FEDERAL REVENUE SHARING FUND | 5,115.24 |
| CAPITAL FUND | 54,840.46 |
| TRUST & AGENCY FUND | 312,921.17 |
| HUD-CDBG FUND | 364.88 |
| PART TOWN FUND | 53,568.03 |
| HUD REHABILITATION | 2,740.00 |
| | $4,292.931.44 |

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

## III. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Library Board Minutes
Received and Filed.

## IV. GENERAL COMMUNICATIONS

Item No. 23 N.Y.S. Dept. of Trans. - Notice of Order - Genesee Street at Holtz Road
Copies were sent to: Chester Bryan, Town Engineer
Received and Filed.

Item No. 24 NOTICE OF CLAIM - Kristof Czartoryski 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 Carrier; Alfred Wnek, Highway Superintendent.
Received and Filed.

Item No. 25 Letter from Town Resident regarding survey problems on Raymond Avenue.
Copies were sent to: Daniel E. Weber, Supervisor; Cheektowaga Town Board Members; Chester Bryan, Town Engineer; Alfred Wnek, Highway Superintendent.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Johnson, Seconded by Councilman Kowal 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. 26 Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, there is a need for the position of Cleaner in the Police Department, NOW, THEREFORE, BE IT

RESOLVED that the position of Cleaner in the Police Department be and hereby is created, effective immediately, and BE IT FURTHER

RESOLVED that such position shall, in accordance with the collective bargaining agreement between the Town and the Town Employees' Association, be posted for a period of ten (10) work days.

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 Kowal, Seconded by Councilman Jaworowicz to adjourn the meeting until Monday, June 22, 1987 at 7:30 P.M.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 22nd day of June, 1987 at 7:00 o'clock P.M., Eastern Daylight Saving 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; Julia Reinstein, Town Historian; Casey Kozminski, Town Assessor; Andrew Kulyk, Member of Zoning Board of Appeals; John Malloy, CPA; Sal LaGreca, Employment and Training Director II; Ron Marten, Building and Plumbing Inspector; Tom Adamczak, Building and Plumbing Inspector; Don Wegner, Chairman of Zoning Board of Appeals; Kevin Schenk Deputy Town Attorney; Chester Bryan, Town Engineer.

## I. RESOLUTIONS

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

WHEREAS, Lancer Development and Construction Co., Inc. a special purpose corporate affiliate of the Pyramid Company of Buffalo, (the "Applicant") has applied to the Town of Cheektowaga for an environmental review of a proposed shopping mall, to be known as "Walden Galleria" to be located east of the New York State Thruway, north of Walden Avenue, south of the abandoned Conrail tracks and generally west of Union Road and the Cheektowaga Consolidated Central High School, pursuant to the New York State Environmental Quality Review Act, and

WHEREAS, the Town Board of the Town of Cheektowaga has been designated lead agency concerning the proposed Walden Galleria, and

WHEREAS, the Town Board determined that a Draft Environmental Impact Statement must be prepared and submitted to the Town ,and

WHEREAS, the applicant submitted a Draft Environmental Impact Statement to the Town Environmental Advisory Committee on June 9, 1987 for their review and recommendation which includes information requested by involved agencies, and

WHEREAS, the Town Environmental Advisory Committee, at its meeting held on June 15, 1987 recommended that the submitted Draft Environmental Impact Statement be accepted as complete, in accordance with the requirements of the State Environmental Quality Review Act, and

WHEREAS, members of the Town Board have had an opportunity to review the Draft Environmental Impact Statement and the recommendations of the Town Environmental Advisory Committee, and this Town Board is in agreement with such recommendations, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby accepts as complete, pursuant to the State Environmental Quality Review Act, the Draft Environmental Impact Statement submitted by the Pyramid Company of Buffalo on June 9, 1987, and BE IT FURTHER

*Item No. 2 cont'd*

*RESOLVED that the Town Board hereby determines to schedule a SEQRA Public Hearing for July 8, 1987 at 7:00 P.M. in the Town Hall of the Town of Cheektowaga, Broadway and Union Roads, in the Town to receive public comment on the Draft Environmental Impact Statement, and BE IT FURTHER*

*RESOLVED that the Town Board hereby provides a public comment period for written comments on the Draft Environmental Impact Statement to be submitted by the public and involved and interested agencies which will close at 5:00 P.M. on July 20, 1987, and BE IT FURTHER*

*RESOLVED that the Town Building Inspector, SEQRA Intake Officer for the Town, cause the attached Notice of Completion of Draft Environmental Impact Statement and Notice of SEQRA Public Hearing to be published in the newspaper of record for the Town and circulated and filed, along with the Draft Environmental Impact Statement, with all involved agencies as required by the State Environmental Quality Review Act.*

*MOTION BY COUNCILMAN KOWAL, SECONDED BY COUNCILMAN JAWOROWICZ to amend 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*

*AMENDED*

*Motion by Councilman Jaworowicz, seconded by Councilman Gabryszak*

*WHEREAS, Lancer Development and Construction Co., Inc. a special purpose corporate affiliate of the Pyramid Company of Buffalo, (the "Applicant") has applied to the Town of Cheektowaga for an environmental review of a proposed shopping mall, to be known as "Walden Galleria" to be located east of the New York State Thruway, north of Walden Avenue, south of the abandoned Conrail tracks and generally west of Union Road and the Cheektowaga Consolidated Central High School, pursuant to the New York State Environmental Quality Review Act, and*

*WHEREAS, the Town Board of the Town of Cheektowaga has been designated lead agency concerning the proposed Walden Galleria, and*

*WHEREAS, the Town Board determined that a Draft Environmental Impact Statement must be prepared and submitted to the Town ,and*

*WHEREAS, the applicant submitted a Draft Environmental Impact Statement to the Town Environmental Advisory Committee on June 9, 1987 for their review and recommendation which includes information requested by involved agencies,*

*WHEREAS, the Town Environmental Advisory Committee, at its meeting held on June 15, 1987 recommended that the submitted Draft Environmental Impact Statement be accepted as complete, in accordance with the requirements of the State Environmental Quality Review Act, and*

*WHEREAS, members of the Town Board have had an opportunity to review the Draft Environmental Impact Statement and the recommendations of the Town Environmental Advisory Committee, and this Town Board is in agreement with such recommendations, NOW, THEREFORE, BE IT*

*RESOLVED that the Town Board hereby accepts as complete, pursuant to the State Environmental Quality Review Act, the Draft Environmental Impact Statement submitted by the Pyramid Company of Buffalo on June 9, 1987, and BE IT FURTHER*

*RESOLVED that the Town Board hereby determines to schedule a SEQRA Public Hearing for July 15, 1987 at 7:00 P.M. in the Town Hall of the Town of Cheektowaga, Broadway and Union Roads, in the Town to receive public comment on the Draft Environmental Impact Statement, and BE IT FURTHER*

*Item No. 2 cont'd*

*RESOLVED that the Town Board hereby provides a public comment period for written comments on the Draft Environmental Impact Statement to be submitted by the public and involved and interested agencies which will close at 5:00 P.M. on July 27, 1987, and BE IT FURTHER*

*RESOLVED that the Town Building Inspector, SEQRA Intake Officer for the Town, cause the attached Notice of Completion of Draft Environmental Impact Statement and Notice of SEQRA Public Hearing to be published in the newspaper of record for the Town and circulated and filed, along with the Draft Environmental Impact Statement, with all involved agencies as required by the State Environmental Quality Review Act.*

* *See next six (6) pages for Notice*

*Upon Roll Call....*

| | |
|---|---|
| *AYES:* | *Supervisor Weber, Councilmen W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria* |
| *NAYES:* | *Councilman Johnson* |
| *ABSENT:* | *0* |

AFFIDAVITS (2) - NEXT PAGES
(after Notice)

TOWN BOARD
TOWN OF CHEEKTOWAGA
Notice of Completion of Draft EIS
and
Notice of SEQRA Public Hearing

Lead Agency: Town Board
Town of Cheektowaga
Address: Broadway and Union Road
Cheektowaga, New York 14227

Dated: June 22, 1987

This consolidated notice is issued pursuant to Part 617 of the implementing regulations (6 NYCRR) pertaining to Article 8 of the Environmental Conservation Law (State Environmenal Quality Review Act) and Section 23A-13 of the Town of Cheektowaga Code.

A Draft Environmental Impact Statement ("DEIS") has been completed and accepted by the Town Board of the Town of Cheektowaga, as lead agency, for the proposed action described below. Written comments on the DEIS are requested and will be accepted by the contact person if received on or before July 27, 1987. A public hearing on the DEIS will be held on July 15, 1987 at 7:00 P.M. at the Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227.

The purpose of the hearing is to solicit comments from the public and interested agencies on the DEIS and particularly on the environmental issues identified below. Lengthy statements are requested to be submitted in writing. In the event that there are a large number of persons to be

heard at the public hearing, a time limit per person may be imposed. Written comments may be submitted to the contact person after the hearing and will be received until July 27, 1987., until 5:00 P.M.

**Title of Action:**

Walden Galleria Regional Shopping Center

**Description of Action:**

The Pyramid Company of Buffalo is proposing to develop a 963,000 square foot gross leasable area regional shopping center on a 75 acre site north of Walden Avenue in the Town of Cheektowaga. The project entails construction of stormwater detention basins on Town owned lands west of the New York State Thruway and numerous traffic improvements including the construction of a new Town road connecting Walden Avenue with Union Road. Future development possibilities include the expansion of the Walden Galleria by an additional 490,000 square feet gross leasable area with either relocation or construction over a portion of the Scajaquada Creek.

**Location:**

The site is generally bounded on the south by Walden

Avenue, on the west by the New York State Thruway, on the north by the abandoned Conrail right-of-way and on the east by Union Road and the Cheektowaga Consolidated Central High School. The site is located in the the Town of Cheektowaga, Erie County, New York.

**Potential Environmental Impacts Studied:**

Impacts studied include: an increase in traffic in the vicinity of the site; effects of the project on stormwater runoff and flood storage capacity; loss of vegetation and wildlife due to development of the site; and air quality.

**Document Availability:**

Limited copies of the DEIS are available and may be reviewed at the Town Clerk's office between 9:00 A.M. and 6:00 P.M. weekdays; and the Town Building Inspector's Office between 9:00 A.M. and 4:30 P.M. weekdays.

The DEIS and Appendices are also on file and may be reviewed at the following locations:

| | |
|---|---|
| Reinstein Memorial Library | 2580 Harlem Road |
| Cheektowaga South Branch Library | 2660 William Street |
| Cheektowaga North Branch Library | 735 Maryvale Drive |
| Kelly Park Store Front Library | 27 Kelly Drive |

**For Further Information:**

Contact Person: Thomas Adamczak,
Assistant Building Inspector
Address: Town Hall, Broadway and Union Roads
Cheektowaga, New York 14227
Phone No: 716- 686-3470

**Copies of this Notice sent to:**

Commissioner - Department of Environmental Conservation
50 Wolf Road
Albany, New York 12233-001

New York State Department of Enviornmental Conservation
Region 9 Headquarters
600 Delaware Avenue
Buffalo, New York 14202

Supervisor Daniel E. Weber
Town of Cheektowaga

**Involved and interested agencies:**

New York State Department of Transportation
Erie County Department of Environment and Planning
Erie County Water Authority
Forks Fire District No. 3
New York State Thruway Authority
U.S. Army Corps. of Engineers
U-Crest Fire District No. 4
Walden Fire District No. 2
Cheektowaga Central School District

**Involved and interested agencies (cont'):**

Cheektowaga Planning Board
Cheektowaga Town Board
Cheektowaga Highway Department
Cheektowaga Engineering Department
Cheektowaga Environmental Advisory Review Committee
Cheektowaga Police Department
Cheektowaga Traffic Safety Commission
Cheektowaga Building & Plumbing Inspector's Department

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
All Councilman

FROM: Environmen uality Review Advisory Committee

DATE: June 15, 1

RE: Walden Galleria Mall

The Pyramid Companies, Developer of the Mall, has submitted a Draft Environmental Impact Statement (DEIS) outlining the project, its potential impacts, and alternatives.

The DEIS is a culmination of months of meetings and discussions with Town officials and various involved governmental agencies.

At a meeting held in March attended by representatives of involved agencies and the developer, items of concern were discussed. It was at this "Discovery" meeting or scoping session that the developer was given an outline and list of concerns to be addressed in the form of a DEIS. The items to be addressed in a manner and to a depth consistent with their potential impact on the environment.

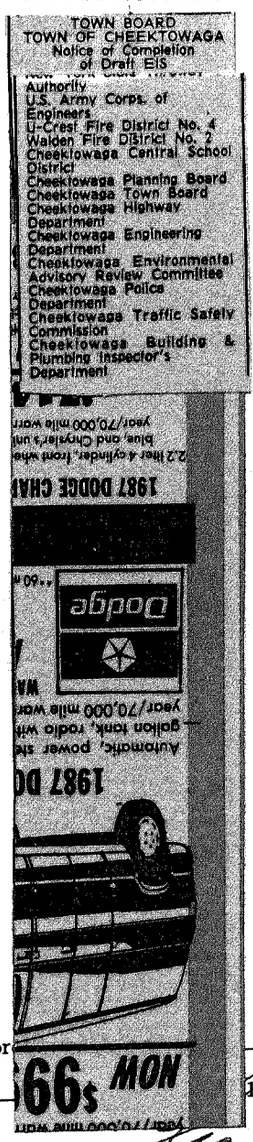
In order for the Town Board, as Lead Agency, to begin the public review process and solicit comments from all interested parties, it must accept the DEIS as adequate.

In the opinion of the Advisory Committee the DEIS submitted appears to be adequate in both breadth and depth as required by Article 8 (The State Environmental Quality Review Act).

TA:jd

# State of New York

ERIE COUNTY
CITY OF BUFFALO




D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that s he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of THE BUFFALO 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 ~~xxxx

State of New Y

ERIE COUNTY
CITY OF BUFFALO

TOWN BOARD
TOWN OF CHEEKTOWAGA
Notice of Completion
of Draft EIS
and
Notice of SEQRA
Public Hearing
Lead Agency: Town Board
Town of Cheektowaga
Address: Broadway and Union
Road
Cheektowaga, New York
14227

Dated: June 22, 1987

This consolidated notice is issued pursuant to Part 617 of the implementing regulations (6 NYCRR) pertaining to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act) and Section 23A-13 of the Town of Cheektowaga Code.

A Draft Environmental Impact Statement ("DEIS") has been completed and accepted by the Town Board of the Town of Cheektowaga, as lead agency, for the proposed action described below. Written comments on the DEIS are requested and will be accepted by the contact person if received on or before July 27, 1987. A public hearing on the DEIS will be held on July 15, 1987 at 7:00 P.M. at the Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227.

The purpose of the hearing is to solicit comments from the public and interested agencies on the DEIS and particularly on the environmental issues identified below. Lengthy statements are requested to be submitted in writing in the event that there are a large number of persons to be heard at the public hearing, a time limit per person may be imposed. Written comments may be submitted to the contact person after the hearing and will be received until July 27, 1987, until 5:00 P.M.

Title of Action:
Walden Galleria Regional Shopping Center

Description of Action:
The Pyramid Company of Buffalo is proposing to develop a 961,000 square foot gross leasable area regional shopping center on a 75 acre site north of Walden Avenue in the Town of Cheektowaga. The project entails construction of stormwater detention basins on Town owned lands west of the New York State Thruway and numerous traffic improvements including the construction of a new Town road connecting Walden Avenue with Union Road. Future development possibilities include the expansion of the Walden Galleria by an additional 200,000 square feet gross leasable area with either relocation or construction over a portion of the Scajaquada Creek.

Location:
The site is generally bounded on the south by Walden Avenue, on the west by the New York State Thruway, on the north by the abandoned Conrail right-of-way and on the east by Union Road and the Cheektowaga Consolidated Central High School. The site is located in the Town of Cheektowaga, Erie County, New York.

Potential Environmental Impacts Studied:
Impacts studied include: an increase in traffic in the vicinity of the site; effects of the project on stormwater runoff and flood storage capacity; loss of vegetation and wildlife due to development of the site; and air quality.

Document Availability:
Limited copies of the DEIS are available and may be reviewed at the Town Clerk's office between 9:00 A.M. and 6:00 P.M. weekdays, and the Town Building Inspector's Office between 9:00 A.M. and 4:30 P.M. weekdays.
The DEIS and Appendices are also on file and may be reviewed at the following locations:
Kenilem Memorial Library, 1680 Harlem Road
Cheektowaga South Branch Library, 2660 William Street
Cheektowaga North Branch Library, 735 Maryvale Drive
Kelly Park Store Front Library, 27 Kelly Drive

For Further Information:
Contact Person:
Thomas Adamczak,
Assistant Building Inspector
Address: Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227
Phone No. 716-686-3478

Copies of this Notice sent to:
Commissioner, Department of Environmental Conservation
50 Wolf Road
Albany, New York 12233-001
New York State Department of Environmental Conservation
Region 9 Headquarters
600 Delaware Avenue
Buffalo, New York 14202
Supervisor Daniel E. Weber
Town of Cheektowaga
Involved and interested agencies:
New York State Department of Transportation
Erie County Department of Environment and Planning
Erie County Water Authority
Forks Fire District No. 3
New York State Thruway Authority
U.S. Army Corps of Engineers
U-Crest Fire District No. 4
Walden Fire District No. 2
Cheektowaga Central School District
Cheektowaga Planning Board
Cheektowaga Town Board
Cheektowaga Highway Department
Cheektowaga Engineering Department
Cheektowaga Environmental Advisory Review Committee
Cheektowaga Police Department
Cheektowaga Traffic Safety Commission
Cheektowaga Building & Plumbing Inspector's Department

D. Eileen Perry

City of Buffalo, New York, being duly sworn, deposes

ys that ⊛ he is Principal Clerk

e BUFFALO EVENING NEWS, INC., Publisher of

BUFFALO NEWS, a newspaper published in said

hat the notice of which the annexed printed slip taken

said newspaper is a copy, was inserted and published

in once

nsertion being on the 25th day of June

7 and the last insertion being on the ____ day

D. Eileen Perry

worn to befor ____ day

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 87

Notary Public, Erie County, N.Y.

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

Mary Lewandowski, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication JUN 25 1987; last publication JUN 25 1987; and that no more than six days intervened between publications.

Mary Lewandowski

Sworn to before me this 25th day of June, 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 NOV. 30, 1989

**LEGAL NOTICE**
**TOWN BOARD**
**TOWN OF CHEEKTOWAGA**
**NOTICE OF COMPLETION OF DRAFT EIS**
**AND**
**NOTICE OF SEQRA PUBLIC HEARING**

Lead Agency: Town Board
Town of Cheektowaga
Address: Broadway and Union Road
Cheektowaga, New York 14227

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POTENTIAL ENVIROMENTAL IMPACTS STUDIED:

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Cheektowaga South Branch Library; 2660 William Street

Cheektowaga North Branch Library; 735 Maryvale Drive

Kelly Park Store Front Library; 27 Kelly Drive

FOR FURTHER INFORMATION:

Contact person: Thomas Adamczak; Assistant Building Inspector
Address: Town Hall, Broadway and Union Roads
Cheektowaga, New York 14227

New York State Department of Environmental Conservation
Region 9 Headquarters
600 Delaware Avenue
Buffalo, New York 14202

Supervisor Daniel E. Weber
Town of Cheektowaga

INVOLVED AND INTERESTED AGENCIES:

New York State Department of Transportation
Erie County Department of Environment and Planning
Erie County Water Authority
Forks Fire District No. 3
New York State Thruway Authority
U.S. Army Corps. of Engineers
U-Crest Fire District No. 4
Walden Fire District No. 2
Cheektowaga Central School District
Cheektowaga Planning Board
Cheektowaga Town Board
Cheektowaga Highway Department
Cheektowaga Engineering Department
Cheektowaga Environmental Advisory Review Committee
Cheektowaga Police Department
Cheektowaga Traffic Safety Commission
Cheektowaga Building & Plumbing inspector's Department

DATED: June 22, 1987
PUBLISH: June 25, 1987

TO BUY
$350 RINGS, paying up to

II. SUSPENSION OF RULES

Motion by Supervisor Weber, Seconded by Councilman Santa Maria 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. 3 Motion by Supervisor Weber, Seconded by Councilman Jaworowicz

WHEREAS, the Last Will and Testament of Dr. Victor Reinstein created a certain family trust, the remainder of which, upon the death of all of the named life beneficiaries, would be distributed to the "County of Erie" or the "Town of Cheektowaga" for "capital construction by expanding the physical library buildings in the Town of Cheektowaga or the erection of new library or libraries"; and

WHEREAS, the legal representatives of the named life beneficiaries have petitioned the Surrogate of Erie County for a reformation of the said family trust, for the purpose of qualifying same as a charitable remainder annuity trust; and

WHEREAS, in urging the assent of the Town of Cheektwoaga to the aforesaid petition, the legal representatives of the named life beneficiaries have stated that a charitable remainder annuity trust would be beneficial to the Town in several respects, including:

1. qualifying the trust for a charitable deduction under the Internal Revenue Code, which would result in an estate tax saving of approximately $500,000.00,

2. exempting the trust itself from the payment of income taxes,

3. removing certain restrictions on the alienation (sale) of certain real properties on Dick Road, Union Road and Walden Avenue, which would allow the present development of such lands with obvious attendant primary, secondary and tertiary benefits, and

4. allowing for an increase in the investment powers of trust trustees; and

WHEREAS, because of the complexity of the matter, the Town retained specialized professional tax, actuarial, and real estate services, and

WHEREAS, the consultants to this Town Board have reported that, based on all of the information submitted to and reviewed by them, the Town would not be adversely affected by the reformation petitioned for, and

WHEREAS, it is preferable and generally more beneficial to the Town to encourage the development of commercial lands within the Town, as opposed to freezing their current status as unused and undevelopmend properties for possibly the next 20 or more years,

NOW, THEREFORE, BE IT RESOLVED that based on current data and the projections based thereon by town consultants, this Town Board hereby consents to the petition for the reformation of the family trust provisions in the Last Will and Testament of Dr. Victor Reinstein.

Upon Roll Call....
AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, Jaworowicz, Kowal, Gabryszak and Santa Maria
NAYES: 0
ABSENT: 0

Item No. 4 Motion by Supervisor Weber, Seconded by Councilman Rogowski

BE IT RESOLVED that the following voucher and warrant submitted to the Town of Cheektowaga prior to June 22, 1987 are hereby approved and made a part hereof.

| FUND | AMOUNT |
|---|---|
| CAPITAL FUND | $95,460.27 |

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 Jaworowicz, Seconded by Councilman Johnson

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the remodeling of the Roycroft Pump Station, which bids were duly received and publicly opened on June 8, 1987, and

WHEREAS, were referred to the Town Engineer and the consulting firm of Nussbaumer & Clarke, Inc. for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated June 17, 1987, and

WHEREAS, said report recommends that Contract A (General Construction and Mechanical) be awarded to Earl F. Knauss Construction, Inc. and Contract D (Electrical) be awarded to Weydman Electric, Inc., for their submission of the lowest bid prices meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the General Construction and Mechanical Contract for the Roycroft Pump Station remodeling be and hereby is awarded to Earl F. Knauss Construction, Inc., 186 Warwick Avenue, Buffalo, New York 14215 and the Electrical Contract for the Roycroft Pump Station remodeling be and hereby is awarded to Weydman Electric, Inc., 747 Young Street, Tonawanda, New York 14150, the lowest responsible bidders meeting the requirements of the specifications at the bid prices of $28,750.00 for Contract A (General Construction and Mechanical) and $15,869.00 for Contract D (Electrical), and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to sign said agreements with Earl F. Knauss Construction, Inc. and Weydman Electric, Inc.

* 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—686-3447
716—686-3448

June 17, 1987

TO SUPERVISOR WE[illegible] AND
HONORABLE TOWN B[illegible]RD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Roycroft Pump Station
Remodeling

Gentlemen:

On Monday, June 8, 1987 at 11:00 A.M., bids were received and opened for the upgrading of the Roycroft Pump Station in Sanitary Sewer District No. 5. This was the re-bidding of Contract A (General Construction and Mechanical) and Contract D (Electrical). Bids were rejected by the Town Board on May 18, [illegible]nce only one (1) bidder bid on each of these parts of the specificat[illegible]ollowing are the bids as received in this second round of bidding.

CONTRACT A - GENERAL CONSTRUCTION AND MECHANICAL

| BIDDER | BID ITEM A-1 BLDG. MODIFICATIONS | BID ITEM A-2 MECHANICAL EQUIP. | TOTAL |
|---|---|---|---|
| Earl F. Knauss Const. | $7,438.00 | $21,312.00 | $28,750.00 |
| Amherst Const., Inc. | $10,000.00 | $22,680.00 | $32,680.00 |

CONTRACT D - ELECTRICAL

| BIDDER | BID ITEM D-1 ELECTRICAL WORK |
|---|---|
| Weydman Electric, Inc. | $15,869.00 |
| Buffalo Electric Const. Co., Inc. | $15,900.00 |

It is recommended that Contract A (General Construction and Mechanical) be awarded to Earl F. Knauss Construction, Inc. for submission of the lowest bid meeting the requirements of the specifications. This bid is in the amount of $28,750.00. This compares with the engineer's estimate of $36,600.00. Had we not rejected the first round of bids, the award would have been made in the amount of $42,400.00 for the same work. The savings was almost $14,000.00.

It is recommended that the bid for Contract D (Electrical) be awarded to Weydman Electric, Inc. for their submission of the lowest bid meeting the requirements of the specifications. The bid award is in the amount of $15,869.00 which is slightly over $100.00 less than the bid that was originally rejected. It also exceeds the engineer's estimate of $11,405.00.

A resolution is being submitted to proceed with the upgrading of the Roycroft Pump Station by the award of Contracts A and D at this time. Contract B (Plumbing) and Contract C (Heating and Ventilating Systems) were awarded at the May 18, 1987 Town Board meeting.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

Item No. 6 Motion by Supervisor Weber, Seconded by Councilman Rogowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk